

Status: Point in time view as at 08/04/2013.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, Cross Heading: Crime and Disorder Act 1998 (c. 37) is up to date with all changes known to be in force on or before 10 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 9

CONSEQUENTIAL AMENDMENTS

Crime and Disorder Act 1998 (c. 37)

192 In section 1 of the Crime and Disorder Act 1998 (anti-social behaviour orders), in subsection (11), for the words from “section 1A” to “Act”)” there shall be substituted “ section 12 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

^{F1}193

Textual Amendments

F1 Sch. 9 para. 193 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 43(5), Sch. 7; S.I. 2004/874, art. 2

^{F2}194

Textual Amendments

F2 Sch. 9 para. 194 repealed (15.12.2004) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 37 Pt. 12; S.I. 2004/3033, art. 3(1)(2)(e)(ii)(ee)

^{F3}195

Textual Amendments

F3 Sch. 9 para. 195 repealed (15.12.2004) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 37 Pt. 12; S.I. 2004/3033, art. 3(1)(2)(e)(ii)(ee)

196 In section 18 of the Crime and Disorder Act 1998 (interpretation of Chapter I of Part I), for subsection (2) there shall be substituted the following subsection—

“(2) In this Chapter, “protecting the public from serious harm” shall be construed in accordance with section 161(4) of the Powers of Criminal Courts (Sentencing) Act 2000.”

197 In section 38(4) of the Crime and Disorder Act 1998 (meaning of “youth justice services”)—

- (a) in paragraph (j), for “section 75 below” there shall be substituted “ section 102 of the Powers of Criminal Courts (Sentencing) Act 2000 (period of detention and training under detention and training orders) ”; and
- (b) in paragraph (k), as inserted by paragraph 28 of Schedule 4 to the ^{M1}Youth Justice and Criminal Evidence Act 1999, for “Part I of the Youth Justice

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and Criminal Evidence Act 1999” there shall be substituted “ the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Marginal Citations

M1 1999 c. 23.

^{F4}198

Textual Amendments

F4 Sch. 9 para. 198 omitted (8.4.2013) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 24 para. 20](#) (with s. 135(4)); S.I. 2013/453, art. 4(f)

199 In section 114(3) of the Crime and Disorder Act 1998 (parliamentary procedure for certain orders), for the words from “38(5),” to “76(2)” there shall be substituted “ 38(5) or 41(6) ”.

200 In section 117(1) of the Crime and Disorder Act 1998 (general interpretation), in the definition of “custodial sentence”, for “Part I of the 1991 Act” there shall be substituted “ the Powers of Criminal Courts (Sentencing) Act 2000 ”.

201 [^{F5}(1) Schedule 3 to the Crime and Disorder Act 1998 (procedure where persons are sent for trial under section 51 of that Act) shall be amended as follows.

(2) In paragraph 10(2), for “section 38 of the 1980 Act” there shall be substituted “ section 3 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

(3) In paragraph 13(2), for “subsection (2) of section 53 of the 1933 Act” there shall be substituted “ subsection (1) or (2) of section 91 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.]

Textual Amendments

F5 Sch. 9 para. 201 repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 4](#); S.I. 2012/1320, art. 4(1)(d)(2)(3) (with art. 5) (see S.I. 2012/2574, art. 4(2) and S.I. 2013/1103, art. 4); S.I. 2012/2574, art. 2(2)(2)(d)(3), [Sch.](#) (with arts. 3, 4) (as amended (4.11.2012) by S.I. 2012/2761, art. 2) (with S.I. 2013/1103, art. 4)

202 (1) Schedule 8 to the Crime and Disorder Act 1998 (minor and consequential amendments) shall be amended as follows.

(2) In paragraph 86(1), in the subsection (1) to be substituted in section 41 of the ^{M2}Criminal Justice Act 1991, for “section 9 of the Crime (Sentences) Act 1997” there shall be substituted “ section 87 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

(3) In paragraph 90, in the subsection (2) to be substituted in section 47 of the ^{M3}Criminal Justice Act 1991, for “section 9 of the Crime (Sentences) Act 1997” there shall be substituted “ section 87 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

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Marginal Citations

M2 1991 c. 53.

M3 1991 c. 53.

203 In Schedule 9 to the Crime and Disorder Act 1998 (transitional provisions and savings), in paragraph 14(2), for “section 40 of the 1991 Act” there shall be substituted “section 116 of the Powers of Criminal Courts (Sentencing) Act 2000”.

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