



# Serious Organised Crime and Police Act 2005

## 2005 CHAPTER 15

### PART 6

#### FINAL PROVISIONS

#### **175 Penalties for offences: transitional modification for England and Wales**

- (1) This section contains transitional modifications in respect of penalties for certain offences committed in England or Wales.
- (2) In relation to an offence committed before [<sup>F1</sup>2 May 2022], the references in the following provisions to periods of imprisonment of [<sup>F2</sup>the general limit in a magistrates' court] are to be read as references to periods of imprisonment of 6 months—
  - section 67(5)(b);
  - section 86(2)(b);
  - section 88(3)(b);
  - section 147(1)(a).
- (3) In relation to an offence committed before the commencement of section 281(5) of the Criminal Justice Act 2003 (alteration of penalties for summary offences), the references in the following provisions of this Act to periods of imprisonment of 51 weeks are to be read as references to the periods of imprisonment specified in respect of those provisions as follows—

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<i>Section</i>	<i>Modified period of imprisonment</i>
F3	F3
...	...
F3	F3
...	...

**Changes to legislation:** Serious Organised Crime and Police Act 2005, Section 175 is up to date with all changes known to be in force on or before 21 April 2024. 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) View outstanding changes

F4	F4
...	...
F4	F4
...	...
section 67(4)(a)	6 months
F5	F5
...	...
section 112(5)	4 months
section 128(5)(a)	6 months
section 136(1)	3 months
section 136(3)(a)	3 months
[ <sup>F6</sup> section 136(4)	3 months
section 136(4A)	3 months]

#### Textual Amendments

- F1** Words in s. 175(2) substituted (28.4.2022) by [The Criminal Justice Act 2003 \(Commencement No. 33\) and Sentencing Act 2020 \(Commencement No. 2\) Regulations 2022 \(S.I. 2022/500\)](#), regs. 1(2), 5(1), **Sch. Pt. 1**
- F2** Words in s. 175(2) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), **Sch. Pt. 1**
- F3** Words in s. 175(3) omitted (7.10.2013) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), **Sch. 8 para. 163(a)**; S.I. 2013/1682, art. 3(v)
- F4** Words in s. 175(3) omitted (7.10.2013) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), **Sch. 8 para. 163(b)**; S.I. 2013/1682, art. 3(v)
- F5** Words in s. 175(3) omitted (3.5.2015) by virtue of [Serious Crime Act 2015 \(c. 9\)](#), s. 88(1), **Sch. 4 para. 72**; S.I. 2015/820, reg. 2(r)(xii)
- F6** Words in s. 175(3) substituted (1.10.2008) by [Serious Crime Act 2007 \(c. 27\)](#), s. 94(1), **Sch. 6 para. 64(3)** (with [Sch. 13 para. 5](#)); S.I. 2008/2504, art. 2(a)

#### Commencement Information

- I1** S. 175 in force at 1.7.2005 by [S.I. 2005/1521](#), **art. 3(1)(dd)**

**Changes to legislation:**

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[View outstanding changes](#)

**Commencement Orders yet to be applied to the Serious Organised Crime and Police Act 2005**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2006/2182 art. 3](#) amendment to earlier commencing SI 2006/1871