Status: *Point in time view as at 30/11/2009.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, Part 1 is up to date with all changes known to be in force on or before 19 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)*

SCHEDULES

SCHEDULE 27

TRANSITORY, TRANSITIONAL AND SAVING PROVISIONS

PART 1

YOUTH JUSTICE

Abolition of certain youth orders and related amendments

1 (1) Section 1, subsections (1) and (2) of section 6, the amendments in Part 1 of Schedule 4 and the repeals and revocations in Part 1 of Schedule 28 do not have effect in relation to—

(a) any offence committed before they come into force, or

(b) any failure to comply with an order made in respect of an offence committed before they come into force.

(2) So far as an amendment in Part 2 of Schedule 4 relates to any of the following orders, the amendment has effect in relation to orders made before, as well as after, the amendment comes into force—

(a) a referral order made under the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6);

(b) a reparation order made under that Act;

(c) a community order made under section 177 of the Criminal Justice Act 2003 (c. 44).

Commencement Information

I1 Sch. 27 para. 1 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(t)(i)**

Reparation orders

2 (1) Sub-paragraph (2) applies if the amendments of Schedule 8 to the Powers of Criminal Courts (Sentencing) Act 2000 (action plan orders and reparation orders) made by paragraph 108(1) to (5) of Schedule 4 (reparation orders: court before which offender to appear or be brought) come into force before the amendments of Schedule 8 to that Act made by paragraph 62 of that Schedule.

(2) After paragraph 108(1) to (5) of Schedule 4 comes into force, and until paragraph 62 of that Schedule comes into force, paragraph 3 of Schedule 8 to the Powers of Criminal Courts (Sentencing) Act 2000 has effect as if—

(a) in sub-paragraph (5)(a) and (c), for "the appropriate court" there were substituted " a youth court ", and

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(b) in sub-paragraph (6), for "appropriate" there were substituted " youth ".

(3) Sub-paragraph (4) applies if the amendments of Schedule 8 to the Powers of Criminal Courts (Sentencing) Act 2000 (action plan orders and reparation orders) made by paragraph 62 of Schedule 4 come into force before the amendments of Schedule 8 to that Act made by paragraph 108(1) to (5) of that Schedule (reparation orders: court before which offender to appear or be brought).

(4) After paragraph 62 of Schedule 4 comes into force, and until paragraph 108(1) to (5) of that Schedule comes into force, paragraph 1 of Schedule 8 to the Powers of Criminal Courts (Sentencing) Act 2000 has effect as if—

(a) for "an action plan order or" there were substituted " a ", and

(b) the words "69(8) or, as the case may be," were omitted.

Commencement Information

I2 Sch. 27 para. 2 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(t)(i)**

Making of youth rehabilitation orders: other existing orders

3 In paragraph 29(3)(c) of Schedule 1 (requirements not to conflict with other obligations), the reference to a youth rehabilitation order is to be read as including a reference to any youth community order within the meaning of section 147(2) of the Criminal Justice Act 2003 (c. 44) (as it has effect immediately before the commencement of paragraph 72 of Schedule 4 to this Act).

Commencement Information

I3 Sch. 27 para. 3 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(t)(i)**

Instructions: other existing orders

4 In section 5(3)(c) (instructions not to conflict with other obligations), the reference to a youth rehabilitation order is to be read as including a reference to any youth community order within the meaning of section 147(2) of the Criminal Justice Act 2003 (as it has effect immediately before the commencement of paragraph 72 of Schedule 4 to this Act).

Commencement Information

I4 Sch. 27 para. 4 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(t)(i)**

Fine default: section 35 of the Crime (Sentences) Act 1997

5 The amendments, repeals and revocations in section 6, Schedule 4 and Part 1 of Schedule 28 of provisions which are necessary to give effect to section 35 of the Crime (Sentences) Act 1997 (c. 43) (fine defaulters) do not have effect in relation to a sum ordered to be paid where—

(a) the sum is treated as adjudged to be paid on conviction, and

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(b) the act or omission to which the sum relates occurred, or the order was made, before the commencement of those repeals and amendments.

Commencement Information

I5 Sch. 27 para. 5 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(t)(i)**

Restrictions on imposing community sentences

6 In subsection (5) of section 148 of the Criminal Justice Act 2003 (restrictions on imposing community sentences), as inserted by section 10 of this Act, the reference to a youth rehabilitation order is to be read as including a reference to any youth community order within the meaning of section 147(2) of the Criminal Justice Act 2003 (as it has effect immediately before the commencement of paragraph 72 of Schedule 4 to this Act).

Commencement Information

I6 Sch. 27 para. 6 in force at 14.7.2008 by S.I. 2008/1586, art. 2(1), **Sch. 1 para. 49**

I7 Sch. 27 para. 6 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(t)(i)**

Attendance centre rules

7 The reference in paragraph 1(2)(a)(ii) of Schedule 2 to rules made under subsection (1)(d) or (e) of section 222 of the Criminal Justice Act 2003 includes a reference to rules made, or having effect as if made, before the coming into force of that section under section 62(3) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) (provision, regulation and management of attendance centres).

Commencement Information

I8 Sch. 27 para. 7 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(t)(i)**

Status:
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Changes to legislation:
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