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SCHEDULES

SCHEDULE 28

Section 149

REPEALS AND REVOCATIONS

VALID FROM 30/11/2009

PART 1

YOUTH REHABILITATION ORDERS

Title	***Extent of repeal or revocation***
Children and Young Persons Act 1933 (c. 12)	In section 34(7), the words "section 163 of the Powers of Criminal Courts (Sentencing) Act 2000 or". In section 49— (a) in subsection (4A), paragraph (d) (but not the word "and" immediately following it); (b) in subsection (13)(c), sub-paragraph (i) together with the word "and" immediately following it.
Social Work (Scotland) Act 1968 (c. 49)	In section 94(1), in the definition of "supervision order", the words "the Powers of Criminal Courts (Sentencing) Act 2000 or".
Children and Young Persons Act 1969 (c. 54)	Section 25. In section 70(1), the definition of "supervision order".
Northern Ireland (Modification of Enactments — No. 1) Order 1973 (S.I. 1973/2163)	In Schedule 1, the entry relating to section 25(2) of the Children and Young Persons Act 1969.
Transfer of Functions (Local Government, etc.) (Northern Ireland) Order 1973 (S.R. & O. 1973 No. 256)	In Schedule 2, the entry relating to section 25 of the Children and Young Persons Act 1969.
Bail Act 1976 (c. 63)	In section 4(3), the words "to be dealt with".
Magistrates' Courts Act 1980 (c. 43)	In Schedule 6A, the entries relating to Schedules 3, 5 and 7 to the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6).

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Contempt of Court Act 1981 (c. 49)	In section 14, the subsection (2A) inserted by the Criminal Justice Act 1982 (c. 48).
Criminal Justice Act 1982 (c. 48)	In Schedule 13— (a) in paragraph 7(2)(b), the words "(within the meaning of Part 12 of the Criminal Justice Act 2003)"; (b) in paragraph 7(3)(b), the words "within the meaning of Part 12 of the Criminal Justice Act 2003"; (c) in paragraph 9(3)(a), the words "under section 177 of the Criminal Justice Act 2003"; (d) in paragraph 9(4)(a), the words "(within the meaning of Part 12 of the Criminal Justice Act 2003)"; (e) in paragraph 9(5), the words "(within the meaning of the Part 12 of the Criminal Justice Act 2003)"; (f) in paragraph 9(6), the words "(within the meaning of Part 12 of the Criminal Justice Act 2003)". In Schedule 14, paragraph 60.
Mental Health Act 1983 (c. 20)	In section 37(8)(c), the words "a supervision order (within the meaning of that Act) or".
Health and Social Services and Social Security Adjudications Act 1983 (c. 41)	In Schedule 2, paragraphs 15(b) and 16.
Children Act 1989 (c. 41)	In section 21(2)(c), in sub-paragraph (i), the words "paragraph 7(5) of Schedule 7 to the Powers of Criminal Courts (Sentencing) Act 2000 or" and the word "or" at the end of that sub-paragraph. In section 105(6), in paragraph (b), the words from "or an" to the end of that paragraph. In Schedule 13, paragraph 35(3).
Criminal Justice Act 1991 (c. 53)	In paragraph 11 of Schedule 3— (a) in sub-paragraph (2)(a), the words "under section 177 of the Criminal Justice Act 2003"; (b) in sub-paragraph (4), the words "under section 177 of the Criminal Justice Act 2003". In Schedule 11, paragraph 3.
Children (Prescribed Orders — Northern Ireland, Guernsey and Isle of Man) Regulations 1991 (S.I. 1991/ 2032)	In regulation 8(1)— (a) sub-paragraph (a)(ii); (b) sub-paragraph (b)(i), (ii), (iv) and (v); (c) sub-paragraph (c)(ii) and (iii).

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Prisoners (Return to Custody) Act 1995 (c. 16)	Section 2(2).
Children (Northern Ireland Consequential Amendments) Order 1995 (S.I. 1995/ 756)	Article 7(2) and (3).
Crime and Disorder Act 1998 (c. 37)	In section 38(4)— (a) paragraph (g); (b) in paragraph (h), the words "or a supervision order". In Schedule 8, paragraph 13(1).
Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)	Chapters 1, 2, 4 and 5 of Part 4. In section 74(3)(a), the words "or with the requirements of any community order or any youth community order to which he may be subject". In section 75, the words "action plan orders and" and "so far as relating to reparation orders". In section 137(2)— (a) paragraphs (a) to (c); (b) in paragraph (d), the words "action plan order or". In section 159, the words "paragraph 3(1), 10(6) or 18(1) of Schedule 3 to this Act,", "paragraph 1(1) of Schedule 5 to this Act," and "paragraph 7(2) of Schedule 7 to this Act, or". In section 160— (a) [F1]... (b) in subsection (3)(a), "40(2)(a)"; (c) [F1]... In section 163, the definitions of— (a) "action plan order"; (b) "affected person"; (c) "attendance centre"; (d) "attendance centre order"; (e) "community sentence"; (f) "curfew order"; (g) "exclusion order"; (h) "supervision order"; (i) "supervisor"; (j) "youth community order"; and paragraphs (a), (aa) and (f) of the definition of "responsible officer". Schedules 3 and 5 to 7. In Schedule 8— (a) in the heading, the words "action plan orders and"; (b) paragraph 1 and the heading preceding that paragraph; (c) in the cross-heading before paragraph 2, the words "action plan order or";

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	(d) in paragraph 2— (i) in sub-paragraph (2), in paragraph (a), sub-paragraphs (ii) and (iii) and in paragraphs (b) and (c) the words "action plan order or"; (ii) in sub-paragraphs (5) and (7), the words "action plan order or"; (iii) in sub-paragraph (8), the words "or action plan order" in both places; (d) paragraphs 3 and 4; (e) in the cross-heading before paragraph 5, the words "action plan order or"; (f) in paragraph 5(1)(a), the words "action plan order or"; (g) in paragraph 6(9)(a), (b) and (c), the words "action plan order or". In Schedule 9, paragraphs 1, 2(2), (3)(a) and (4), 28(2), 33, 34(b), 39, 41, 42, 49, 80, 93(a), 126(b), 127, 129, 131 and 132. In Schedule 10, paragraphs 4 to 6 and 12 to 15. In Schedule 11, paragraphs 4(1)(a), (2) and (3) and 5.
Care Standards Act 2000 (c. 14)	In Schedule 4, paragraph 28(3).
Criminal Justice and Court Services Act 2000 (c. 43)	Section 46. Section 52. Section 70(5). In Schedule 7— (a) in paragraph 4(2), in the entry relating to the Powers of Criminal Courts (Sentencing) Act 2000, the entries beginning "sections 63(1)(b)" and "in section 69"; (b) paragraphs 37(b), 69, 163, 164, 174, 175 and 192; (c) in paragraph 196, paragraphs (a), (b), (c)(i) and (iii) and (d); (d) in paragraph 197— (i) paragraph (a); (ii) paragraph (d); (iii) in paragraph (f), the definitions of "affected person" and "exclusion order"; (iv) paragraph (g)(i); (e) paragraphs 201, 202(2) and 204.
Anti-social Behaviour Act 2003 (c. 38)	Section 88. Schedule 2.

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Criminal Justice Act 2003 (c. 44)	In section 147, subsections (1)(b) and (2). In section 148— (a) in subsection (2), the words "which consists of or includes a community order"; (b) subsection (3). In section 156(2), "or (3)(a)". In section 161— (a) in subsection (1), the words "aged 14 or over"; (b) subsection (7). In section 176, the definition of "youth community order". In section 197(1)(b), the words "the offender is aged 18 or over and". Section 199(4). Section 211(5). In section 221(2), paragraph (b) together with the word "or" immediately preceding it. Section 279. In section 330(5)(a), the entry relating to section 161(7). In Schedule 8, paragraphs 12, 15 and 17(5). Schedule 24. In Schedule 32, paragraphs 2(2), 8(2)(a), 14, 64(3)(a)(ii), 70(5)(a) and (7), 73, 89(2), 95 to 105, 106(2), 107, 122, 123(3), (5) and (8), 125, 127, 128, 129, 131(3) and 138.

Textual Amendments

F1 Sch. 28 Pt. 1 entries repealed (12.11.2009) by Coroners and Justice Act 2009 (c. 25), s. 182(1)(j)(ii), **Sch. 23 Pt. 4** (with s. 180)

PART 2

SENTENCING

Commencement Information

I1 Sch. 28 Pt. 2 in force at 14.7.2008 for specified purposes by S.I. 2008/1586, art. 2(1), **Sch. 1 para. 50** (with Sch. 2 para. 2)

Title	*Extent of repeal or revocation*
Criminal Justice Act 1991 (c. 53)	In section 45— (a) in subsection (3), subsection (2) of the substituted text, and

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	(b) subsection (4). Section 46(1). In section 46A— (a) in subsection (1), the words "Subject to subsection (2) below,"; (b) subsection (2); (c) subsection (8). In section 50(2), the words from "but nothing" to the end.
Crime (Sentences) Act 1997 (c. 43)	In section 31(1), "(1) or (2)". In Schedule 5, in paragraph 7, the words "the corresponding subsection of".
Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)	In section 17— (a) in subsection (1), paragraph (c) together with the word "and" immediately preceding it; (b) subsection (5). Section 92(3).
Criminal Justice Act 2003 (c. 44)	In section 142(2)(a), the words "at the time of conviction". In section 153(1), the words "falling to be". In section 224(3), the definition of "relevant offence". In section 227(1)(a), the words ", other than a serious offence,". In section 228— (a) in subsection (1)(b)(ii), the words from "or by section 226(3)" to the end, and (b) subsection (3)(a) and the word "and" immediately following it. In section 229— (a) in subsection (2) the words from the beginning to "18", and (b) subsections (3) and (4). Sections 233 and 234. In section 247— (a) in subsection (2), the word "and" (at the end of paragraph (a)) and paragraph (b), and (b) subsections (3), (4), (5) and (6). Section 254(3) to (5). In section 256— (a) in subsection (2), the words "or (b)"; (b) subsections (3) and (5). In section 260— (a) subsections (3) and (3A); (b) in subsection (6), in paragraph (a), the words "or (3)(e)" and paragraph (b). In section 264A(3), the words from "and none" to the end. In section 300—

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	(a) in subsection (1), paragraph (b) together with the word "or" immediately preceding it; (b) in subsection (2)— (a) the words from "or, as the case may be" to "young offender)"; (b) the word "or" at the end of paragraph (a). Section 305(4)(e). Schedules 16 and 17. In Schedule 31, in paragraph 4(5)(a), ", (5)".
Referral Orders (Amendment of Referral Conditions) Regulations 2003 (S.I. 2003/1605)	Regulation 2(2) and (3).
Criminal Justice Act 2003 (Commencement No. 8 and Transitional and Saving Provisions) Order 2005 (S.I. 2005/950	Paragraph 30 of Schedule 2.
Armed Forces Act 2006 (c. 52)	In section 221— (a) in subsection (3)(a) and (b) the words "in section 226(2)", and (b) subsection (4). In section 223(3), the words "to (4)". In section 270— (a) subsection (7), and (b) in subsection (8), the word "Accordingly". In Schedule 16, paragraphs 218 and 225.

PART 3

APPEALS

Commencement Information

I2 Sch. 28 Pt. 3 in force at 14.7.2008 for specified purposes by S.I. 2008/1586, art. 2(1), **Sch. 1 para. 50** (with Sch. 2 paras. 4-6, 9)

Title	*Extent of repeal*
Criminal Appeal Act 1968 (c. 19)	In section 4(2), the words "for the offence of which he remains convicted on that count". In section 6— (a) subsection (5); (b) in subsection (7), the definition of interim hospital order. Section 11(6). In section 14— (a) subsection (5);

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	(b) in subsection (7), the definition of interim hospital order. Section 16B(3). In section 31, in the heading, the words "under Part 1". Section 31C(1) and (2).
Courts-Martial (Appeals) Act 1968 (c. 20)	Section 16(5). Section 25B(3). Section 36C(1) and (2). In section 43(1A), the word "or" at the end of paragraph (a).
Judicature (Northern Ireland) Act 1978 (c. 23)	In section 49— (a) in subsection (2), the words from "or, where subsection (3) applies" to the end; (b) subsection (3).
Criminal Appeal (Northern Ireland) Act 1980 (c. 47)	Section 10(6).
Mental Health Act 1983 (c. 20)	In Schedule 4, paragraph 23(d)(ii).
Criminal Justice Act 1988 (c. 33)	In section 36(9), the word "and" at the end of paragraph (ab).
Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)	In section 155— (a) in subsection (1), the words from "or, where subsection (2) below applies" to the end; (b) subsections (2) and (3).
Criminal Justice Act 2003 (c. 44)	Section 272(1).

PART 4

OTHER CRIMINAL JUSTICE PROVISIONS

Commencement Information

I3 Sch. 28 Pt. 4 in force at 14.7.2008 for specified purposes by S.I. 2008/1586, art. 2(1), **Sch. 1 para. 50**

I4 Sch. 28 Pt. 4 partly in force; Sch. 28 Pt. 4 partly in force at Royal Assent, see s. 153(1)(a) and further in force for certain purposes at 8.7.2008, see s. 153(2)(a)

Title	*Extent of repeal*
Children and Young Persons Act 1969 (c. 54)	Section 23AA(4)(a).
Bail Act 1976 (c. 63)	Section 3AA(6) to (10) and (12).
Magistrates' Courts Act 1980 (c. 43)	Section 13(5). Section 24(1B).
Prosecution of Offences Act 1985 (c. 23)	Section 7A(6).

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Criminal Justice (Terrorism and Conspiracy) Act 1998 (c. 40)	Section 8.
Access to Justice Act 1999 (c. 22)	Section 17A(5).
Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)	In section 3— (a) in subsection (2), paragraph (b) and the word "or" immediately preceding it; (b) in subsection (5), in paragraph (b), the words "paragraph (b) and".
Sexual Offences Act 2003 (c. 42)	Section 86(4). Section 87(6).
Criminal Justice Act 2003 (c. 44)	Section 23A(7) to (9). In Schedule 3, paragraphs 13, 22 and 57(2). In Schedule 36, paragraph 50. In Part 4 of Schedule 37, in the entry relating to the Magistrates' Courts Act 1980, in the second column, the words "In section 33(1), paragraph (b) and the word "and" immediately preceding it".

PART 5

CRIMINAL LAW

Commencement Information

I5 Sch. 28 Pt. 5 in force at 14.7.2008 for specified purposes by S.I. 2008/1586, art. 2(1), **Sch. 1 para. 50**

I6 Sch. 28 Pt. 5 partly in force at Royal Assent, see s. 153(1)(j) and further in force for certain purposes at 8.7.2008, see s. 153(2)(d)

Title	*Extent of repeal*
Criminal Libel Act 1819 (60 Geo. 3 & 1 Geo. 4 c. 8)	In section 1, the words "any blasphemous libel, or".
Law of Libel Amendment Act 1888 (c. 64)	In section 3, the words "blasphemous or". In section 4, the words "blasphemous or".
Nuclear Material (Offences) Act 1983 (c. 18)	Section 1(2). In section 6(1), the words "in this Act".
Public Order Act 1986 (c. 64)	Section 29B(3). In section 29H— (a) in subsection (1), the words "in England and Wales"; (b) subsection (2). In section 29I— (a) in subsection (2)(a), the words "in the case of an order made in proceedings in England and Wales,"; (b) subsections (2)(b) and (4).

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	In section 29L(1) and (2), the words "in England and Wales".
Sexual Offences Act 2003 (c. 42)	In Schedule 2, in paragraph 1(d), the words "in relation to a photograph or pseudo-photograph showing a child under 16".
Terrorism Act 2006 (c. 11)	Section 14.

PART 6

INTERNATIONAL CO-OPERATION IN RELATION TO CRIMINAL JUSTICE MATTERS

Commencement Information

I7 Sch. 28 Pt. 6 in force at 14.7.2008 by S.I. 2008/1586, art. 2(1), **Sch. 1 para. 50**

Title	*Extent of repeal*
Commissioners for Revenue and Customs Act 2005 (c. 11)	In Schedule 2, paragraph 14.
Repatriation of Prisoners Act 1984 (c. 47)	In section 1(4)(b) the words "under this Act". Section 3(10). In section 8(1) the word "and" after the definition of "order".
Police and Justice Act 2006 (c. 48)	Section 44(4).

VALID FROM 01/04/2009

PART 7

ANTI-SOCIAL BEHAVIOUR

Title	*Extent of repeal*
Police and Justice Act 2006 (c. 48)	In Schedule 14, paragraph 55(5).

PART 8

POLICING

Commencement Information

I8 Sch. 28 Pt. 8 in force at 14.7.2008 for specified purposes by S.I. 2008/1586, art. 2(1), **Sch. 1 para. 50**

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Title	***Extent of repeal***
Police Act 1996 (c. 16)	In section 50(4), the words “, subject to subsection (3)(b),”. In section 54(2), the words “and the Central Police Training and Development Authority”. In section 97— (a) in subsection (6), in each of paragraphs (b) and (c), the words “or is required to resign as an alternative to dismissal”; (b) in subsection (7), the words “, or required to resign as an alternative to dismissal,”. In Schedule 6, paragraph 6.
Greater London Authority Act 1999 (c. 29)	In Schedule 27, paragraphs 95 and 107.
Criminal Justice and Police Act 2001 (c. 16)	In section 125— (a) subsections (3) and (4); (b) in subsection (5), paragraph (b), together with the word “and” immediately preceding it.
Police Reform Act 2002 (c. 30)	In Schedule 3— (a) paragraphs 20A(8), 20B(5) and 20E(5); (b) paragraph 20G together with the cross heading immediately preceding it; (c) in paragraphs 21A(5) and 24B(2), the words from “(and the other provisions” to the end; (d) paragraph 22(1)(c) (together with the word “or” immediately preceding it); (e) in paragraph 25, the word “and” immediately after each of sub-paragraphs (2)(b), (3)(b) and (5)(b).
Railways and Transport Safety Act 2003 (c. 20)	Section 43.
Police and Justice Act 2006 (c. 48)	In section 49(1), paragraph (c) together with the word “or” immediately preceding it. In Schedule 1, paragraph 30(3). In Schedule 2, paragraph 19.
Legal Services Act 2007 (c. 29)	In Schedule 21, paragraphs 73 and 119.

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