

Status: Point in time view as at 01/02/1991.

Changes to legislation: Criminal Justice Act 1948 is up to date with all changes known to be in force on or before 04 November 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

^{F1}FIRST SCHEDULE

Textual Amendments

F1 Sch. 1 repealed by Powers of Criminal Courts Act 1973 (c. 62), Sch. 6

.....
F1

^{F2}SECOND TO FOURTH SCHEDULES

Textual Amendments

F2 Schs. 2–4 repealed by Prison Act 1952 (c. 52), Sch. 4 Pt. I

.....
F2

^{F3}FIFTH SCHEDULE

Textual Amendments

F3 Sch. 5 repealed by Powers of Criminal Courts Act 1973 (c. 62), Sch. 6

.....
F3

^{F4}SIXTH SCHEDULE

Textual Amendments

F4 Sch. 6 repealed by Prison Act 1952 (c. 52), Sch. 4 Pt. I

.....
F4

Status: Point in time view as at 01/02/1991.

Changes to legislation: Criminal Justice Act 1948 is up to date with all changes known to be in force on or before 04 November 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)

^{F5}SEVENTH SCHEDULE

Textual Amendments

F5 Sch. 7 repealed by [Prison Act 1952 \(c. 52\)](#), s. 55(3), [Sch. 4 Pt. II](#)

F5

EIGHTH SCHEDULE

Section 78.

TRANSITORY PROVISIONS

- 1 (1) Any person who immediately before the commencement of this Act was undergoing or liable to undergo a term of penal servitude under a sentence passed by a court in any part of Great Britain, or as a condition of a pardon granted by His Majesty for an offence for which he was sentenced to death by such a court, or in consequence of the forfeiture or revocation of a licence granted in any part of Great Britain under the Penal Servitude Acts 1853 to 1891, shall, if he is or ought to be in custody in England at the commencement of this Act, be treated thereafter as if he had been sentenced to, or were undergoing or liable to undergo, imprisonment and not penal servitude for that term.
- (2) Where any person who having been sentenced to penal servitude for life, or while undergoing penal servitude for life as a condition of a pardon granted as aforesaid, is at the commencement of this Act the holder of a licence granted under the Penal Servitude Acts 1853 to 1891, which has not been forfeited or revoked, he shall, unless the licence was granted to him while he was in Scotland, be deemed to have been released on licence under section fifty-seven of this Act, and paragraph 6 of the Seventh Schedule to this Act shall apply to him accordingly.
- [^{F6}(2A) In the case of a person who is deemed by virtue of the last foregoing sub-paragraph to have been released on licence under section fifty-seven of this Act, the Secretary of State may, without recalling him to prison, substitute for the licence granted under the Penal Servitude Acts 1853 to 1891, a licence under the said section fifty-seven.]
- (3) Where any person who having been sentenced to penal servitude for a term less than life is at the commencement of this Act the holder of a licence granted as aforesaid under the Penal Servitude Acts 1853 to 1891, which has not been forfeited or revoked, he shall, unless the licence was granted to him while he was in Scotland, be treated as if his sentence had expired.

Textual Amendments

F6 Para. 1(2A) inserted (S.) by [Criminal Justice \(Scotland\) Act 1949 \(c. 94\)](#), [Sch. 11](#)

- 2 Any person who has been sentenced to imprisonment with hard labour for a term which has not expired at the commencement of this Act shall, for the remainder of that term, be treated as though he had been sentenced to imprisonment without hard labour; but nothing in this paragraph shall affect any disability or disqualification attaching to him by virtue of his sentence.

Status: Point in time view as at 01/02/1991.

Changes to legislation: Criminal Justice Act 1948 is up to date with all changes known to be in force on or before 04 November 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)

3—9. F7

Textual Amendments
F7 Sch. 8 paras. 3–9 repealed by Powers of Criminal Courts Act 1973 (c. 62), Sch. 6

NINTH SCHEDULE

Section 79.

CONSEQUENTIAL AND MINOR AMENDMENTS.

Modifications etc. (not altering text)
C1 Except as indicated the text of Sch. 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

| Act to be amended | Amendment |
|-------------------|--------------|
| . . . F8 | . . . F8 |
| . . . F9 | . . . F9 |
| . . . F10 | . . . F10 |
| . . . F11 | . . . F11 |
| . . . F12 | . . . F12 |
| . . . F13 | . . . F13 |
| . . . F14 | . . . F14 |
| . . . F15 | . . . F15 |
| . . . F16 | . . . F16 |
| . . . F17 | . . . F17 |
| . . . F18 | . . . F18 |
| . . . F19 | . . . F19 |

Status: Point in time view as at 01/02/1991.

Changes to legislation: Criminal Justice Act 1948 is up to date with all changes known to be in force on or before 04 November 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)

| | |
|---|---|
| <p>... F20</p> | <p>... F20</p> |
| <p>... F21</p> | <p>... F21</p> |
| <p>... F22</p> <p>The Protection of Animals Act, 1911. 1 & 2 Geo. 5. c. 27.</p> | <p>... F22</p> <p>In section fourteen, in subsection (2), for the words from “direct that the recognizance” to “undertaking” there shall be substituted the words “order him” and at the end the subsection there shall be added the words “and a person who fails to comply with an order under this section without satisfactory excuse shall be liable on summary conviction to a fine not exceeding five pounds”.</p> |
| <p>... F23</p> <p>The Criminal Justice Administration Act, 1914. 4 & 5 Geo. 5. c. 58.</p> | <p>... F23</p> <p>Section fifteen shall cease to have effect.</p> |
| <p>... F24</p> | <p>... F24</p> |
| <p>... F25</p> | <p>... F25</p> |
| <p>... F26</p> <p>The Children and Young Persons Act, 1933. 23 & 24 Geo. 5. c. 12.</p> | <p>... F26</p> <p>In section forty–eight, for subsection (2) there shall be substituted the following subsection— “(2) The attainment of the age of seventeen years by a probationer, or a person in whose case an order for conditional discharge has been made, shall not deprive a juvenile court of jurisdiction to enforce his attendance and deal with him in respect of any failure to comply with the requirements of the probation order or the commission of a further offence or to amend or discharge the probation order”. and in subsection (3) the words from “and where” to the end shall cease to have effect.</p> |
| <p>The Children and Young Persons Act, 1933. 23 & 24 Geo. 5. c. 12.</p> | <p>In section fifty–nine after the word “enactment” there shall be inserted the words “whether passed before or after the commencement of this Act”.</p> |
| <p>... F27</p> | <p>... F27</p> |

Status: Point in time view as at 01/02/1991.

Changes to legislation: Criminal Justice Act 1948 is up to date with all changes known to be in force on or before 04 November 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)

| | |
|-----|-----|
| ... | ... |
| F28 | F28 |
| ... | ... |
| F29 | F29 |
| ... | ... |
| F30 | F30 |
| ... | ... |
| F31 | F31 |
| ... | ... |
| F32 | F32 |
| ... | ... |
| F33 | F33 |

Textual Amendments

- F8** The entry relating to The Diplomatic Privileges Act, 1708. 7 Ann. c. 12. is repealed by [Courts Act 1971 \(c. 23\)](#) Sch. 11 Pt IV
- F9** The entry relating to The Beerhouse Act, 1840. 3 & 4 Vict. c. 61. repealed by [Courts Act 1971 \(c. 23\)](#) Sch. 11 Pt IV
- F10** The entry relating to The Stipendiary Magistrates Act, 1858. 21 & 22 Vict. c. 73 is repealed by [Statute Laws \(Repeals\) Act 1977 \(c. 18\)](#) Sch. 1 Pt. IV
- F11** The entry relating to The Queen's Remembrancer Act, 1859. 22 & 23 Vict. c. 21. is repealed by [Courts Act 1971 \(c. 23\)](#) Sch. 11 Pt IV
- F12** The entry relating to The Refreshment Houses Act, 1860. 23 & 24 Vict. c. 27 repealed by Licensing Act 1961, (c. 61) s. 38(3), Sch. 9 Pt. I
- F13** The entry relating to The Criminal Lunatic Asylums Act, 1860. 23 & 24 Vict. c. 75 repealed by [Mental Health Act, 1959 \(c. 72\)](#) Sch. 8 Pt. I
- F14** The entry relating to The Forfeiture Act, 1870. 33 & 34 Vict. c. 23. repealed by [Criminal Law Act 1967 \(c. 58\)](#) Sch. 3 Pt. III
- F15** The entry relating to The Prison Act, 1877. 40 & 41 Vict. 21 repealed by [Prison Act, 1952 \(c. 52\)](#) Sch. 4 Pt. I
- F16** The entry relating to The Summary Jurisdiction Act, 1879. 42 & 43 Vict. c. 49 repealed by [Magistrates' Courts Act, 1952 \(c. 55\)](#) Sch. 6
- F17** The entry relating to The Criminal Lunatics Act. 1884. 47 & 48 Vict. c. 64 repealed by [Mental Health Act, 1959 \(c. 72\)](#) Sch. 8 Pt. I
- F18** The entry relating to The Local Government Act, 1888. 51 & 52 Vict. c. 41 repealed by [Courts Act 1971 \(c. 23\)](#) Sch. 11 Pt IV
- F19** The entry relating to The Clergy Discipline Act, 1892, 55 & 56 Vict. c. 32 repealed by [Statute Laws \(Repeals\) Act 1977 \(c. 18\)](#) Sch. 1 Pt. IV
- F20** The entry relating to The Criminal Appeal Act, 1907. 7 Edw. 7. c. 23 repealed by Costs in [Criminal Cases Act, 1952 \(c. 48\)](#) Sch.; and [Administration of Justice Act, 1960 \(c. 65\)](#) sch. 4; and [Courts Act 1971 \(c. 23\)](#) Sch. 11 Pt IV
- F21** The entry relating to The Costs in Criminal Cases Act, 1908. 8 Edw. 7. c. 15 repealed by Costs in [Criminal Cases Act, 1952 \(c. 48\)](#) Sch. ; and [Courts Act 1971 \(c. 23\)](#) Sch. 11 Pt IV
- F22** The entry relating to The Licensing (Consolidation) Act, 1910. 10 Edw. 7 & 1 Geo. 5. c. 24 repealed by [Courts Act 1971 \(c. 23\)](#) Sch. 11 Pt IV
- F23** The entry relating to The Mental Deficiency Act, 1913. 3 & 4 Geo. 5. c. 28 repealed by [Mental Health Act, 1959 \(c. 72\)](#) Sch. 8 Pt. I

Status: Point in time view as at 01/02/1991.

Changes to legislation: Criminal Justice Act 1948 is up to date with all changes known to be in force on or before 04 November 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)

- F24** The entry relating to The Criminal Justice Administration Act, 1925. 15 & 16 Geo. 5. c. 86. repealed by [Magistrates' Courts Act, 1952 \(c. 55\)](#) Sch. 6
- F25** The entry relating to The Mental Deficiency Act, 1927. 17 & 18 Geo. 5. c. 33 repealed by [Mental Health Act, 1959 \(c. 72\)](#) Sch. 8 Pt. I
- F26** The entry relating to The Local Government (Clerks) Act, 1931. 21 & 22 Geo. 5. c. 45. repealed by [Courts Act 1971 \(c. 23\)](#) Sch. 11 Pt IV
- F27** The entry relating to The Summary Jurisdiction (Appeals) Act, 1933. 23 & 24 Geo. 5. c. 38. repealed by [Courts Act 1971 \(c. 23\)](#) Sch. 11 Pt IV
- F28** The entry relating to The Money Payments (Justices Procedure) Act. 1935. 25 & 26 Geo. 5. c. 46 repealed by [Magistrates' Courts Act, 1952 \(c. 55\)](#) Sch. 6
- F29** The entry relating to The Firearms Act, 1937. 1 Edw. 8 & Geo. 6. c. 12. repealed by [The Firearms Act 1968 \(c. 27\)](#) Sch. 7
- F30** The entry relating to The Dogs Amendment Act, 1938. 1 & 2 Geo. 6. c. 21 repealed by [Dangerous Dogs Act 1989 \(c. 30\)](#) s. 2(3)(b)
- F31** The entry relating to The Children and Young Persons Act, 1938. 1 & 2 Geo. 6. c. 40 repealed by [Children and Young Persons Act 1963 \(c. 37\)](#) Sch. 5 and by [Statute Laws \(Repeals\) Act 1977 \(c. 18\)](#) Sch. 1 Pt. IV
- F32** The entry relating to The National Service Act, 1947. 10 & 11 Geo. 6. c. 31. repealed by [Statute Laws \(Repeals\) Act 1977 \(c. 18\)](#) Sch. 1 Pt. IV
- F33** The entry relating to The Police Pensions Act, 1948. 11 & 12 Geo. 6. c. 24. repealed by [Police Pensions Act 1976 \(c. 35\)](#) Sch. 3

~~F34~~F34 TENTH SCHEDULE

Textual Amendments

- F34** Sch. 10 repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), **Sch. 1 Pt. IV**

F34

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

Criminal Justice Act 1948 is up to date with all changes known to be in force on or before 04 November 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.