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STATUTORY INSTRUMENTS

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**2019 No. 780**

**The Criminal Justice (Amendment  
etc.) (EU Exit) Regulations 2019**

**PART 6**

**TAKING ACCOUNT OF CONVICTIONS**

**CHAPTER 1**

Amendments: legislation that extends to England and Wales only

**Amendment of the Powers of Criminal Courts (Sentencing) Act 2000**

**25.**—(1) The Powers of Criminal Courts (Sentencing) Act 2000<sup>(1)</sup> is amended as follows.

(2) In section 17(1)(b) (referral conditions for young offenders)<sup>(2)</sup>, omit sub-paragraph (ii) and the “or” preceding it.

(3) In section 110 (minimum of seven years for third class A drug trafficking offence)<sup>(3)</sup>—

(a) in subsection (1)(b), for “2 relevant drug convictions; and” substitute “been convicted in any part of the United Kingdom of two other class A drug trafficking offences; and”;

(b) omit subsection (2A).

(4) In section 111(2A) (minimum of three years for third domestic burglary)<sup>(4)</sup>—

(a) in paragraph (a)(ii), omit “or any other member State”;

(b) in paragraph (b)(ii), for “any other case” substitute “respect of a conviction in any other part of the United Kingdom”.

(5) In section 113 (certificates of convictions for purposes of Chapter III)<sup>(5)</sup>—

(a) for subsection (1A) substitute—

“(1A) Where—

(a) a person is convicted in any part of the United Kingdom other than England and Wales of—

(i) a class A drug trafficking offence, or

(ii) a corresponding domestic burglary offence,

(b) the court by or before which the person is convicted states in open court that the person has been convicted of such an offence on that date, and

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<sup>(1)</sup> 2000 c. 6.

<sup>(2)</sup> Amended by paragraph 12(2) of Schedule 17 to the Coroners and Justice Act 2009 (c. 25).

<sup>(3)</sup> Section 110(1)(b) was amended by paragraph 10(2)(a) of Schedule 17 to the Coroners and Justice Act 2009 (c. 25) and section 110(2A) was inserted by paragraph 10(2)(b) of Schedule 17 to that Act.

<sup>(4)</sup> Section 111(2A) was inserted by paragraph 10(3)(b) of Schedule 17 to the Coroners and Justice Act 2009 (c. 25).

<sup>(5)</sup> Section 113(1A), (2A) and (3) was amended by paragraph 10(4) of Schedule 17 to the Coroners and Justice Act 2009 (c.25). Section 113(3) was also amended by Part 5 of Schedule 23 to that Act.

- (c) that court certifies, by way of a certificates signed by the proper officer of the court, the fact that the person has been convicted of such an offence on that date, the certificate is evidence, for the purposes of the relevant section of this Chapter, that the person was convicted of such an offence on that date.”;
  - (b) for subsection (2A) substitute—
    - “(2A) Where—
      - (a) a person is convicted in any part of the United Kingdom other than England and Wales of—
        - (i) a class A drug trafficking offence, or
        - (ii) a corresponding domestic burglary offence,
      - (b) the court by or before which the person is convicted states in open court that the offence was committed on a particular day or over, or at some time during, a particular period, and
      - (c) that court certifies, by way of a certificate signed by the proper officer of the court, that the offence was committed on a particular day or over, or at some time during, a particular period,the certificate is evidence, for the purposes of the relevant section of this Chapter, that the offence was committed on a particular day or over, or at some time during, that period.”;
  - (c) in subsection (3), omit the definition of “corresponding drug trafficking offence”.
- (6) In section 114 (offences under service law)(6)—
- (a) omit subsection (1A);
  - (b) omit subsection (1B);
  - (c) omit subsection (4).

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(6) Section 114(1A), (1B) and (4) were amended by paragraph 10(5) of Schedule 17 to the Coroners and Justice Act 2009 (c. 25).