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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 Criminal Justice Act 2003**

**26.—**(1) The Criminal Justice Act 2003<sup>(1)</sup> is amended as follows.

(2) In section 143 (determining the seriousness of an offence)<sup>(2)</sup>—

(a) in subsection (4)—

- (i) at the end of paragraph (a), insert “or”;
- (ii) omit paragraph (aa);
- (iii) omit paragraph (c) and the “or” preceding it;

(b) in subsection (5)—

- (i) in paragraph (a), for the words from “both” to “State” substitute “the United Kingdom”;
- (ii) omit paragraph (b) and the “or” preceding it;

(c) omit subsection (6).

(3) In section 224A(10) (life sentence for second listed offence)<sup>(3)</sup>—

- (a) in paragraph (b) of the definition of “extended sentence”—
  - (i) for “Scotland,” substitute “Scotland or”, and
  - (ii) omit “or a member State (other than the United Kingdom)”;
- (b) in paragraph (b) of the definition of “life sentence”—
  - (i) for “Scotland,” substitute “Scotland or”, and
  - (ii) omit “or a member State (other than the United Kingdom)”.

(4) In Part 4 of Schedule 15B (offences under the law of Scotland, Northern Ireland or a member State other than the United Kingdom listed for the purposes of sections 224A(4) and 226(A))<sup>(4)</sup>—

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<sup>(1)</sup> 2003 c. 44.

<sup>(2)</sup> Section 143(4) was amended by paragraph 216 of Schedule 16 to the Armed Forces Act 2006 (c. 52) and paragraph 6(2) of Schedule 17 to the Coroners and Justice Act 2009 (c. 25); section 143(5) was amended by paragraph 6(3) of Schedule 17 to that Act; section 143(6) was inserted by paragraph 6(3) of Schedule 17 to that Act.

<sup>(3)</sup> Section 224A was inserted by section 122(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10).

<sup>(4)</sup> Schedule 15B was inserted by Schedule 18 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10).

- (a) in the heading—
  - (i) for “SCOTLAND,” substitute “SCOTLAND OR”, and
  - (ii) omit “OR A MEMBER STATE OTHER THAN THE UNITED KINGDOM”;
- (b) in paragraph 49(5)—
  - (i) for “A civilian offence” substitute “An offence”;
  - (ii) for “Scotland, Northern Ireland or a member State other than the United Kingdom” substitute “Scotland or Northern Ireland”;
- (c) omit paragraph 49A(6);
- (d) omit paragraph 49B(7).

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(5) Amended by section 3(7) of the Criminal Justice and Courts Act 2015 (c. 2).

(6) Paragraph 49A was inserted by section 3(8) of the Criminal Justice and Courts Act 2015 (c. 2).

(7) Paragraph 49B was inserted by section 3(8) of the Criminal Justice and Courts Act 2015 (c. 2).