

*Changes to legislation: There are currently no known outstanding effects for the Criminal Law Act 1967, SCHEDULE 2. (See end of Document for details)*

SCHEDULES

SCHEDULE 2

Section 10.

SUPPLEMENTARY AMENDMENTS

*Adaptations of enactments referring to felony*

1 ..... F1

Textual Amendments

F1 Sch. 1, Sch. 2 para. 1 repealed by Courts Act 1971 (c. 23), Sch. 11 Pt. IV

2 ..... F2

Textual Amendments

F2 Sch. 2 para. 2 repealed by Criminal Attempts Act 1981 (c. 47), Sch. Pt. II and by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(3), Sch. 3

- 3 (1) In section 28 of the <sup>M1</sup>Criminal Law Act 1826 (which enables assize courts and, as extended by section 8 of the <sup>M2</sup>Criminal Justice Administration Act 1851, courts of quarter sessions to award compensation to those active in apprehending persons charged with murder and certain other offences)—
- (a) for the words “superior criminal court of a county palatine or court of great sessions” there shall be substituted the words “or quarter sessions”, and accordingly there shall be omitted the words from “and where any person shall appear to any court of sessions of the peace” to “other courts hereinbefore mentioned”; and
- (b) for the words from “murder” to “been stolen” there shall be substituted the words “an arrestable offence” and for the words “any of the said offences” there shall be substituted the words “that offence”.
- (2) In section 30 of the <sup>M3</sup>Criminal Law Act 1826 (which enables compensation to be awarded to the family of anyone killed in trying to apprehend a person charged with an offence mentioned in section 28) for the words “any of the offences hereinbefore last mentioned” there shall be substituted the words “an arrestable offence”.

Modifications etc. (not altering text)

C1 The text of S. 10(2), S. 13(2), Sch. 2 paras. 3, 4, 6, 10, 12(2), 13(1)(a)(c)(d), 14, Sch. 3 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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#### Marginal Citations

- M1** 1826 c. 64  
**M2** 1851 c. 55  
**M3** 1826 c. 64.

- 4 In section 8 of the <sup>M4</sup>Carriers Act 1830 (under which the protection given by that Act to common carriers does not extend to the felonious acts of their servants) for the words “the felonious acts” there shall be substituted the words “any theft, embezzlement or forgery”.

#### Modifications etc. (not altering text)

- C2** The text of S. 10(2), S. 13(2), Sch. 2 paras. 3, 4, 6, 10, 12(2), 13(1)(a)(c)(d), 14, Sch. 3 and Sch. 4 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.

#### Marginal Citations

- M4** 1830 c. 68.

- 5 In the following enactments (which confer on the police powers of entry into vessels on suspicion of felony), that is to say,—
- (a) section 34 of the <sup>M5</sup>Metropolitan Police Act 1839;
  - (b) section 9 of the <sup>M6</sup>Canals (Offences) Act 1840;
- for the expressions “felony” and “felonies” there shall be substituted the expressions “arrestable offence” and “arrestable offences”; and any enactment for the same or like purposes which is contained in any local or private Act shall be modified as near as may be in the same way.

#### Marginal Citations

- M5** 1839 c. 47.  
**M6** 1840 c. 50.

- 6 In the following enactments (which provide for the trial of murder or manslaughter where any person dies in a country after being feloniously stricken out of it or vice versa), that is to say,—
- (a) section 3 of the <sup>M7</sup>Admiralty Offences (Colonial) Act 1849;
  - (b) section 1 of the <sup>M8</sup>Admiralty Offences (Colonial) Act 1860;
  - (c) section 10 of the <sup>M9</sup>Offences against the Person Act 1861;
- for the word “feloniously”, wherever occurring, there shall be substituted the word “criminally”.

#### Modifications etc. (not altering text)

- C3** The text of S. 10(2), S. 13(2), Sch. 2 paras. 3, 4, 6, 10, 12(2), 13(1)(a)(c)(d), 14, Sch. 3 and Sch. 4 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.

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<b>Marginal Citations</b>	
<b>M7</b>	1849 c. 96
<b>M8</b>	1860 c. 122
<b>M9</b>	1861 c. 100

7

.....F3

<b>Textual Amendments</b>	
<b>F3</b>	Sch. 2 para. 7 repealed by Criminal Damage Act 1971 (c. 48), Sch. Pt. I

8

The following enactments (which make it an offence to make or have gunpowder etc. for the purpose of a felony mentioned in the Act in question, and confer powers of search for such gunpowder etc.), that is to say,—

(a) ...<sup>F4</sup>

...<sup>F5</sup> sections 64 and 65 of the Offences against the <sup>M10</sup>Person Act 1861;

shall have effect as if the references to felonies mentioned in the Act included any offence so mentioned for which a person (not previously convicted) may be tried on indictment otherwise than at his own instance.

<b>Textual Amendments</b>	
<b>F4</b>	Para. 8(a) repealed by Criminal Damage Act 1971 (c. 48), Sch. Pt. I
<b>F5</b>	Word repealed by Criminal Damage Act 1971 (c. 48), Sch. Pt. I
<b>Marginal Citations</b>	
<b>M10</b>	1861 c. 100.

9

.....F6

<b>Textual Amendments</b>	
<b>F6</b>	Sch. 2 para. 9 repealed by Criminal Justice Act 1972 (c. 71), Sch. 6 Pt. II

10

In section 23 of the <sup>M11</sup>Regimental Debts Act 1893 (which applies the provisions of that Act as to the collection and disposal of the effects of a deceased serviceman to the case of a serviceman convicted by a civil court of felony) for the words “or is convicted by a civil court of any offence which by the law of England is felony” there shall be substituted the words “or, in consequence of a conviction by or before a court of ordinary criminal jurisdiction, is sentenced to death or is imprisoned or detained to serve a sentence of three months or more”.

<b>Modifications etc. (not altering text)</b>	
<b>C4</b>	The text of S. 10(2), S. 13(2), Sch. 2 paras. 3, 4, 6, 10, 12(2), 13(1)(a)(c)(d), 14, Sch. 3 and Sch. 4 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.

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### Marginal Citations

**M11** 1893 c. 5.

11 ..... **F7**

### Textual Amendments

**F7** Sch. 2 para. 11 repealed by Forgery and Counterfeiting Act 1981 (c. 45, SIF 39:7), Sch. 1 Pt. I

12 (1) ..... **F8**

(2) A person guilty of any offence under section 33(1) of the Larceny Act 1916 (receiving) shall be liable to imprisonment for a term not exceeding fourteen years; but—

(a) in the <sup>M12</sup>Bankruptcy Act 1914, in section 154(3) (which was added by the <sup>M13</sup>Bankruptcy Amendment Act 1926, and in certain cases makes a person receiving property fraudulently disposed of by a bankrupt liable to the same punishment as a receiver of property obtained by a misdemeanour), for the words following the word “liable” there shall be substituted the words “on conviction on indictment to imprisonment for not more than seven years or on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding a hundred pounds or to both”; and

(b) in the <sup>M14</sup>Companies Act 1948, in section 328(2), there shall be omitted paragraph (a) and in paragraph (b) the words “in Scotland”.

(3) ..... **F9**

(6) Nothing in this Act shall affect the punishment provided by section 33 of the <sup>M15</sup>Larceny Act 1916 for offences committed before the commencement of Part I of this Act.

### Textual Amendments

**F8** Sch. 2 para. 12 (1) repealed by Theft Act 1968 (c. 60), Sch. Pt. III

**F9** Sch. 2 para. 12(3)–(5) repealed by Theft Act 1968 (c. 60), Sch. Pt. III

### Modifications etc. (not altering text)

**C5** The text of S. 10(2), S. 13(2), Sch. 2 paras. 3, 4, 6, 10, 12(2), 13(1)(a)(c)(d), 14, Sch. 3 and Sch. 4 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.

### Marginal Citations

**M12** 1914 c. 59.

**M13** 1926 c. 7.

**M14** 1916 c. 50.

**M15** 1916 c. 50.

13 (1) The following provisions (under which on a trial on indictment a person may be found guilty of certain offences if found not guilty on a charge of another offence) shall cease to have effect:—

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- (a) in the <sup>M16</sup>Offences against the Person Act 1861, section 60 proviso as extended by any subsequent enactment (conviction of concealment of birth on charge of murder, child destruction or infanticide);
  - (b) ..... <sup>F10</sup>
  - (c) in the <sup>M17</sup>Children and Young Persons Act 1933, section 1(4) (conviction of cruelty to person under 16 on charge of infanticide or, in certain cases, of manslaughter);
  - (d) in the <sup>M18</sup>Sexual Offences Act 1956, in Schedule 2,—
    - (i) in item 1(a), paragraphs (iv), (v), (vi) and (viii) in column 4 (conviction of intercourse with girl under 13, or under 16, or with defective, or of incest, on charge of rape);
    - (ii) in item 2(a) the whole entry in column 4 (conviction of procuring intercourse by threats, by false pretences or by administering drugs, or of intercourse with girl under 16, or with defective, on charge of intercourse with girl under 13);
    - (iii) in items 6 and 26 the whole entry in column 4 (conviction of permitting person under 16 to reside in or frequent a brothel on charge of allowing girl under 13, or under 16, to use premises for intercourse);
    - (iv) in item 14(a) paragraph (iii) in column 4 (conviction of intercourse with defective on charge of incest);
  - (e) ..... <sup>F11</sup>
- (2) ..... <sup>F11</sup>

#### Textual Amendments

**F10** Sch. 2 para. 13(1)(b) repealed by Theft Act 1968 (c. 60), Sch. Pt. III

**F11** Sch. 2 para. 13(1)(e)(2) repealed by Road Traffic Act 1972 (c. 20), Sch. 9 Pt. I

#### Modifications etc. (not altering text)

**C6** The text of S. 10(2), S. 13(2), Sch. 2 paras. 3, 4, 6, 10, 12(2), 13(1)(a)(c)(d), 14, Sch. 3 and Sch. 4 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.

#### Marginal Citations

**M16** 1861 c. 100.

**M17** 1933 c. 12.

**M18** 1956 c. 69.

- 14 In the <sup>M19</sup>Sexual Offences Act 1956, in the following provisions relating to girls not under the age of 13 but under the age of 16, the words “not under the age of 13 but” shall be omitted, that is to say,—
- (a) in section 6(1) (intercourse with girl under 16); and
  - (b) in section 26 (permitting girl under 16 to use premises for intercourse);
- and accordingly in Schedule 2, in items 10(a) and 26, for the words “between 13 and 16” there shall be substituted the words “under 16”.

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**Modifications etc. (not altering text)**

**C7** The text of S. 10(2), S. 13(2), Sch. 2 paras. 3, 4, 6, 10, 12(2), 13(1)(a)(c)(d), 14, Sch. 3 and Sch. 4 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.

**Marginal Citations**

**M19** 1956 c. 69.

*Miscellaneous*

- 15 (1) <sup>F12</sup> . . . The <sup>M20</sup>Criminal Jurisdiction Act 1802, shall extend to offences ceasing to be felony by virtue of this Act.
- (2) . . . . . <sup>F13</sup>

**Textual Amendments**

**F12** Words in Sch. 2 para. 15(1) repealed (8.11.1995) by 1995 c. 44, s. 1(1), Sch. 1 Pt.II.

**F13** Sch. 2 para 15(2) repealed by Courts Act 1971 (c. 23), Sch. 11 Pts. III, IV

**Marginal Citations**

**M20** 1802 c. 85.

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