

*Status: Point in time view as at 04/01/1999. This version of this provision has been superseded.*

*Changes to legislation: Crime and Disorder Act 1998, Paragraph 51 is up to date with all changes known to be in force on or before 19 April 2024. 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

### SCHEDULE 7

#### PRE-CONSOLIDATION AMENDMENTS: POWERS OF CRIMINAL COURTS

##### Commencement Information

- II** Sch. 7 wholly in force; Sch. 7 not in force at Royal Assent see s. 121; In force at 30.9.1998 by S.I. 1998/2327, art. 2(1) (subject to savings in arts. 5-8)

#### *Crime (Sentences) Act 1997 (c.43)*

- 51 (1) In subsection (3) of section 37 of the 1997 Act (community sentences for persistent petty offenders)—
- (a) in paragraph (a), for the words “(4) and (6)” there shall be substituted the words “(4), (5A) and (6)”; and
  - (b) in paragraph (b), for the words “(5) and (6)” there shall be substituted the words “(5), (5A) and (6)”.
- (2) For subsections (4) and (5) of that section there shall be substituted the following subsections—
- “(4) In this section “community service order” has the same meaning as in the 1973 Act and—
- (a) section 14(2) of that Act; and
  - (b) so far as applicable, the other provisions of that Act relating to community service orders and the provisions of Part I of the 1991 Act so relating,
- shall have effect in relation to an order under subsection (3)(a) above as they have effect in relation to a community service order made under the 1973 Act in respect of an offender.
- (5) In this section “curfew order” has the same meaning as in Part I of the 1991 Act and—
- (a) section 12(6) of that Act; and
  - (b) so far as applicable, the other provisions of that Part relating to curfew orders,
- shall have effect in relation to an order under subsection (3)(b) above as they have effect in relation to a curfew order made under that Act in respect of an offender.
- (5A) A court shall not make an order under subsection (3)(a) or (b) above in respect of a person who on conviction is under 16.”

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