

*Status:* This version of this cross heading contains provisions that are prospective.

**Changes to legislation:** Criminal Justice and Court Services Act 2000, Cross Heading: Magistrates' Courts Act 1980 (c. 43) is up to date with all changes known to be in force on or before 04 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) View outstanding changes

## SCHEDULES

### SCHEDULE 7

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART II

#### GENERAL

#### *Magistrates' Courts Act 1980 (c. 43)*

58 The Magistrates' Courts Act 1980 is amended as follows.

PROSPECTIVE

59 In section 11(3) (non-appearance of accused: general provisions), “or detention in a detention centre” is omitted.

PROSPECTIVE

60 In section 31 (general limit on power of magistrates' court to impose imprisonment), in subsections (1) and (2), “or youth custody” is omitted.

61 Section 72 (report by probation officer on means of parties) is omitted.

PROSPECTIVE

62 In section 77(2) (postponement of issue of warrant), “or detention under section 108 of the Powers of<sup>M1</sup>Criminal Courts (Sentencing) Act 2000 (detention of persons aged 18 to 20 for default)” is omitted.

#### Marginal Citations

M1 2000 c. 6.

PROSPECTIVE

63 In section 82 (restriction on power to impose imprisonment for default)—  
(a) in subsection (1)(c), “youth custody or detention in a detention centre” is omitted,

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- (b) in subsections (1)(c), (3)(a) and (5)(b), for “section 9 of the <sup>M2</sup>Criminal Justice Act 1982” there is substituted “ section 108 of the Powers of Criminal Courts (Sentencing) Act 2000 ”,
- (c) in subsection (4A)(e), for “section 17 of the <sup>M3</sup>Criminal Justice Act 1982” there is substituted “ section 60 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

**Marginal Citations**

- M2** 1982 c. 48.
- M3** 1982 c. 48.

PROSPECTIVE

- 64 In section 88 (supervision pending payment)—
- (a) in subsection (4), for “detention under section 108 of the Powers of Criminal Courts (Sentencing) Act 2000” there is substituted “ prison ” and for “such detention” there is substituted “ prison ”,
  - (b) in subsection (5), for “such detention” there is substituted “ prison ”.

PROSPECTIVE

65 Section 96A (application of Part III to persons aged 18 to 20) is omitted.

PROSPECTIVE

- 66 In section 133 (consecutive terms of imprisonment)—
- (a) in subsection (1), the first, second and fourth mentions of “or youth custody” are omitted,
  - (b) subsection (2A) is omitted.

PROSPECTIVE

67 In section 135 (detention of offender for one day in court house or police station), subsection (3) is omitted.

PROSPECTIVE

68 In section 136 (committal to custody overnight at police station), subsection (4) is omitted.

PROSPECTIVE

<sup>F1</sup>69 .....

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#### Textual Amendments

- F1** Sch. 7 para. 69 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 1, 5](#)); [S.I. 2009/3074](#), art. 2(u)(xxix)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 64(1)(a)(aa) substituted for s. 64(1)(a) by [2003 c. 44 s. 266\(2\)](#)
- s. 64(4A) inserted by [2003 c. 44 s. 266\(3\)](#)
- s. 64(5)(f) and word inserted by [2003 c. 44 s. 266\(4\)](#)
- s. 64(5)(f) words inserted by [2006 c. 52 Sch. 16 para. 185\(a\)](#)
- s. 64(5)(f) words inserted by [2012 c. 10 Sch. 21 para. 18](#)
- s. 64(5)(f) words inserted by [2012 c. 10 Sch. 22 para. 19](#)
- s. 64(6) amendment to earlier affecting provision [2003 c. 44 s. 266\(5\)](#) by [S.I. 2008/912 Sch. 1 para. 19\(15\)](#)
- s. 64(6) inserted by [2003 c. 44 s. 266\(5\)](#)
- s. 64(6) words repealed by [2004 c. 31 Sch. 5 Pt. 4](#)
- s. 64(8) words inserted by [2021 c. 11 Sch. 13 para. 38\(5\)](#)
- s. 85(7B) applied (with modifications) by [S.I. 2014/3141 Sch. 3 para. 5\(7\)](#)