

SCHEDULES

SCHEDULE 9

CONSEQUENTIAL AMENDMENTS

Criminal Justice Act 1991 (c. 53)

- 134 In section 16(b) of the Criminal Justice Act 1991 (reciprocal enforcement of certain orders), for “corresponding” there shall be substituted “certain”.
- 135 In section 23(1) of the Criminal Justice Act 1991 (default in certain cases), for “Tables in section 31(3A) of the 1973 Act and” there shall be substituted “Table in”.
- 136 In section 24(3) of the Criminal Justice Act 1991 (recovery of fines etc. by deductions from income support), for “section 32 of the 1973 Act” there shall be substituted “section 140 of the Powers of Criminal Courts (Sentencing) Act 2000”.
- 137 In section 33(3A) of the Criminal Justice Act 1991 (duty to release prisoners) for “section 58 of the Crime and Disorder Act 1998” there shall be substituted “section 85 of the Powers of Criminal Courts (Sentencing) Act 2000”.
- 138 In section 34A of the Criminal Justice Act 1991 (power to release short-term prisoners on licence), in subsection (2)—
- (a) in paragraph (a), for “section 58 of the Crime and Disorder Act 1998” there shall be substituted “section 85 of the Powers of Criminal Courts (Sentencing) Act 2000”;
 - (b) in paragraph (c), for “paragraph 3(1)(d) or 4(1)(d) of Schedule 2 to this Act” there shall be substituted “paragraph 4(1)(d) or 5(1)(d) of Schedule 3 to the Powers of Criminal Courts (Sentencing) Act 2000”; and
 - (c) in paragraph (h), for “section 40 below” there shall be substituted “section 116 of the Powers of Criminal Courts (Sentencing) Act 2000”.
- 139 In section 40A of the Criminal Justice Act 1991 (release on licence following return to prison), in subsection (1)(a), for “section 40 above” there shall be substituted “section 116 of the Powers of Criminal Courts (Sentencing) Act 2000”.
- 140 In section 43(1) of the Criminal Justice Act 1991 (young offenders), for “section 53 of the 1933 Act” there shall be substituted “section 91 of the Powers of Criminal Courts (Sentencing) Act 2000”.
- 141 (1) Section 44 of the Criminal Justice Act 1991 (extended sentences for sexual or violent offenders), as substituted by section 59 of the Crime and Disorder Act 1998, shall be amended as follows.
- (2) In each of subsections (1) and (8), for “section 58 of the Crime and Disorder Act 1998” there shall be substituted “section 85 of the Powers of Criminal Courts (Sentencing) Act 2000”.
 - (3) In subsection (2), for “sections 40 and” there shall be substituted “section”.

Status: This is the original version (as it was originally enacted).

- 142 In section 44A of the Criminal Justice Act 1991 (re-release of prisoners serving extended sentences), in subsection (1), for “section 58 of the Crime and Disorder Act 1998” there shall be substituted “section 85 of the Powers of Criminal Courts (Sentencing) Act 2000”.
- 143 In section 45(1) of the Criminal Justice Act 1991 (fine defaulters and contemnors)
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- (a) for “, 35 and 40” there shall be substituted “and 35”; and
 - (b) for “section 9 of the 1982 Act” there shall be substituted “section 108 of the Powers of Criminal Courts (Sentencing) Act 2000”.
- 144 (1) Section 51 of the Criminal Justice Act 1991 (interpretation of Part II) shall be amended as follows.
- (2) In subsection (1), in the definition of “sexual offence” and “violent offence”, for “Part I of this Act” there shall be substituted “the Powers of Criminal Courts (Sentencing) Act 2000”.
 - (3) In subsection (2D), for “section 58 of the Crime and Disorder Act 1998” there shall be substituted “section 85 of the Powers of Criminal Courts (Sentencing) Act 2000”.
 - (4) For subsection (4) there shall be substituted the following subsection—
 - “(4) Section 161(4) of the Powers of Criminal Courts (Sentencing) Act 2000 (meaning of “protecting the public from serious harm”) shall apply for the purposes of this Part as it applies for the purposes of that Act.”
- 145 In section 65(1) of the Criminal Justice Act 1991 (supervision of young offenders after release), for “section 53 of the 1933 Act” there shall be substituted “section 91 of the Powers of Criminal Courts (Sentencing) Act 2000”.
- 146 In section 82(4) of the Criminal Justice Act 1991 (duties of prisoner custody officers acting in pursuance of prisoner escort arrangements), for “section 34A of the 1973 Act” there shall be substituted “section 142 of the Powers of Criminal Courts (Sentencing) Act 2000”.
- 147 (1) Part III of Schedule 3 to the Criminal Justice Act 1991 (transfer of probation orders from Northern Ireland) shall be amended as follows.
- (2) In paragraph 10(3)—
 - (a) in paragraph (b), for “mental hospital within the meaning of paragraph 5 of Schedule 1A to the 1973 Act” there shall be substituted “hospital or mental nursing home within the meaning of the Mental Health Act 1983, not being hospital premises at which high security psychiatric services within the meaning of that Act are provided”; and
 - (b) in paragraph (d), for “Schedule 1A to the 1973 Act” there shall be substituted “Schedule 2 to the Powers of Criminal Courts (Sentencing) Act 2000”.
 - (3) In paragraph 11—
 - (a) in sub-paragraph (2)(b), for the words from the beginning to “Schedule 2 to this Act” there shall be substituted “the provisions of sections 41 and 42 of and Schedules 2 and 3 to the Powers of Criminal Courts (Sentencing) Act 2000 (so far as relating to such orders)”;
 - (b) in sub-paragraph (3)(a), for “the 1973 Act” there shall be substituted “section 41 of the Powers of Criminal Courts (Sentencing) Act 2000”;

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- (c) in sub-paragraph (3)(b), for “that Act and Schedule 2 to this Act” there shall be substituted “Schedule 3 to that Act”;
- (d) in sub-paragraph (4)—
 - (i) for “the 1973 Act” there shall be substituted “the Powers of Criminal Courts (Sentencing) Act 2000”; and
 - (ii) for the words from “paragraph 3(1)(d)” to the end there shall be substituted “paragraph 4(1)(d), 5(1)(d), 10(3) or 11(2) of Schedule 3 to that Act”; and
- (e) in sub-paragraph (5)—
 - (i) for “the 1973 Act”, in the first place where it occurs, there shall be substituted “the Powers of Criminal Courts (Sentencing) Act 2000”; and
 - (ii) for “the 1973 Act”, in the second place where it occurs, there shall be substituted “that Act”.

148 In Schedule 4 to the Criminal Justice Act 1991 (increase of certain maxima), in Part I, in the first column of the entry relating to section 63(3)(a) of the Magistrates' Courts Act 1980, for “that Act” there shall be substituted “the 1980 Act”.

149 In Schedule 12 to the Criminal Justice Act 1991 (transitional provisions and savings), after paragraph 6 (which is repealed by this Act) there shall be inserted the following paragraph—

“6A Section 17 of this Act shall not apply in relation to offences committed before the commencement of that section.”