

Changes to legislation: Criminal Justice Act 2003, Part 7 is up to date with all changes known to be in force on or before 23 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 37

REPEALS

PART 7

SENTENCING: GENERAL

Commencement Information

- I1** Sch. 37 Pt. 7 in force for certain purposes at 27.2.2004 by [S.I. 2004/81, art. 5](#); Sch. 37 Pt. 7 in force for certain purposes at 5.4.2004 by [S.I. 2004/829, art. 2\(1\)\(2\)](#) (subject to [art. 2\(3\)-\(6\)](#)); Sch. 37 Pt. 7 in force for certain purposes at 4.4.2005 by [S.I. 2005/950, art. 2\(1\), Sch. 1 para. 44\(4\)](#) (subject to [art. 2\(2\), Sch. 2](#) (as amended (3.12.2012) by [S.I. 2012/2905, art. 4\(1\)\(a\)\(2\)\)](#)); Sch. 37 Pt. 7 in force at 3.12.2012 for specified purposes by [S.I. 2012/2905, art. 3\(1\)\(a\)](#) (2) (4) (with art. 3(3))
- I2** Sch. 37 Pt. 7 in force at 1.5.2013 for specified purposes by [S.I. 2012/2905, art. 3\(1\)\(b\)](#)
- I3** [Sch. 37 Pt. 7](#) in force at 14.7.2022 for specified purposes by [S.I. 2022/816, regs. 1\(2\), 2\(b\)](#)

Short title and chapter	Extent of repeal
Piracy Act 1837 (c. 88)	Section 3.
Children and Young Persons Act 1933 (c. 12)	In section 16(3), the words “mandatory and”.
Criminal Justice Act 1967 (c. 80)	In section 104, in subsection (1) the definition of “suspended sentence” and subsection (2).
Criminal Appeal Act 1968 (c. 19)	In section 10 subsection (2)(c) and the word “or” immediately preceding it. Section 11(4).
Social Work (Scotland) Act 1968 (c. 49)	In section 94(1), the definition of “community rehabilitation order”.
Bail Act 1976 (c. 63)	In section 2(1)(d), the words “placing the offender on probation or”.
Magistrates' Courts Act 1980 (c. 43)	In section 82(4A), paragraph (e) and the word “or” immediately preceding it. Section 133(2). In Schedule 6A, the entry relating to section 123(3) of the Powers of Criminal Courts (Sentencing) Act 2000.
Forgery and Counterfeiting Act 1981 (c. 45)	Section 23(1)(b), (2)(b) and (3)(b).
Mental Health Act 1983 (c. 20)	In section 37(1B), the words “109(2),”.

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	In section 45A(1)(b), the words from “except” to “1997”.
Road Traffic Offenders Act 1988 (c. 53)	In section 46(1), paragraph (a) and the word “or” following it.
Football Spectators Act 1989 (c. 37)	In section 7, subsection (9) and in subsection (10)(b) the words from “(or” to the end.
Children Act 1989 (c. 41)	In section 68(2)(d), the words “a probation order has been made in respect of him or he has been”. In Schedule 9A, in paragraph 4(2)(g), the words “placed on probation or”.
Criminal Justice Act 1991 (c. 53)	Sections 32 to 51. Section 65. Schedule 5. In Schedule 12— (a) in paragraph 8(8), paragraph (d), and (b) in paragraph 9(3), paragraph (c).
Prisoners and Criminal Proceedings (Scotland) Act 1993 (c. 9)	In section 10(1)(a), sub-paragraph (i) and the succeeding “or”.
Criminal Justice Act 1993 (c. 36)	Section 67(1).
Criminal Justice and Public Order Act 1994 (c. 33)	In section 25(3)(c), the words “placing the offender on probation or”.
Criminal Procedure (Scotland) Act 1995 (c. 46)	In section 234— (a) in subsection (1), the words after paragraph (b), (b) in subsection (3), the words from “or to vary” to “one hundred”, and (c) subsection (11).
Crime (Sentences) Act 1997 (c. 43)	Sections 35 and 40. In Schedule 1, paragraph 15(5). In Schedule 2, paragraphs 2 and 3. In Schedule 4, paragraphs 6(2), 7, 10(1), 12(1), 13 and 15(10).
Crime and Disorder Act 1998 (c. 37)	In section 18, subsection (2). In section 38(4)(i), the words “section 37(4A) or 65 of the 1991 Act or”. Sections 59 and 60. Sections 80 and 81. Sections 99 and 100. Sections 101(1). Sections 103 to 105. In section 121(12), the words from the beginning to “paragraphs 56 to 60 of Schedule 8 to this Act;”. In Schedule 7, paragraph 50.

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	In Schedule 8, paragraphs 11, 13(2), 56, 58, 59, 79 to 84, 86 to 91, 94, 97, 132 and 135(3) and (4).
Criminal Justice (Children) (Northern Ireland) Order 1998 (S.I. 1998/1504 (N.I. 9))	In Schedule 5, paragraph 28(b).
Access to Justice Act 1999 (c. 22)	Section 58(5).
Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)	Section 6(4)(d). Section 12(4). Sections 34 to 36A. In section 36B, subsections (4) and (8) and, in subsection (9), the words from “a community punishment order” to “a drug abstinence order”. In section 37, in subsection (9) the words “who on conviction is under 16” and subsection (10). In section 40A, subsection (4), in subsection (9) the words “who on conviction is under 16” and subsection (10). Sections 41 to 59. In section 60, in subsection (1), paragraph (c) and the word “or” immediately preceding it. Section 62. Section 69(11). Section 73(7). Sections 78 to 82. Section 84. Section 85. Sections 87 and 88. Section 91(2). Section 100(4). Section 106(2) and (3). Section 109. Section 110(3). Section 111(3). In section 112(1)(a), the words “109,”. In section 113, in subsection (1)(a), the words “a serious offence or” and in subsection (3), the words “ “serious offence,”” and “109,”. In section 114(1)(b), the words “a serious offence,”. In section 115, the word “109,”. Sections 116 and 117. Sections 118 to 125. Sections 126 to 129. Sections 151 to 153. Sections 156 to 158. In section 159, the words “, 121(1) or 123(1)” and “paragraph 6(6) of Schedule 4 to this Act,”. In section 160—

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- (a) in subsection (2), in paragraph (a) the words from “42(2E)” to “Schedule 2” and in paragraph (b) the words from “122(7)” to the end,
- (b) in subsection (3), in paragraph (a) the words “45, 50, 58, 58A(4), 85(7)”, paragraph (b) and the word “or” immediately preceding it,
- (c) subsection (4), and
- (d) in subsection (5), in paragraph (a) the words from “or paragraph 7” to the end, and in paragraph (b) the words from “42(2E)” to the end.

Section 161(2) to (4).

Section 162.

In section 163, in the definition of “affected person”, paragraphs (b) and (c), the definitions of “the appropriate officer of the court”, “community punishment and rehabilitation order”, “community rehabilitation order”, “community rehabilitation period”, “community punishment order”, the definitions of “drug abstinence order”, “drug treatment and testing order”, “falling to be imposed under section 109(2), 110(2) or 11(2)”, “pre-sentence report”, “protecting the public from serious harm”, in the definition of “responsible officer”, paragraphs (b) to (ee) and the words from “except that” to “that section;”, the definitions of “review hearing”, “sexual offence”, “specified Class A drug”, “suspended sentence supervision order”, “the testing requirement”, “the treatment provider”, “the treatment requirement”, “the treatment and testing period”, “trigger offence” and “violent offence”.

In section 168—

- (a) in subsection (1), the words “to subsection (2) below and”, and
- (b) subsections (2) and (3).

Schedule 2.

Schedule 4.

In Schedule 7, paragraph 3(4).

In Schedule 8, paragraph 3(4).

In Schedule 9, paragraphs 7, 24(a), 26(2), 28, 29, 52, 54(3), 55, 61, 76, 81, 82, 89(2), 90(2), 94, 102, 137 to 145, 147(2) and (3)(a) to (d) and (e)(i), 151, 174, 176(2) to (5) and (7), 177(2) and (3), 184, 185, 186(3) and (4), 187(2), (3) and (5), 196 and 202.

Terrorism Act 2000 (c. 11)

In Schedule 15, paragraph 20.

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Child Support, Pensions and Social Security Act 2000 (c. 19)	Section 62(10).
Criminal Justice and Court Services Act 2000 (c. 43)	Section 47 to 51. Sections 53 to 55. Section 63. Section 64(5)(e). In section 78(1), the definition of “community order”. In Schedule 7, paragraphs 1 to 3, 104 to 107, 111(b), 123(a) and (c) to (f), 124(a) and (b), 133, 139, 140, 161, 162, 165 to 172, 177, 179, 189, 196(c)(ii) and (iii), 197(c) and (g) (ii), 198 to 200 and 206(a).
Anti-terrorism, Crime and Security Act 2001 (c. 24)	Section 39(7).
Proceeds of Crime Act 2002 (c. 29)	In Schedule 11, paragraph 32.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2012/2574, Sch. by [S.I. 2012/2761 art. 2](#)

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. 150(aa) inserted by [2012 c. 10 Sch. 26 para. 19\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 26 para. 19 omitted (11.12.2013) by virtue of 2013 c. 22, Sch. 16 para. 23(2); S.I. 2013/2981, art. 2(d))
- s. 150(ba) inserted by [2012 c. 10 Sch. 26 para. 19\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 26 para. 19 omitted (11.12.2013) by virtue of 2013 c. 22, Sch. 16 para. 23(2); S.I. 2013/2981, art. 2(d))
- s. 151(A1) inserted by [2008 c. 4 s. 11\(3\)](#)
- s. 151(1A) inserted by [2008 c. 4 s. 11\(5\)](#)
- s. 151(1A)(b) word substituted by [2008 c. 4 Sch. 4 para. 76\(3\)](#) (This amendment not applied to legislation.gov.uk. S. 151(1A) is still only prospectively inserted by 2008 c. 4, s. 11(5))
- s. 151(1A)(c) substituted by [2009 c. 25 Sch. 17 para. 8\(3\)](#) (This amendment not applied to legislation.gov.uk. S. 151(1A) is still only prospectively inserted by 2008 c. 4, s. 11(5))
- s. 151(2A)(b) substituted by [2009 c. 25 Sch. 17 para. 8\(4\)](#)
- s. 151(4A) inserted by [2009 c. 25 Sch. 17 para. 8\(5\)](#)
- s. 151(8)(a) words substituted by [2009 c. 25 Sch. 17 para. 8\(6\)\(a\)](#)
- s. 151(8)(b) words inserted by [2009 c. 25 Sch. 17 para. 8\(6\)\(b\)\(i\)](#)
- s. 151(8)(b) words substituted by [2009 c. 25 Sch. 17 para. 8\(6\)\(b\)\(ii\)](#)
- s. 151(8)(c)-(f) inserted by [2009 c. 25 Sch. 17 para. 8\(6\)\(c\)](#)
- s. 165(5) inserted by [2014 c. 12 s. 179\(3\)](#)
- s. 237(1A) inserted by [2006 c. 48 s. 34\(3\)](#)
- s. 237(1B)(f)(g) inserted by [2021 c. 11 Sch. 13 para. 40\(b\)](#)
- s. 239A inserted by [2015 c. 2 s. 8\(1\)](#)
- s. 239A cross-heading inserted by [2015 c. 2 Sch. 3 para. 5](#)
- s. 250(5C) inserted by [2015 c. 2 Sch. 3 para. 7\(4\)](#)
- s. 255A(4A) inserted by [2015 c. 2 s. 9\(2\)](#)
- s. 255B(3A) inserted by [2015 c. 2 s. 9\(3\)\(b\)](#)
- s. 255B(4A)-(4C) inserted by [2015 c. 2 s. 9\(3\)\(d\)](#)
- s. 255C(3A) inserted by [2015 c. 2 s. 9\(4\)\(b\)](#)
- s. 255C(4A)-(4C) inserted by [2015 c. 2 s. 9\(4\)\(d\)](#)
- s. 256A(1)-(1B) substituted for s. 256A(1) by [2015 c. 2 s. 9\(6\)\(a\)](#)
- s. 256A(4A)(4B) inserted by [2015 c. 2 s. 9\(6\)\(f\)](#)
- s. 256A(5)(6) substituted for s. 256A(5) by [2015 c. 2 s. 9\(6\)\(g\)](#)
- s. 256AZA inserted by [2015 c. 2 s. 10\(1\)](#)
- s. 257(3) inserted by [2006 c. 48 s. 34\(4\)](#)
- s. 258(1A) inserted by [2006 c. 48 s. 34\(5\)](#)
- s. 260(4)(aa) substituted for word by [2008 c. 4 s. 34\(7\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S. 34(2)(4)(b)(7)(10) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(b); S.I. 2012/2906, art. 2(d))

- Sch. 15B para. 49A omitted by [S.I. 2019/780 reg. 26\(4\)\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- Sch. 15B para. 49B omitted by [S.I. 2019/780 reg. 26\(4\)\(d\)](#) (This amendment not applied to [legislation.gov.uk](#). Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- Sch. 20B para. 34(6)(7) substituted for Sch. 20B para. 34(6) by [2015 c. 2 Sch. 3 para. 10](#)