

Changes to legislation: Criminal Justice Act 2003, Part 9 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) View outstanding changes

SCHEDULES

SCHEDULE 37

REPEALS

PART 9

ALTERATION OF PENALTIES FOR SUMMARY OFFENCES

Commencement Information

II Sch. 37 Pt. 9 partly in force; Sch. 37 Pt. 9 in force for certain purposes at Royal Assent see [s. 336\(1\)](#)

Short title and chapter	Extent of repeal
Vagrancy Act 1824 (c. 83)	Section 5. Section 10.
Railway Regulation Act 1842 (c. 55)	In section 17, the words from “be imprisoned” (where first occurring) to “discretion of such justice, shall”.
London Hackney Carriages Act 1843 (c. 86)	In section 28, the words from “; or it shall be lawful” to the end.
Town Police Clauses Act 1847 (c. 89)	In section 28, the words from “, or, in the discretion” to “fourteen days”. In section 29, the words from “, or, in the discretion” to the end. In section 36, the words from “, or, in the discretion” to “one month”.
Ecclesiastical Courts Jurisdiction Act 1860 (c. 32)	In section 2, the words from “, or may, if the justices” to the end.
Town Gardens Protection Act 1863 (c. 13)	In section 5, the words “, or to imprisonment for any period not exceeding fourteen days”.
Public Stores Act 1875 (c. 25)	In section 8, the words from “, or, in the discretion” to the end.
North Sea Fisheries Act 1893 (c. 17)	In section 2— (a) in paragraph (a), the words from “, or, in the discretion” to the end, and (b) in paragraph (b), the words from “, or in the discretion” to the end. In section 3(a), the words from “, or, in the discretion” to the end.

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Children and Young Persons Act 1933 (c. 12)	In section 4(1), the words from “, or alternatively” to the end.
Protection of Animals Act 1934 (c. 21)	In section 2, the words from “, or, alternatively” to the end.
Public Health Act 1936 (c. 49)	In section 287(5), the words from “or to imprisonment” to the end.
Essential Commodities Reserves Act 1938 (c. 51)	In section 4(2), the words from “or to imprisonment” to the end.
London Building Acts (Amendment) Act 1939 (c. xcvi)	In section 142(5), the words from “or to imprisonment” to the end.
Cancer Act 1939 (c. 13)	In section 4(2), the words from “or to imprisonment” to the end.
Civil Defence Act 1939 (c. 31)	In section 77, the words from “or to imprisonment” to the end.
Hill Farming Act 1946 (c. 73)	In section 19— (a) in subsection (2), the words from “, or to imprisonment” to the end, and (b) in subsection (3), the words from “or to imprisonment” to the end.
Agriculture Act 1947 (c. 48)	In section 14(7) (as remaining in force for the purposes of section 95), the words— (a) “to imprisonment for a term not exceeding three months or”, and (b) “or to both such imprisonment and such fine”. In section 95(3), the words— (a) “to imprisonment for a term not exceeding three months or”, and (b) “or to both such imprisonment and such fine”.
Civil Defence Act 1948 (c. 5)	In section 4(4), the words from “or to imprisonment” to the end.
Agricultural Wages Act 1948 (c. 47)	In section 12(7), the words from “or to imprisonment” to the end.
Wireless Telegraphy Act 1949 (c. 54)	In section 14(1B), the words— (a) “to imprisonment for a term not exceeding three months or”, and (b) “, or both”.
Prevention of Damage by Pests Act 1949 (c. 55)	In section 22(5), the words from “or to imprisonment” to the end.
Coast Protection Act 1949 (c. 74)	In section 25(9), the words from “or to imprisonment” to the end.
Pet Animals Act 1951 (c. 35)	In section 5— (a) in subsection (1), the words “other than the last foregoing section” and the

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- words from “or to imprisonment” to the end, and
(b) subsection (2).
- Cockfighting Act 1952 (c. 59) In section 1(1), the words—
(a) “to imprisonment for a term not exceeding three months, or”, and
(b) “, or to both such imprisonment and such fine”.
- Agricultural Land (Removal of Surface Soil) Act 1953 (c. 10) In section 2(1)—
(a) paragraph (a) of the proviso,
(b) the word “; or” immediately preceding paragraph (b) of the proviso, and
(c) the words “or to both”.
- Accommodation Agencies Act 1953 (c. 23) In section 1(5), the words from “or to imprisonment” to the end.
- Army Act 1955 (3 & 4 Eliz. 2 c. 18) In section 19(1), the words “to imprisonment for a term not exceeding three months or”.
In section 161, the words from “, or to imprisonment” to the end.
In section 171(1), the words from “, or to imprisonment” to the end.
In section 191, the words from “or to imprisonment” to the end.
In section 193, the words from “or to imprisonment” to the end.
In section 196(3), the words from “or to imprisonment” to the end.
In section 197(3), the words from “or to imprisonment” to the end.
- Air Force Act 1955 (3 & 4 Eliz. 2 c. 19) In section 19(1), the words “to imprisonment for a term not exceeding three months or”.
In section 161, the words from “, or to imprisonment” to the end.
In section 171(1), the words from “, or to imprisonment” to the end.
In section 191, the words from “or to imprisonment” to the end.
In sections 193, the words from “or to imprisonment” to the end.
In section 196(3), the words from “or to imprisonment” to the end.
In section 197(3), the words from “or to imprisonment” to the end.
- Naval Discipline Act 1957 (c. 53) In section 96, the words from “or to imprisonment” to the end.
In section 99(3), the words from “or to imprisonment” to the end.
- Agricultural Marketing Act 1958 (c. 47) In section 45(6), the words—

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	(a) “to imprisonment for a term not exceeding one month, or”, and (b) “, or to both such imprisonment and such fine”.
Rivers (Prevention of Pollution) Act 1961 (c. 50)	In section 12(2), the words from “or to imprisonment” to the end.
Betting, Gaming and Lotteries Act 1963 (c. 2)	In section 8(1), the words— (a) “or to imprisonment for a term not exceeding three months, or to both”, and (b) “in any case”.
Children and Young Persons Act 1963 (c. 37)	In section 40— (a) in subsection (1), the words from “or imprisonment” to the end, and (b) in subsection (2), the words from “or imprisonment” to the end.
Animal Boarding Establishments Act 1963 (c. 43)	In section 3— (a) in subsection (1), the words “other than the last foregoing section” and the words from “or to imprisonment” to the end, and (b) subsection (2).
Agriculture and Horticulture Act 1964 (c. 28)	In section 20(2), the words from “or to imprisonment” to the end.
Emergency Laws (Re-enactments and Repeals) Act 1964 (c. 60)	In Schedule 1— (a) in paragraph 1(3), the words “to imprisonment for a term not exceeding three months or” and “, or to both”, and (b) in paragraph 2(4), the words “to imprisonment for a term not exceeding three months or” and “, or to both”.
Riding Establishments Act 1964 (c. 70)	In section 4(1), the words from “or to imprisonment” to the end.
Industrial and Provident Societies Act 1965 (c. 12)	In section 16(5), the words from “or to imprisonment” to the end. In section 48(2), the words from “or to imprisonment” to the end.
Cereals Marketing Act 1965 (c. 14)	In section 17(1), the words from “or to imprisonment” to the end.
Gas Act 1965 (c. 36)	In Schedule 6, in paragraph 9, the words from “or to imprisonment” to the end.
Armed Forces Act 1966 (c. 45)	In section 8, the words “to imprisonment for a term not exceeding three months or”.
Agriculture Act 1967 (c. 22)	In section 6(9), the words from “or to imprisonment” to the end. In section 14(2), the words from “or to imprisonment” to the end.

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	In section 69, the words from “or imprisonment” to the end.
Criminal Justice Act 1967 (c. 80)	Section 20.
Sea Fisheries (Shellfish) Act 1967 (c. 83)	In section 14(2), the words from “or to imprisonment” to the end.
Theatres Act 1968 (c. 54)	In section 13(3), the words from “or to imprisonment” to the end.
F1	F1
Agriculture Act 1970 (c. 40)	In section 106(8), the words from “or imprisonment” to the end.
Breeding of Dogs Act 1973 (c. 60)	In section 3(1)— (a) paragraph (a), (b) the word “; or” immediately preceding paragraph (b), and (c) the words “or to both”.
Slaughterhouses Act 1974 (c. 3)	In section 38(5), the words “or imprisonment for a term of three months or both”.
National Health Service Act 1977 (c. 49)	In Schedule 11— (a) in paragraph 8(3), the words “to imprisonment for a term not exceeding three months or” and “, or to both”, and (b) in paragraph 9(4), the words “to imprisonment for a term not exceeding three months or” and “, or to both”.
Magistrates' Courts Act 1980 (c. 43)	In section 84(3), the words— (a) “imprisonment for a term not exceeding 4 months or”, and (b) “to both”.
Animal Health Act 1981 (c. 22)	In paragraph 6 of Schedule 1, the words— (a) “or to imprisonment for a term not exceeding 2 months,”, and (b) “in either case”.
Fisheries Act 1981 (c. 29)	In section 5(4), the words from “or to imprisonment” to the end.
Civil Aviation Act 1982 (c. 16)	In section 82(2), the words from “or to imprisonment” to the end.
Criminal Justice Act 1982 (c. 48)	Section 70.
Mental Health Act 1983 (c. 20)	Section 43(5). In section 103(9), the words— (a) “to imprisonment for a term not exceeding three months or”, and (b) “or both”. In section 129(3), the words— (a) “to imprisonment for a term not exceeding three months or”, and

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	(b) “or to both”.
Building Act 1984 (c. 55)	In section 96(3), the words “or to imprisonment for a term not exceeding three months”.
Surrogacy Arrangements Act 1985 (c. 49)	In section 4(1)— (a) paragraph (a), and (b) in paragraph (b), the words “in the case of an offence under section 3”.
Animals (Scientific Procedures) Act 1986 (c. 14)	In section 22(3), the words— (a) “to imprisonment for a term not exceeding three months or”, and (b) “or to both”. In section 23(2), the words— (a) “to imprisonment for a term not exceeding three months or”, and (b) “or to both”. In section 25(3), the words— (a) “to imprisonment for a term not exceeding three months or”, and (b) “or to both”.
Motor Cycle Noise Act 1987 (c. 34)	In the Schedule, in paragraph 1(1), the words “to imprisonment for a term not exceeding three months or”.
Human Organ Transplants Act 1989 (c. 31)	In section 2(5), the words— (a) “imprisonment for a term not exceeding three months or”, and (b) “or both”.
Town and Country Planning Act 1990 (c. 8)	In Schedule 15, in paragraph 14(4), the words from “or to imprisonment” to the end.
Environmental Protection Act 1990 (c. 43)	In section 118(7), the words from “or to imprisonment” to the end.
Criminal Justice Act 1991 (c. 53)	Section 26(5).
Deer Act 1991 (c. 54)	In section 10(3), the words from “or to imprisonment” to the end.
Water Industry Act 1991 (c. 56)	In section 206(9), the words— (a) “to imprisonment for a term not exceeding three months or”, and (b) “or to both”. In Schedule 6, in paragraph 5(5), the words— (a) “to imprisonment for a term not exceeding three months or”, and (b) “or to both”.
Social Security Administration Act 1992 (c. 5)	In section 105(1), the words— (a) “to imprisonment for a term not exceeding 3 months or”, and (b) “or to both”.

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| | In section 182(3), the words—
(a) “to imprisonment for a term not exceeding 3 months or”, and
(b) “or to both”. | |
| Local Government Finance Act 1992 (c. 14) | In section 27(5), the words—
(a) “imprisonment for a term not exceeding three months or”, and
(b) “or both”. | |
| Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52) | In section 240(3), the words—
(a) “to imprisonment for a term not exceeding three months or”, and
(b) “or both”. | |
| Merchant Shipping Act 1995 (c. 21) | In section 57(2)—
(a) in paragraph (a), the words “except in a case falling within paragraph (b) below,”, and
(b) paragraph (b). | |
| Reserve Forces Act 1996 (c. 14) | In section 75(5), the words—
(a) “imprisonment for a term not exceeding 3 months or”, and
(b) “(or both)”. | |
| | In section 82(1), the words—
(a) “imprisonment for a term not exceeding 3 months”, and
(b) “(or both)”. | |
| | In section 87(1), the words—
(a) “imprisonment for a term not exceeding 3 months or”, and
(b) “(or both)”. | |
| | In section 99, the words—
(a) “imprisonment for a term not exceeding 3 months”, and
(b) “(or both)”. | |
| | In Schedule 1, in paragraph 5(2), the words—
(a) “imprisonment for a term not exceeding 3 months or”, and
(b) “(or both)”. | |
| | | In Schedule 1—
(a) in paragraph 23(6), the words from “or imprisonment” to “or both”, and
(b) in paragraph 24(6), the words from “or imprisonment” to “or both”. |
| | | In section 144(4), the words—
(a) “to imprisonment for a term not exceeding three months or”, and
(b) “or to both”. |
| Breeding and Sale of Dogs (Welfare) Act 1999 (c. 11) | In section 9— | |

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- (a) in subsection (1), paragraph (a), the word “, or” immediately preceding paragraph (b) and the words “or to both”, and
- (b) in subsection (7), paragraph (a), the word “, or” immediately preceding paragraph (b) and the words “or to both”.

Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) In section 6(4), paragraph (a).

Countryside and Rights of Way Act 2000 (c. 37) In section 81, subsections (2) and (3).

Transport Act 2000 (c. 38) In section 82, subsection (5).

Textual Amendments

- F1** Sch. 37 Pt. 9: entry repealed (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), ss. 321, 324, [Sch. 22 Pt. 5\(B\)](#); S.I. 2009/3345, [art. 2](#), Sch. para. 27

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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](#)