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**Changes to legislation:** There are currently no known outstanding effects for the Serious Crime Act 2007, Paragraph 6. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 13

#### TRANSITIONAL AND TRANSITORY PROVISIONS AND SAVINGS

##### *Encouraging or assisting crime*

- 6 (1) This paragraph applies where, in any proceedings—
- (a) a person (“D”) is charged in respect of the same act both with an offence under section 44 and with the common law offence of inciting the commission of another offence;
  - (b) the only thing preventing D from being found guilty of the offence under section 44 is the fact that it has not been proved beyond reasonable doubt that the time when the act took place was after the coming into force of that section; and
  - (c) the only thing preventing D from being found guilty of the common law offence is that it has not been proved beyond reasonable doubt that that time was before the coming into force of section 59.
- (2) For the purpose of determining D's guilt it shall be conclusively presumed that the time when the act took place was before the coming into force of section 44.

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#### **Commencement Information**

**II** Sch. 13 para. 6 in force at 1.10.2008 by [S.I. 2008/2504](#), [art. 2\(g\)](#)

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