

SCHEDULES

SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS: PART 2

PART 2

OTHER MINOR AND CONSEQUENTIAL AMENDMENTS

Misuse of Drugs Act 1971 (c. 38)

- 53 In section 19 of the Misuse of Drugs Act 1971 for “such an offence” substitute “an offence under any other provision of this Act”.

Criminal Law Act 1977 (c. 45)

- 54 In section 5 of the Criminal Law Act 1977 (effects of creation of statutory offence of conspiracy) omit subsection (7).

Magistrates' Courts Act 1980 (c. 43)

- 55 (1) The Magistrates' Courts Act 1980 is amended as follows.
- (2) In section 32(1) (penalties for offences triable either way as a result of Schedule 1 to that Act) omit paragraph (b).
- (3) Omit section 45.
- (4) In Schedule 1 (offences triable either way) omit paragraph 35.

Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I.26))

- 56 Omit Article 60(1) of the Magistrates' Courts (Northern Ireland) Order 1981.

Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 (S.I. 1983/1120 (N.I.13))

- 57 In Article 13 of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 (effects of creation of statutory offence of conspiracy) omit paragraph (8).

Public Order Act 1986 (c. 64)

- 58 (1) The Public Order Act 1986 is amended as follows.
- (2) In each of the provisions mentioned in sub-paragraph (3) omit the words from “notwithstanding” to the end.
- (3) The provisions are—

Status: This is the original version (as it was originally enacted).

- (a) section 12(10);
- (b) section 13(13);
- (c) section 14(10);
- (d) section 14B(7).

Computer Misuse Act 1990 (c. 18)

- 59 (1) The Computer Misuse Act 1990 is amended as follows.
- (2) In section 6 (incitement) omit subsection (3).
 - (3) In section 7 (territorial scope of inchoate offences related to offences under external law corresponding to offences under the Act) omit subsection (4).
 - (4) In section 8(3) (relevance of external law) omit “or by virtue of section 7(4) above”.
 - (5) In section 9(2) (offences in relation to which British citizenship is immaterial) omit paragraph (d).
 - (6) In section 16(4) (application to Northern Ireland) omit the words from “and any reference” to the end.

Sexual Offences (Conspiracy and Incitement) Act 1996 (c. 29)

- 60 In section 2(3) of the Sexual Offences (Conspiracy and Incitement) Act 1996 for “of incitement” substitute “done”.

International Criminal Court Act 2001 (c. 17)

- 61 (1) The International Criminal Court Act 2001 is amended as follows.
- (2) In section 55 (meaning of ancillary offence: England and Wales) omit subsection (3).
 - (3) In section 62 (meaning of ancillary offence: Northern Ireland) omit subsection (3).

Proceeds of Crime Act 2002 (c. 29)

- 62 After sub-paragraph (1) in each of paragraph 10 of Schedule 2 to the Proceeds of Crime Act 2002 and paragraph 10 of Schedule 5 to that Act (inchoate offences which are lifestyle offences) insert the following sub-paragraph—
- “(1A) An offence under section 44 of the Serious Crime Act 2007 of doing an act capable of encouraging or assisting the commission of an offence specified in this Schedule.”

Sexual Offences Act 2003 (c. 42)

- 63 (1) The Sexual Offences Act 2003 is amended as follows.
- (2) In Schedule 3 (sexual offences for the purposes of Part 2 of that Act), after paragraph 94, insert—
 - “94A A reference in a preceding paragraph to an offence (“offence A”) includes a reference to an offence under Part 2 of the Serious Crime Act 2007 in relation to which offence A is the offence (or one of the offences) which the person intended or believed would be committed.”

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

(3) In Schedule 5 (other offences which are relevant for the purposes of Part 2 of the Act), after paragraph 173, insert—

“173A A reference in a preceding paragraph to an offence (“offence A”) includes a reference to an offence under Part 2 of the Serious Crime Act 2007 in relation to which offence A is the offence (or one of the offences) which the person intended or believed would be committed.”

Serious Organised Crime and Police Act 2005 (c. 15)

64 (1) The Serious Organised Crime and Police Act 2005 is amended as follows.

(2) In section 136 (penalties in relation to demonstrations in the vicinity of Parliament) for subsection (4) substitute—

“(4) A person who is guilty of an offence under section 44 or 45 of the Serious Crime Act 2007 in relation to which an offence mentioned in subsection (1), (2) or (3) is the anticipated offence (as defined by section 47(9) of that Act) is liable on summary conviction to imprisonment for a term not exceeding 51 weeks, to a fine not exceeding level 4 on the standard scale or to both.

(4A) If a person is guilty of an offence under section 46 of that Act by reference to an offence mentioned in subsection (1), (2) or (3), the maximum term of imprisonment applicable for the purposes of section 58(6) of that Act to the offence so mentioned is a term not exceeding 51 weeks.”

(3) In section 175(3) (transitional modification of penalties for summary offences in England and Wales) in the table, for the entry relating to section 136(4) substitute—

“section 136(4)	3 months
section 136(4A)	3 months”.
