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STATUTORY INSTRUMENTS

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**1999 No. 3426**

**The Crime and Disorder Act 1998  
(Commencement No. 6) Order 1999**

4.—(1) A court to which it falls on or after 1st April 2000 to determine for the purposes of any enactment how a previous court could or might have dealt with an offender shall if the offender is under the age of 18 make that determination as if:

- (a) the following provisions had been in force:
  - (i) sections 73 to 79 of the Crime and Disorder Act 1998; and
  - (ii) paragraph 50(1) of Schedule 8 to that Act; and
- (b) sections 1 to 4 of the Criminal Justice and Public Order Act 1994 had not been in force.

(2) Where—

- (a) before 1st April 2000 an offender has been committed for sentence by a magistrates' court to the Crown Court under section 37 of the Magistrates' Court Act 1980; but
- (b) the Crown Court has not dealt with him before that date,

the Crown Court may after inquiring into the circumstances of the case deal with him in any way in which the magistrates' court could deal with him.

(3) The amendment of section 1A of the Criminal Justice Act 1982 by paragraph 50(1) of Schedule 8 to the Crime and Disorder Act 1998, and the repeal in Schedule 10 to that Act relating to section 1C of the Criminal Justice Act 1982, shall not affect the operation of those sections in relation to offenders sentenced to detention in a young offender institution before the commencement of that paragraph or that repeal.

(4) The amendments of:

- (a) section 49 of the Children and Young Persons Act 1933<sup>(1)</sup>;
- (b) section 49 of the Prison Act 1952<sup>(2)</sup>;
- (c) section 52 of the Firearms Act 1968<sup>(3)</sup>; and
- (d) section 4 of the Probation Service Act 1993

by paragraphs 1, 7, 15 and 109, respectively, of Schedule 8 to the Crime and Disorder Act 1998 shall not affect the operation of those sections in relation to offenders who are subject to detention or supervision under a secure training order made before the commencement of those paragraphs.

(5) The repeals of section 67(5)(c) of the Criminal Justice Act 1967 and sections 1 to 4 of the Criminal Justice and Public Order Act 1994 shall not affect the operation of those sections in relation to offenders who are subject to detention or supervision under a secure training order made before the commencement of those repeals.

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(1) 1933 c. 12.  
(2) 1952 c. 52.  
(3) 1968 c. 27.