

Criminal Law Act 1967

CHAPTER 58

ARRANGEMENT OF SECTIONS

PART I

FELONY AND MISDEMEANOUR

Section

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ELIZABETH II



1967 CHAPTER 58

An Act to amend the law of England and Wales by abolishing the division of crimes into felonies and misdemeanours and to amend and simplify the law in respect of matters arising from or related to that division or the abolition of it; to do away (within or without England and Wales) with certain obsolete crimes together with the torts of maintenance and champerty; and for purposes connected therewith.

[21st July 1967]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

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FELONY AND MISDEMEANOUR

1.—(1) All distinctions between felony and misdemeanour are hereby abolished. Abolition of distinction between felony and misdemeanour.

(2) Subject to the provisions of this Act, on all matters on which a distinction has previously been made between felony and misdemeanour, including mode of trial, the law and practice in relation to all offences cognisable under the law of England and Wales (including piracy) shall be the law and practice applicable at the commencement of this Act in relation to misdemeanour.

2.—(1) The powers of summary arrest conferred by the following subsections shall apply to offences for which the sentence is fixed by law or for which a person (not previously convicted) may under or by virtue of any enactment be sentenced to imprisonment for a term of five years, and to attempts to Arrest without warrant.

PART I

commit any such offence; and in this Act, including any amendment made by this Act in any other enactment, "arrestable offence" means any such offence or attempt.

(2) Any person may arrest without warrant anyone who is, or whom he, with reasonable cause, suspects to be, in the act of committing an arrestable offence.

(3) Where an arrestable offence has been committed, any person may arrest without warrant anyone who is, or whom he, with reasonable cause, suspects to be, guilty of the offence.

(4) Where a constable, with reasonable cause, suspects that an arrestable offence has been committed, he may arrest without warrant anyone whom he, with reasonable cause, suspects to be guilty of the offence.

(5) A constable may arrest without warrant any person who is, or whom he, with reasonable cause, suspects to be, about to commit an arrestable offence.

(6) For the purpose of arresting a person under any power conferred by this section a constable may enter (if need be, by force) and search any place where that person is or where the constable, with reasonable cause, suspects him to be.

(7) This section shall not affect the operation of any enactment restricting the institution of proceedings for an offence, nor prejudice any power of arrest conferred by law apart from this section.

Use of force
in making
arrest, etc.

3.—(1) A person may use such force as is reasonable in the circumstances in the prevention of crime, or in effecting or assisting in the lawful arrest of offenders or suspected offenders or of persons unlawfully at large.

(2) Subsection (1) above shall replace the rules of the common law on the question when force used for a purpose mentioned in the subsection is justified by that purpose.

Penalties for
assisting
offenders.

4.—(1) Where a person has committed an arrestable offence, any other person who, knowing or believing him to be guilty of the offence or of some other arrestable offence, does without lawful authority or reasonable excuse any act with intent to impede his apprehension or prosecution shall be guilty of an offence.

(2) If on the trial of an indictment for an arrestable offence the jury are satisfied that the offence charged (or some other offence of which the accused might on that charge be found guilty) was committed, but find the accused not guilty of it, they may find him guilty of any offence under subsection (1) above of which they are satisfied that he is guilty in relation to the offence charged (or that other offence).

(3) A person committing an offence under subsection (1) above with intent to impede another person's apprehension or prosecution shall on conviction on indictment be liable to imprisonment according to the gravity of the other person's offence, as follows:—

- (a) if that offence is one for which the sentence is fixed by law, he shall be liable to imprisonment for not more than ten years;
- (b) if it is one for which a person (not previously convicted) may be sentenced to imprisonment for a term of fourteen years, he shall be liable to imprisonment for not more than seven years;
- (c) if it is not one included above but is one for which a person (not previously convicted) may be sentenced to imprisonment for a term of ten years, he shall be liable to imprisonment for not more than five years;
- (d) in any other case, he shall be liable to imprisonment for not more than three years.

(4) No proceedings shall be instituted for an offence under subsection (1) above except by or with the consent of the Director of Public Prosecutions:

Provided that this subsection shall not prevent the arrest, or the issue of a warrant for the arrest, of a person for such an offence, or the remand in custody or on bail of a person charged with such an offence.

(5) Offences under subsection (1) above, and incitement to commit them, shall be included in Schedule 1 to the Magistrates' Courts Act 1952 (indictable offences triable summarily with the consent of the accused) where that Schedule includes, or is under any enactment to be treated as including, the arrestable offence to which they relate. 1952 c. 55.

(6) For purposes of the Extradition Acts 1870 to 1935 offences in relation to an extradition crime which in England would be offences under subsection (1) above shall be extradition crimes and be deemed to be included in Schedule 1 to the Extradition Act 1870. 1870 c. 52.

(7) For purposes of section 33 of the Larceny Act 1916 and of any other enactment relating to receivers or receiving a person shall be treated as receiving property if he dishonestly undertakes or assists in its retention, removal, disposal or realisation by or for the benefit of another person or if he arranges so to do. 1916 c. 50.

5.—(1) Where a person has committed an arrestable offence, any other person who, knowing or believing that the offence or some other arrestable offence has been committed, and that he has information which might be of material assistance in securing the prosecution or conviction of an offender for it, Penalties for concealing offences or giving false information.

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accepts or agrees to accept for not disclosing that information any consideration other than the making good of loss or injury caused by the offence, or the making of reasonable compensation for that loss or injury, shall be liable on conviction on indictment to imprisonment for not more than two years.

(2) Where a person causes any wasteful employment of the police by knowingly making to any person a false report tending to show that an offence has been committed, or to give rise to apprehension for the safety of any persons or property, or tending to show that he has information material to any police inquiry, he shall be liable on summary conviction to imprisonment for not more than six months or to a fine of not more than two hundred pounds or to both.

(3) No proceedings shall be instituted for an offence under this section except by or with the consent of the Director of Public Prosecutions.

1952 c. 55.

(4) Offences under subsection (1) above, and incitement to commit them, shall be included in Schedule 1 to the Magistrates' Courts Act 1952 (indictable offences triable summarily with the consent of the accused) where that Schedule includes, or is under any enactment to be treated as including, the arrestable offence to which they relate.

(5) The compounding of an offence other than treason shall not be an offence otherwise than under this section.

Trial of offences.

6.—(1) Where a person is arraigned on an indictment—

- (a) he shall in all cases be entitled to make a plea of not guilty in addition to any demurrer or special plea ;
- (b) he may plead not guilty of the offence specifically charged in the indictment but guilty of another offence of which he might be found guilty on that indictment ;
- (c) if he stands mute of malice or will not answer directly to the indictment, the court may order a plea of not guilty to be entered on his behalf, and he shall then be treated as having pleaded not guilty.

(2) On an indictment for murder a person found not guilty of murder may be found guilty—

- (a) of manslaughter, or of causing grievous bodily harm with intent to do so ; or
- (b) of any offence of which he may be found guilty under an enactment specifically so providing, or under section 4(2) of this Act ; or
- (c) of an attempt to commit murder, or of an attempt to commit any other offence of which he might be found guilty ;

but may not be found guilty of any offence not included above.

(3) Where, on a person's trial on indictment for any offence except treason or murder, the jury find him not guilty of the offence specifically charged in the indictment, but the allegations in the indictment amount to or include (expressly or by implication) an allegation of another offence falling within the jurisdiction of the court of trial, the jury may find him guilty of that other offence or of an offence of which he could be found guilty on an indictment specifically charging that other offence.

(4) For purposes of subsection (3) above any allegation of an offence shall be taken as including an allegation of attempting to commit that offence; and where a person is charged on indictment with attempting to commit an offence or with any assault or other act preliminary to an offence, but not with the completed offence, then (subject to the discretion of the court to discharge the jury with a view to the preferment of an indictment for the completed offence) he may be convicted of the offence charged notwithstanding that he is shown to be guilty of the completed offence.

(5) Where a person arraigned on an indictment pleads not guilty of an offence charged in the indictment but guilty of some other offence of which he might be found guilty on that charge, and he is convicted on that plea of guilty without trial for the offence of which he has pleaded not guilty, then (whether or not the two offences are separately charged in distinct counts) his conviction of the one offence shall be an acquittal of the other.

(6) Any power to bring proceedings for an offence by criminal information in the High Court is hereby abolished.

(7) Subsections (1) to (3) above shall apply to an indictment containing more than one count as if each count were a separate indictment.

7.—(1) Where a person is convicted on indictment of an offence against any enactment and is for that offence liable to be sentenced to imprisonment, but the sentence is not by any enactment either limited to a specified term or expressed to extend to imprisonment for life, the person so convicted shall be liable to imprisonment for not more than two years. Powers of dealing with offenders.

(2) A person convicted on indictment of an attempt to commit an offence for which a maximum term of imprisonment or a maximum fine is provided by any enactment shall not be sentenced to imprisonment for a term longer, nor to a fine larger, than that to which he could be sentenced for the completed offence.

(3) Where a person is convicted on indictment of any offence other than an offence for which the sentence is fixed by law, the court, if not precluded from sentencing the offender by its

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exercise of some other power (such as the power to make a probation order), may impose a fine in lieu of or in addition to dealing with him in any other way in which the court has power to deal with him, subject however to any enactment limiting the amount of the fine that may be imposed or requiring the offender to be dealt with in a particular way.

(4) Notwithstanding anything in any enactment whereby power is conferred on a court, on a person's conviction of an offence, to bind him over to keep the peace or be of good behaviour, that power may be exercised without sentencing the person convicted to a fine or to imprisonment.

(5) There is hereby abolished so much of the punishment for any offence as consists in any general forfeiture of lands or of goods and chattels or in being placed outside Her Majesty's protection or otherwise incapacitated to sue or be sued.

Jurisdiction
of quarter
sessions.

§.—(1) A court of quarter sessions shall not have jurisdiction to try an indictment for any offence for which a person may be sentenced to death or may under or by virtue of any enactment be sentenced to imprisonment for life:

Provided that this subsection shall not deprive a court of quarter sessions of any jurisdiction which the court has under the law in force at the commencement of this Act.

(2) Accordingly the offences which, when prosecuted on indictment, are triable by a court of quarter sessions shall be the offences mentioned in List A in Schedule 1 to this Act together with all other offences not falling under any head of List B in that Schedule:

1962 c. 15.

Provided that, subject to section 16(4) of the Criminal Justice Administration Act 1962 (which relates to part-heard cases), a court with restricted jurisdiction shall not have jurisdiction to try an indictment for an offence by reason of its inclusion in Division II of the said List A.

1938 c. 63.

(3) For purposes of subsection (2) above "court with restricted jurisdiction" does not include the court of quarter sessions for any London Commission Area or the court of the recorder of any borough, but with those exceptions means any court of quarter sessions not being presided over by a legally qualified chairman within the meaning of section 2 of the Administration of Justice (Miscellaneous Provisions) Act 1938 or by a person entitled under subsection (5) of that section to take the place of the legally qualified chairman of the court; and references in any enactment to offences being triable by a court of quarter sessions under that section shall have effect as references to their being triable by a court of quarter sessions not being a court with restricted jurisdiction.

(4) Notwithstanding any limitation in relation to an offence on the jurisdiction of a court of quarter sessions, a person may be indicted before, or committed for sentence to, the court

for that offence; and in the case of offences which the court has no jurisdiction to try on indictment— PART I

- (a) where a person is indicted before the court, the powers of the court under section 14(2) of the Criminal Justice Act 1925 shall include power to direct that his trial shall take place before a court of assize or before a court of quarter sessions for some other place; and 1925 c. 86.
- (b) where a person is committed for sentence to the court, the powers of the court shall include power to deal with him in any way in which, on his conviction on indictment before a court having jurisdiction to try the offence, he could be dealt with by that court.

9. Nothing in this Act shall affect Her Majesty's royal prerogative of mercy, but a pardon in respect of any offence if granted by warrant under Her royal sign manual, countersigned by the Secretary of State, shall be of like effect as a pardon under the great seal. Pardon.

10.—(1) The enactments mentioned in Schedule 2 to this Act shall be amended in accordance with the provisions of that Schedule. Amendments of particular enactments, and repeals.

(2) The enactments mentioned in Schedule 3 to this Act (which includes in Part I certain enactments connected with matters in this Part of this Act but already spent, obsolete or redundant apart from this Act) are hereby repealed to the extent specified in the third column of that Schedule.

11.—(1) Subject to subsections (2) to (4) below, this Part of this Act shall not extend to Scotland or to Northern Ireland. Extent of Part I, and provision for Northern Ireland.

(2) Subsection (1) above shall not restrict the operation of this Part of this Act—

(a) in so far as it affects—

- (i) the Extradition Acts 1870 to 1935; or
- (ii) the Army Act 1955, the Air Force Act 1955 or the Naval Discipline Act 1957; or 1955 c. 18.
1955 c. 19.
- (iii) section 2 of the Forfeiture Act 1870 or any other enactment or rule of law relating to any parliamentary disqualification or other disability or penal consequence arising from an offence being felony; or 1957 c. 53.
1870 c. 23.

(b) in so far as (by paragraph 10 of Schedule 2) it amends the Regimental Debts Act 1893. 1893 c. 5.

(3) The amendments made by paragraph 2 of Schedule 2 to this Act in section 4 of the Vagrancy Act 1824 and section 15 of the Prevention of Crimes Act 1871 shall extend to Scotland. 1824 c. 83.
1871 c. 112.

(4) The restrictions imposed by the Government of Ireland Act 1920 on the powers of the Parliament of Northern Ireland shall not be treated as precluding that Parliament from enacting, 1920 c. 67.

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in relation to Northern Ireland, by any Act passed for purposes similar to this Part of this Act, a provision corresponding to any provision of that Part, or from making provision as to proceedings in Northern Ireland for offences, wherever committed, which are cognisable under the law of Northern Ireland.

Commence-
ment, savings,
and other
general
provisions.

12.—(1) This Part of this Act, except in so far as it enlarges the powers of the Parliament of Northern Ireland, shall not come into force until the 1st January 1968; and, in so far as it affects any matter of procedure or evidence or the jurisdiction or powers of any court in relation to offences, it shall have effect in relation to proceedings on indictment for an offence (except as provided by the following subsections) if, but only if, the person charged with the offence is arraigned on or after that day.

(2) Where a person is arraigned after the commencement of this Part of this Act on an indictment for a felony committed before that commencement, then for purposes of his trial on that indictment the offence shall be deemed always to have been a misdemeanour and, notwithstanding that the indictment is framed as an indictment for felony, shall be deemed to be charged as a misdemeanour in the indictment.

(3) On an indictment signed before the commencement of this Part of this Act, a person may be found guilty of any offence of which he could have been found guilty on that indictment if this Part of this Act had not been passed, but not of any other offence; and a person tried by a court-martial ordered or convened before that commencement may be found guilty of any offence of which he could have been found guilty if this Part of this Act had not been passed, but not of any other offence.

(4) Where a person has been tried for or convicted of felony before the commencement of this Part of this Act, the trial or conviction may be proved in any manner in which it could have been proved if this Part of this Act had not been passed.

(5) Subject to any express amendment or repeal made by this Act, the following provisions shall have effect in relation to any Act passed before this Act:—

- (a) any enactment creating an offence by directing it to be felony shall be read as directing it to be an offence, and nothing in this Part of this Act shall affect the operation of any reference to an offence in the enactments specially relating to that offence by reason only of the reference being in terms no longer applicable after the commencement of this Part of this Act;
- (b) any enactment referring to felonious stealing shall be read as referring merely to stealing;
- (c) nothing in this Part of this Act shall affect the punishment provided for an offence by the enactments specially relating to that offence.

(6) In this Part of this Act references to felony shall not be taken as including treason; but the procedure on trials for treason or misprision of treason shall be the same as the procedure as altered by this Act on trials for murder.

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(7) Any provision of this Part of this Act relating to proceedings on indictment shall, so far as applicable, apply also to proceedings on an inquisition.

PART II

OBSOLETE CRIMES

13.—(1) The following offences are hereby abolished, that is to say—

Abolition of certain offences, and consequential repeals.

(a) any distinct offence under the common law in England and Wales of maintenance (including champerty, but not embracery), challenging to fight, eavesdropping or being a common barrator, a common scold or a common night walker; and

(b) any offence under an enactment mentioned in Part I of Schedule 4 to this Act, to the extent to which the offence depends on any section or part of a section included in the third column of that Schedule.

(2) Accordingly the enactments mentioned in Parts I and II of Schedule 4 to this Act are hereby repealed to the extent specified in the third column of the Schedule, but subject to the provisions of Part III of the Schedule.

(3) This section shall extend to Northern Ireland only in so far as it relates—

(a) to offences under any Act of the Parliament of Ireland; or

(b) to offences under any other enactment of which the repeal is in Schedule 4 to this Act expressed to extend to Northern Ireland;

and in so far as it repeals any such Act or enactment.

PART III

SUPPLEMENTARY

14.—(1) No person shall, under the law of England and Wales, be liable in tort for any conduct on account of its being maintenance or champerty as known to the common law, except in the case of a cause of action accruing before this section has effect.

Civil rights in respect of maintenance and champerty.

(2) The abolition of criminal and civil liability under the law of England and Wales for maintenance and champerty shall not affect any rule of that law as to the cases in which a contract is to be treated as contrary to public policy or otherwise illegal.

15. This Act may be cited as the Criminal Law Act 1967. Short title.

SCHEDULES

Section 8.

SCHEDULE 1

LISTS OF OFFENCES FALLING, OR NOT FALLING, WITHIN
JURISDICTION OF QUARTER SESSIONSLIST A Division I: *Offences triable by all courts of quarter sessions*

1861 c. 97.

1. Offences against section 17 of the Malicious Damage Act 1861 (arson of stacks of corn etc.).

2.—(a) Burglary ;

1916 c. 50.

(b) Offences against the following provisions of the Larceny Act 1916:—

(i) section 12 (stealing of postal packets etc.) ;

(ii) section 18 (embezzlement by officers of the Post Office) ;

(iii) section 24 (sacrilege) ;

(iv) section 33(2) (receiving stolen postal packets etc.) ;

1953 c. 36.

(c) Offences against sections 52 to 58 of the Post Office Act 1953 (stealing, embezzlement and receiving of postal packets and other offences in connection with mails).

1911 c. 6.

3. Offences against section 5 of the Perjury Act 1911 in relation to statements in statutory declarations.

1913 c. 27.

4. The following offences against the Forgery Act 1913:—

(a) offences against section 2(2)(a) in relation to any document, being an authority or request for the payment of money or for the delivery or transfer of goods or chattels, where the amount of the money or the value of the goods or chattels does not exceed £100 ; and

(b) offences against section 7(a) where the amount of the money or the value of the property in respect of which the offence is committed does not exceed £100 ; and

(c) uttering any forged document the forgery of which is an offence triable by the court in question.

1889 c. 69.

5. Offences against the Public Bodies Corrupt Practices Act 1889.

6. Unlawful combinations and conspiracies to cheat and defraud.

LIST A Division II: *Offences triable by courts of quarter sessions other than courts with restricted jurisdiction*

1826 c. 16.

1. Offences under section 38 of the Chelsea and Kilmainham Hospitals Act 1826 (personation to obtain pension, etc.).

2. Offences under section 14 of the Malicious Damage Act 1861 (destruction of textiles during manufacture or of textile machinery).

1936 c. 16.

3. Offences against the Coinage Offences Act 1936, other than offences against sections 1(1)(a), 2, 9(1) and (2) and 10 (certain offences in relation to coinage of higher denominations, to coining

implements and to removal of coining implements, coin or bullion from the Mint). SCH. 1

4. Offences against the following provisions of the Perjury Act 1911 c. 6. 1911:—

- (a) section 2 (false statements on oath made otherwise than in judicial proceedings);
- (b) section 3 (false statements etc., with reference to marriage);
- (c) section 4 (false statements etc., as to births or deaths);
- (d) section 5 (false statutory declarations and other false statements without oath);
- (e) section 6 (false declarations etc., to obtain registration etc., for carrying on a vocation).

5.—(a) Offences consisting of the forgery of any document or thing, being offences triable on indictment or alternatively by a magistrates' court, except offences against section 1 of the Official Secrets Act 1920 c. 75. 1920 c. 75.

(b) Offences against section 13 of the Stamp Duties Management Act 1891 (frauds in connection with stamps and dies); 1891 c. 38.

(c) The following offences against the Forgery Act 1913:— 1913 c. 27.

- (i) offences which would before the passing of that Act have constituted offences against section 13 of the Stamp Duties Management Act 1891;
- (ii) offences against section 2(2)(a) in relation to any document, being an accountable receipt, where the amount of the money or the value of the property in respect of which the offence is committed does not exceed £20;
- (iii) offences against section 4 (forgery of documents in general);

(d) Offences against section 36 of the Criminal Justice Act 1925 (forgery of passport and false statement to obtain passport). 1925 c. 86.

6.—(a) Bigamy and offences against the marriage laws.

(b) Offences, and attempts to commit offences, against section 6 of the Sexual Offences Act 1956 (intercourse with girl under 16), and offences against section 13 of that Act (indecenty between men) and attempts to procure the commission by a man of an act of gross indecenty with another man. 1956 c. 69.

7. Offences against section 60 of the Offences against the Person Act 1861 (endeavouring to conceal birth of child). 1861 c. 100.

8. Offences against section 9 of the Night Poaching Act 1828 (poaching at night by armed gangs). 1828 c. 69.

9. Conspiracies to commit offences punishable on summary conviction.

SCH. 1 LIST B: *Offences excluded (subject to List A) from jurisdiction of all courts of quarter sessions*

1. Any offence for which a person may be sentenced to death.
2. Any offence for which a person may under or by virtue of any enactment be sentenced to imprisonment for life.
3. Misprision of treason.
4. Offences against the Queen's title, prerogative, person or government, or against either House of Parliament.
5. Blasphemy and offences against religion.
6. Composing, printing or publishing blasphemous, seditious or defamatory libels.
7. Administering or taking unlawful oaths.
- 1911 c. 6. 8. Perjury and subornation of perjury, offences against the Perjury Act 1911, and offences which under any enactment are declared to be perjury or to be punishable as perjury or as subornation of perjury.
- 1913 c. 27. 9. Forgery, offences against the Forgery Act 1913 and offences which under any enactment are declared to be forgery or to be punishable as forgery.
- 1956 c. 69. 10.—(a) Bigamy and offences against the marriage laws;
(b) Abduction of women and girls, and offences against sections 1 to 13, 17 to 27 and 29 of the Sexual Offences Act 1956;
(c) Attempts to commit offences against the following provisions of the Sexual Offences Act 1956, namely, sections 2, 5, 6, 7, 9, 10, 11, 22 and 23, and attempts to procure the commission by a man of an act of gross indecency with another man.
- 1906 c. 34. 11.—(a) Bribery;
(b) Offences under the Prevention of Corruption Act 1906;
(c) Corrupt practices within the meaning of the Representation of the People Act 1949 (including any provision of that Act as applied by section 67(5) of the Licensing Act 1964).
- 1949 c. 68. 12. Unlawful combinations and conspiracies, other than conspiracies or combinations to commit offences which the court in question has jurisdiction to try when committed by one person.
- 1964 c. 26. 13.—(a) Stealing or fraudulently taking or injuring or destroying records or documents belonging to any court of law or equity or relating to any proceedings in a court of law or equity;
(b) Stealing or fraudulently destroying or concealing any document or written instrument being or containing evidence of the title to any real estate or any interest in land;
(c) Offences against sections 82, 83 and 84 of the Larceny Act 1861 (frauds by directors etc. of bodies corporate and public companies);
- 1861 c. 96. 1916 c. 50. (d) Offences against sections 20, 21 and 22 of the Larceny Act 1916 (fraudulent conversion and offences by factors) other than offences of fraudulent conversion against section 20(1)(iv).

14. Offences against section 9 of the Night Poaching Act 1828 (poaching at night by armed gangs). SCH. 1
1828 c. 69.

15. Offences under the Official Secrets Acts 1911 to 1939.

16.—(a) Attempted murder, and attempts to commit offences against section 1 of the Infant Life (Preservation) Act 1929 (child destruction). 1929 c. 34.

(b) Offences against section 60 of the Offences Against the Person Act 1861 (endeavouring to conceal birth of child). 1861 c. 10.

17. Offences against section 1 of the Geneva Conventions Act 1957. 1957 c. 52.

18. Offences against section 1 of the Road Traffic Act 1960 (causing death by reckless or dangerous driving). 1960 c. 16.

19. Offences against section 2 of the Suicide Act 1961 (aiding and abetting suicide). 1961 c. 60.

SCHEDULE 2

Section 10.

SUPPLEMENTARY AMENDMENTS

Adaptations of enactments referring to felony

1. In section 1 of the Judgment of Death Act 1823 (which provides for recording, instead of pronouncing, sentence of death) for the words from "felony" to "thereof" there shall be substituted the words "offence punishable with death except treason" and there shall be omitted the words from "it shall and may" to "bar such judgment"; and in section 3 of the Central Criminal Court Act 1837 (which makes similar provision) there shall be omitted the words from "it shall and may" to "bar such judgment". 1823 c. 48. 1837 c. 77.

2.—(1) In the Vagrancy Act 1824, in section 4 (rogues and vagabonds),— 1824 c. 83.

(a) in the words relating to persons having implements with intent feloniously to break into dwelling houses etc., for the expression "feloniously" there shall be substituted the words "for the purpose of committing an arrestable offence"; and

(b) in the words relating to persons having offensive weapons or other instruments with intent to commit any felonious act, and in the words relating to suspected persons or reputed thieves frequenting rivers, highways, etc. with intent to commit felony, for the expression "any felonious act" and for the expression "felony" there shall be substituted the expression "an arrestable offence".

(2) Accordingly in section 15 of the Prevention of Crimes Act 1871 (which recites and amends the said section 4) for the expressions "felony" and "a felony", wherever occurring, there shall be substituted the expression "an arrestable offence". 1871 c. 112.

3.—(1) In section 28 of the Criminal Law Act 1826 (which enables assize courts and, as extended by section 8 of the Criminal Justice Administration Act 1851, courts of quarter sessions to award compensation to those active in apprehending persons charged with murder and certain other offences)— 1826 c. 64. 1851 c. 55.

(a) for the words "superior criminal court of a county palatine or court of great sessions" there shall be substituted the

SCH. 2

words "or quarter sessions", and accordingly there shall be omitted the words from "and where any person shall appear to any court of sessions of the peace" to "other courts hereinbefore mentioned"; and

(b) for the words from "murder" to "been stolen" there shall be substituted the words "an arrestable offence" and for the words "any of the said offences" there shall be substituted the words "that offence".

1826 c. 64.

(2) In section 30 of the Criminal Law Act 1826 (which enables compensation to be awarded to the family of anyone killed in trying to apprehend a person charged with an offence mentioned in section 28) for the words "any of the offences hereinbefore last mentioned" there shall be substituted the words "an arrestable offence".

1830 c. 68.

4. In section 8 of the Carriers Act 1830 (under which the protection given by that Act to common carriers does not extend to the felonious acts of their servants) for the words "the felonious acts" there shall be substituted the words "any theft, embezzlement or forgery".

5. In the following enactments (which confer on the police powers of entry into vessels on suspicion of felony), that is to say,—

1839 c. 47.

(a) section 34 of the Metropolitan Police Act 1839;

1840 c. 50.

(b) section 9 of the Canals (Offences) Act 1840;

for the expressions "felony" and "felonies" there shall be substituted the expressions "arrestable offence" and "arrestable offences"; and any enactment for the same or like purposes which is contained in any local or private Act shall be modified as near as may be in the same way.

6. In the following enactments (which provide for the trial of murder or manslaughter where any person dies in a country after being feloniously stricken out of it or *vice versa*), that is to say,—

1849 c. 96.

(a) section 3 of the Admiralty Offences (Colonial) Act 1849;

1860 c. 122.

(b) section 1 of the Admiralty Offences (Colonial) Act 1860;

1861 c. 100.

(c) section 10 of the Offences against the Person Act 1861;

for the word "feloniously", wherever occurring, there shall be substituted the word "criminally".

1861 c. 97.

7. In section 7 of the Malicious Damage Act 1861 (which makes it an offence to set fire to anything in, against or under a building in such circumstances that if the building were thereby set fire to it would amount to felony) for the words "the offence would amount to felony" there shall be substituted the words "he would be guilty of an offence under any of the preceding sections".

8. The following enactments (which make it an offence to make or have gunpowder etc. for the purpose of a felony mentioned in the Act in question, and confer powers of search for such gunpowder etc.), that is to say,—

1861 c. 97.

(a) sections 54 and 55 of the Malicious Damage Act 1861; and

1861 c. 100.

(b) sections 64 and 65 of the Offences against the Person Act 1861;

shall have effect as if the references to felonies mentioned in the Act included any offence so mentioned for which a person (not

previously convicted) may be tried on indictment otherwise than at his own instance. SCH. 2

9. Section 4 of the Forfeiture Act 1870 (which allows a court on a person's conviction for felony to award compensation not exceeding £100 for loss of property occasioned by the felony) shall have effect as if the references to felony included any offence tried on indictment, as if the reference to loss of property included damage to property, but did not include loss or damage due to an accident arising out of the presence of a motor vehicle on a road, and as if the reference to £100 were a reference to £400; and section 34 of the Magistrates' Courts Act 1952 (which confers the same powers on a magistrates court) shall have effect accordingly, but with the substitution for the word "felony" of the words "an indictable offence". 1870 c. 23.
1952 c. 55.

10. In section 23 of the Regimental Debts Act 1893 (which applies the provisions of that Act as to the collection and disposal of the effects of a deceased serviceman to the case of a serviceman convicted by a civil court of felony) for the words "or is convicted by a civil court of any offence which by the law of England is felony" there shall be substituted the words "or, in consequence of a conviction by or before a court of ordinary criminal jurisdiction, is sentenced to death or is imprisoned or detained to serve a sentence of three months or more". 1893 c. 5.

11. In section 66 of the Merchant Shipping Act 1894 (which makes forgery etc. of certain documents under Part I of that Act felony, but without specifying any punishment) there shall be added at the end the words "and liable on conviction on indictment to imprisonment for not more than seven years". 1894 c. 60.

12.—(1) In the Larceny Act 1916, in sections 24 to 28 (sacrilege, burglary, housebreaking and possession by night of implements of housebreaking etc.), for the expression "felony", wherever it occurs otherwise than in the phrase "shall be guilty of felony", there shall be substituted the expression "arrestable offence"; and the same substitution shall be made in section 29(2)(b) (procuring execution etc. of valuable security by accusation of certain crimes). 1916 c. 50.

(2) A person guilty of any offence under section 33(1) of the Larceny Act 1916 (receiving) shall be liable to imprisonment for a term not exceeding fourteen years; but—

- (a) in the Bankruptcy Act 1914, in section 154(3) (which was added by the Bankruptcy Amendment Act 1926, and in certain cases makes a person receiving property fraudulently disposed of by a bankrupt liable to the same punishment as a receiver of property obtained by a misdemeanour), for the words following the word "liable" there shall be substituted the words "on conviction on indictment to imprisonment for not more than seven years or on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding a hundred pounds or to both"; and 1914 c. 59.
1926 c. 7.

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1916 c. 50.

(b) in the Companies Act 1948, in section 328(2), there shall be omitted paragraph (a) and in paragraph (b) the words "in Scotland".

(3) In section 37(1) of the Larceny Act 1916 (which provides for an increased punishment for simple larceny after a previous conviction of felony) for the expression "felony" there shall be substituted the expression "an arrestable offence", and accordingly in section 37(2)(a) after the words "indictable misdemeanour punishable under this Act" there shall be inserted the words "not being an arrestable offence".

(4) In section 39(2) and (3) of the Larceny Act 1916 (trial in one part of the United Kingdom of persons having or receiving property stolen or feloniously taken in another part) for the word "feloniously" there shall be substituted the word "criminally"; and the like substitution shall be made in section 40(3) (joinder of accused in indictment for feloniously receiving).

1953 c. 36.

(5) In section 54 of the Post Office Act 1953 (which makes receivers of mail bags and other articles feloniously stolen etc. liable to the same punishment as the principal felon) for the words "a felony" there shall be substituted the words "an offence", and the word "feloniously" shall be omitted.

(6) Nothing in this Act shall affect the punishment provided by section 33 of the Larceny Act 1916 for offences committed before the commencement of Part I of this Act.

Amendments related to alternative verdicts

13.—(1) The following provisions (under which on a trial on indictment a person may be found guilty of certain offences if found not guilty on a charge of another offence) shall cease to have effect:—

1861 c. 100.

(a) in the Offences against the Person Act 1861, section 60 proviso as extended by any subsequent enactment (conviction of concealment of birth on charge of murder, child destruction or infanticide);

(b) in the Larceny Act 1916, section 44(1) (conviction of assault with intent to rob on charge of robbery);

1933 c. 12.

(c) in the Children and Young Persons Act 1933, section 1(4) (conviction of cruelty to person under 16 on charge of infanticide or, in certain cases, of manslaughter);

1956 c. 69.

(d) in the Sexual Offences Act 1956, in Schedule 2,—

(i) in item 1(a), paragraphs (iv), (v), (vi) and (viii) in column 4 (conviction of intercourse with girl under 13, or under 16, or with defective, or of incest, on charge of rape);

(ii) in item 2(a) the whole entry in column 4 (conviction of procuring intercourse by threats, by false pretences or by administering drugs, or of intercourse with girl under 16, or with defective, on charge of intercourse with girl under 13);

(iii) in items 6 and 26 the whole entry in column 4 (conviction of permitting person under 16 to reside in or frequent a brothel on charge of allowing girl under 13, or under 16, to use premises for intercourse);

(iv) in item 14(a) paragraph (iii) in column 4 (conviction of intercourse with defective on charge of incest);

(e) in the Road Traffic Act 1960, section 2(3) so far as it relates to England or Wales (conviction of reckless or dangerous driving on charge of manslaughter).

(2) For section 241(5) of the Road Traffic Act 1960 (which provides in effect that the requirements of section 241(2) as to notice of intended prosecution shall not prevent a person's conviction of reckless or dangerous driving under the provision made by section 2 of the Act for alternative convictions of that offence on other charges) there shall be substituted:—

“(5) Where a person is prosecuted on indictment for an offence to which this section does not apply, subsection (2) of this section shall not be taken to prejudice any power of the jury on the charge for that offence, if they find him not guilty of it, to find him guilty of an offence against subsection (1) of section 2 of this Act.”

14. In the Sexual Offences Act 1956, in the following provisions relating to girls not under the age of 13 but under the age of 16, the words “not under the age of 13 but” shall be omitted, that is to say,—

(a) in section 6(1) (intercourse with girl under 16); and

(b) in section 26 (permitting girl under 16 to use premises for intercourse);

and accordingly in Schedule 2, in items 10(a) and 26, for the words “between 13 and 16” there shall be substituted the words “under 16”.

Miscellaneous

15.—(1) The following enactments (which provide for the punishment in England of offences committed abroad by persons in public employment), that is to say, the Act 11 Will. 3. c. 12 and the Criminal Jurisdiction Act 1802, shall extend to offences ceasing to be felony by virtue of this Act.

(2) Section 9(2) of the Magistrates' Courts Act 1952 (which makes special provision about offences dealt with by virtue of section 11 of the Criminal Justice Act 1925 outside the venue of the offence) shall not apply to offences committed outside England and Wales, whether within or without territorial waters; and in relation to offences so committed section 7(4) of the Costs in Criminal Cases Act 1952 shall have effect subject to the special provision made by section 7(2) and (3) for offences committed within Admiralty jurisdiction.

SCHEDULE 3

REPEALS (GENERAL)

PART I

REPEALS OF OBSOLETE OR UNNECESSARY ENACTMENTS

Session and Chapter	Title or Short Title	Extent of Repeal
3 Edw. 1.	The Statute of Westminster the First.	Chapters 6 and 28.
25 Edw. 1.	The Great Charter.	Article 14.
2 Edw. 3. c. 3.	The Statute of Northampton.	The whole Chapter.
18 Edw. 3. Stat. 3.	(Exemption for the prelates in criminal cases).	The whole Chapter.
c. 1.		
25 Edw. 3. Stat. 5.	The Treason Act 1351.	From "Et si per cas" onwards.
c. 2.		
15 Ric. 2. c. 3.	The Admiralty Jurisdiction Act 1391.	The whole Chapter, so far as unrepealed.
17 Ric. 2. c. 8.	(Riots).	The whole Chapter.
13 Hen. 4. c. 7.	The Riot Act 1411.	The whole Chapter, so far as unrepealed.
2 Hen. 5. Stat. 1.	The Riot Act 1414.	The whole Chapter, so far as unrepealed.
c. 8.		
27 Hen. 8. c. 24.	The Jurisdiction in Liberties Act 1535.	The preamble and section 1.
28 Hen. 8. c. 15.	The Offences at Sea Act 1536.	The whole Act.
33 Hen. 8. c. 12.	The Offences within the Court Act 1541.	The whole Act.
35 Hen. 8. c. 2.	The Treason Act 1543.	The whole Act.
1 Edw. 6. c. 1.	The Sacrament Act 1547.	Sections 2, 4, 5 and 7.
1 Edw. 6. c. 7.	The Justices of the Peace Act 1547.	Section 5 to the words "continued in full force and strength".
2 & 3 Edw. 6. c. 1.	The Act of Uniformity 1548.	Section 11.
1 Mary Sess. 1. c. 1.	The Treason Act 1553.	The whole Act.
1 & 2 Phil. & Mar. c. 10.	The Treason Act 1554.	The whole Act.
2 & 3 Phil. & Mar. c. 7.	The Sale of Horses Act 1555.	The whole Act.
1 Eliz. 1. c. 1.	The Act of Supremacy.	Section 15.
1 Eliz. 1. c. 2.	The Act of Uniformity 1558.	Section 10.
13 Eliz. 1. c. 2.	An Act against the bringing in and putting in execution of Bulls and other instruments from the See of Rome.	Section 8.
31 Eliz. 1. c. 12.	The Sale of Horses Act 1588.	The whole Act.
13 Chas. 2. Stat. 1. c. 5.	The Tumultuous Petitioning Act 1661.	In section 1, the words from "at the Court" to "quarter sessions".
7 Anne c. 21.	The Treason Act 1708.	Section 7.

Session and Chapter	Title or Short Title	Extent of Repeal
4 Geo. 1. c. 11. 8 Geo. 1. c. 24.	The Piracy Act 1717. The Piracy Act 1721.	Section 7. In section 1, the words from "and he" to "suppressing of piracy". Section 3.
16 Geo. 2. c. 31.	The Prison (Escape) Act 1742.	The whole Act so far as unrepealed.
18 Geo. 2. c. 30.	The Piracy Act 1744.	The whole Act.
20 Geo. 2. c. 30.	The Treason Act 1746.	The whole Act.
25 Geo. 2. c. 37.	The Murder Act 1751.	Section 9.
33 Geo. 3. c. 67.	The Shipping Offences Act 1793.	In section 1, the words from "to be found" to "committed" where next occurring. In section 3, the words from "to be found" to "committed". Section 7.
39 Geo. 3. c. 37.	The Offences at Sea Act 1799.	The preamble. In section 1, the words "of the same nature respectively, and to be" and the words from "and shall be inquired of" onwards. Section 2.
46 Geo. 3. c. 54.	The Offences at Sea Act 1806.	The whole Act.
49 Geo. 3. c. 126.	The Sale of Offices Act 1809.	In section 14, the words "in His Majesty's Court of King's Bench at Westminster".
56 Geo. 3. c. 138.	The Pillory Abolition Act 1816.	Section 2.
57 Geo. 3. c. 53.	The Murders Abroad Act 1817.	The whole Act, so far as unrepealed.
58 Geo. 3. c. 29.	The Fees for Pardons Act 1818.	The whole Act.
60 Geo. 3. & 1 Geo. 4. c. 8.	The Criminal Libel Act 1819.	Sections 4 and 7.
1 Geo. 4. c. 90.	The Offences at Sea Act 1820.	The whole Act, so far as unrepealed.
1 & 2 Geo. 4. c. 76.	The Cinque Ports Act 1821.	Section 16.
1 & 2 Geo. 4. c. 88.	The Rescue Act 1821.	The whole Act, so far as unrepealed.
6 Geo. 4. c. 50.	The Juries Act 1825.	Section 61.
7 Geo. 4. c. 38.	The Admiralty Offences Act 1826.	The whole Act.
3 & 4 Will. 4. c. 74.	The Fines and Recoveries Act 1833.	In section 33 the words from "or if any person, protector of a settlement," to "continuance of such estate", and the word "other". Section 2.
9 & 10 Vict. c. 24.	The Central Criminal Court Act 1846.	Section 2.
14 & 15 Vict. c. 55.	The Criminal Justice Administration Act 1851.	Sections 5 to 7, 19 and 23 to 25.
24 & 25 Vict. c. 97.	The Malicious Damage Act 1861.	Section 43.

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Session and Chapter	Title or Short Title	Extent of Repeal
24 & 25 Vict. c. 98.	The Forgery Act 1861.	Sections 47 and 48.
24 & 25 Vict. c. 100.	The Offences against the Person Act 1861.	Sections 7 and 8.
28 & 29 Vict. c. 37.	The County of Sussex Act 1865.	The whole Act so far as unrepealed.
31 & 32 Vict. c. 45.	The Sea Fisheries Act 1868.	In section 57 the words "except any felony and".
34 & 35 Vict. c. 112.	The Prevention of Crimes Act 1871.	Sections 6, 7, 9, 20 and 22.
50 & 51 Vict. c. 71.	The Coroners Act 1887.	Section 44.
54 & 55 Vict. c. 70.	The Markets and Fairs (Weighing of Cattle) Act 1891.	Section 3(4). Section 4(2) from "and shall" onwards.
1 & 2 Geo. 5. c. 28.	The Official Secrets Act 1911.	Section 10(2) from the words "and the Criminal Jurisdiction Act 1802" onwards.
15 & 16 Geo. 5. c. 19.	The Trustee Act 1925.	Section 65.
1 Edw. 8. & 1 Geo. 6. c. 12.	The Firearms Act 1937.	In Schedule 3, the entry for offences under the 3rd and 4th paragraphs of section 7 of the Prevention of Crimes Act 1871.
1 & 2 Geo. 6. c. 63.	The Administration of Justice (Miscellaneous Provisions) Act 1938.	Section 12.
3 & 4 Geo. 6. c. 21.	The Treachery Act 1940.	The whole Act.
11 & 12 Geo. 6. c. 58.	The Criminal Justice Act 1948.	Section 30.

PART II

REPEALS RELATING TO JURISDICTION OF QUARTER SESSIONS

Session and Chapter	Title or Short Title	Extent of Repeal
34 Edw. 3. c. 1.	The Justices of the Peace Act 1361.	From "et auxint doier et terminer" onwards.
5 & 6 Vict. c. 38.	The Quarter Sessions Act 1842.	Section 1.
14 & 15 Vict. c. 55.	The Criminal Justice Administration Act 1851.	Section 13.
24 & 25 Vict. c. 96.	The Larceny Act 1861.	Section 87.
32 & 33 Vict. c. 62.	The Debtors Act 1869.	Section 20.
37 & 38 Vict. c. 36.	The False Personation Act 1874.	Section 3.
52 & 53 Vict. c. 69.	The Public Bodies Corrupt Practices Act 1889.	Section 6.

Session and Chapter	Title or Short Title	Extent and Repeal
6 Edw. 7. c. 34.	The Prevention of Corruption Act 1906.	Section 2(5).
1 & 2 Geo. 5. c. 6.	The Perjury Act 1911.	Section 10.
1 & 2 Geo. 5. c. 28.	The Official Secrets Act 1911.	In section 10(3) the words "by any court of general or quarter sessions nor".
3 & 4 Geo. 5. c. 27.	The Forgery Act 1913.	Section 13.
6 & 7 Geo. 5. c. 50.	The Larceny Act 1916.	Section 38(1).
15 & 16 Geo. 5. c. 86.	The Criminal Justice Act 1925.	Section 18. Schedule 1.
19 & 20 Geo. 5. c. 34.	The Infant Life (Preservation) Act 1929.	Section 2(1).
1 & 2 Geo. 6. c. 63.	The Administration of Justice (Miscellaneous Provisions) Act 1938.	In section 2, subsection (1), subsection (2)(f), in subsection (5) the words "in the First Schedule to this Act" and the proviso, and subsection (6). Schedule 1.
12, 13 & 14 Geo. 6. c. 68.	The Representation of the People Act 1949.	Section 146(1) proviso (a).
4 & 5 Eliz. 2. c. 34.	The Criminal Justice Administration Act 1956.	Section 12.
4 & 5 Eliz. 2. c. 69.	The Sexual Offences Act 1956.	In Schedule 3 the entry amending the Administration of Justice (Miscellaneous Provisions) Act 1938.
8 & 9 Eliz. 2. c. 16.	The Road Traffic Act 1960.	Section 1(2) from the beginning to the word "and".
9 & 10 Eliz. 2. c. 60.	The Suicide Act 1961.	Section 2(4) from the beginning to the word "and".
10 & 11 Eliz. 2. c. 15.	The Criminal Justice Administration Act 1962.	Section 12(1) and (2). Schedule 2.
1964 c. 42.	The Administration of Justice Act 1964.	In Schedule 4 in Part II the entries amending the Administration of Justice (Miscellaneous Provisions) Act 1938. In section 7(3) the words from "section 2" to "and of". In Schedule 3, in paragraph 17(2), the words "and 2(5)".

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PART III

OTHER GENERAL REPEALS

Session and Chapter	Title or Short Title	Extent of Repeal
2 & 3 Edw. 6. c. 1.	The Act of Uniformity 1548.	In section 3, the words from "forfeit to our" to "and shall".
31 Chas. 2. c. 2.	The Habeas Corpus Act 1679.	In section 1 the words "or felony". In section 2 the words "or felony". In section 6 the words "or felony". In section 11 the words "forfeitures losses or". Section 20.
11 Will. 3. c. 7. 1 Geo. 1 Stat. 2. c. 5.	The Piracy Act 1698. The Riot Act.	Sections 9 and 10. The whole Act.
12 Geo. 3. c. 24.	The Dockyards, etc. Protection Act 1772.	In section 1 the words "as in cases of felony without benefit of clergy". In section 2, the words from "any shire or county" to "said shire or county", except the words "this realm".
37 Geo. 3. c. 70.	The Incitement to Mutiny Act 1797.	Section 2.
37 Geo. 3. c. 123.	The Unlawful Oaths Act 1797.	Section 3. In section 6, the words from "or within" to "therein committed", except the words "may be prosecuted in England".
38 Geo. 3. c. 52.	The Counties of Cities Act 1798.	In section 1 the words from "and in every information" to "Solicitor General", the words "or information", and the word "information" wherever else occurring.
39 & 40 Geo. 3. c. 93.	The Treason Act 1800.	The whole Act, so far as unrepealed.
42 Geo. 3. c. 85.	The Criminal Jurisdiction Act 1802.	In section 1 the words from "either upon an information" to "upon an indictment".
52 Geo. 3. c. 104.	The Unlawful Oaths Act 1812.	In sections 1 and 6, the words "or any felony punishable by law with death". Section 4. In section 7, the words from "or within" to "therein committed", except the words "may be prosecuted in England".
52 Geo. 3. c. 156.	The Prisoners of War (Escape) Act 1812.	Section 3, from "and such offences" onwards.

Session and Chapter	Title or Short Title	Extent of Repeal
4 Geo. 4. c. 48.	The Judgment of Death Act 1823.	In section 1, the words from "it shall and may" to "bar such judgment".
7 Geo. 4. c. 64.	The Criminal Law Act 1826.	In section 21, the words "or information", in both places, and the words "felony or". In section 28, the words from "and where any person" to "herein-before mentioned".
7 & 8 Geo. 4. c. 28.	The Criminal Law Act 1827.	The whole Act.
9 Geo. 4. c. 32.	The Civil Rights of Convicts Act 1828.	Section 3.
11 Geo. 4. & 1 Will. 4. c. 41.	The Army Pensions Act 1830.	Section 4, except as regards offences before the commencement of this Act.
6 & 7 Will. 4. c. 111.	The Previous Conviction Act 1836.	The whole Act.
6 & 7 Will. 4. c. 114.	The Trials for Felony Act 1836.	Section 1.
7 Will. 4 & 1 Vict. c. 77.	The Central Criminal Court Act 1837.	In section 3 the words from "it shall and may" to "bar such judgment".
7 Will. 4 & 1 Vict. c. 88.	The Piracy Act 1837.	In section 2 the words "as a felon". Section 4.
7 Will. 4 & 1 Vict. c. 91.	The Punishment of Offences Act 1837.	The preamble and section 1, so far as they relate to offences under the Riot Act, the Murder Act 1751 or section 4 of the Unlawful Oaths Act 1812.
2 & 3 Vict. c. 71.	The Metropolitan Police Courts Act 1839.	Section 33.
7 & 8 Vict. c. 2.	The Admiralty Offences Act 1844.	The whole Act.
9 & 10 Vict. c. 93.	The Fatal Accidents Act 1846.	Section 1 from "and although" onwards.
11 & 12 Vict. c. 12.	The Treason Felony Act 1848.	Section 8.
14 & 15 Vict. c. 19.	The Prevention of Offences Act 1851.	Section 5.
14 & 15 Vict. c. 55.	The Criminal Justice Administration Act 1851.	Section 8.
14 & 15 Vict. c. 100.	The Criminal Procedure Act 1851.	Sections 9 and 12. In section 30 the word "information", the words "and presentment," and the words from "and the terms" to "a presentment".
24 & 25 Vict. c. 94.	The Accessories and Abettors Act 1861.	Sections 1 to 7. Section 9. Section 10 from the word "except" onwards.

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Session and Chapter	Title or Short Title	Extent of Repeal
24 & 25 Vict. c. 96.	The Larceny Act 1861.	<p>Section 98. Section 104. In section 115 the words "deemed to be offences of the same nature, and", and the words from "and may be dealt with" onwards. In section 117 the words "fine the offender, and", and the words from "and in case of any felony" to "authorized", where next occurring.</p>
24 & 25 Vict. c. 97.	The Malicious Damage Act 1861.	<p>Section 8. Section 12 proviso. Section 27. Section 44. Sections 56 and 57. In section 72 the words "deemed to be offences of the same nature and", and the words from "and may be dealt with" onwards. In section 73 the words "fine the offender, and," and the words from "and in case of any felony" to "authorized", where next occurring.</p>
24 & 25 Vict. c. 98.	The Forgery Act 1861.	<p>Section 49. In section 50 the words "deemed to be offences of the same nature, and", and the words from "and may be dealt with" onwards. In section 51 the words "fine the offender, and to", and the words from "and in all cases of felonies" to "authorized", where next occurring.</p>
24 & 25 Vict. c. 100.	The Offences against the Person Act 1861.	<p>In section 9 the words "or of being accessory to murder or manslaughter", the words "in any county or place" and the words from "in which" to "that county or place". In section 10 the words "or of being accessory to murder or manslaughter", the words "in the county or place" and the words from "in which" onwards. Sections 11 to 15. In section 18 the words from "or shoot" to "some other", except the words "with intent to do some". Section 19. In section 38 the words "shall assault any person with intent to commit felony or".</p>

Session and Chapter	Title or Short Title	Extent of Repeal
24 & 25 Vict. c. 100.— <i>cont.</i>	The Offences against the Persons Act 1861 — <i>cont.</i>	In section 46 the words from “shall find” to “felony, or” and the word “other”. In section 57, the words from “and any such offence” to “that county or place”. Section 60 proviso. Sections 66 and 67. In section 68 the words “deemed to be offences of the same nature, and”, and the words from “and may be dealt with” onwards. In section 71, the words “fine the offender, and,” and the words from “and in case of any felony” to “authorized”, where next occurring.
26 & 27 Vict. c. 103.	The Misappropriation by Servants Act 1863.	In section 1 the words from “shall not by” to “felony but”, and the words from “and if such penalty” onwards. Section 2.
28 & 29 Vict. c. 18.	The Criminal Procedure Act 1865.	In sections 1 and 2 the words “for felony or misdemeanour”.
33 & 34 Vict. c. 23.	The Forfeiture Act 1870.	In section 1 the word “inquest” and the words “or felony”. In section 2 the words from “or felony” to “twelve months”. Section 32.
33 & 34 Vict. c. 77.	The Juries Act 1870.	In section 10 the words “or felony”.
35 & 36 Vict. c. 93.	The Pawnbrokers Act 1872.	Section 48.
36 & 37 Vict. c. 88.	The Slave Trade Act 1873.	In section 26 the words “or in the county of Middlesex”.
39 & 40 Vict. c. 23.	The Prevention of Crimes Amendment Act 1876.	The whole Act.
45 & 46 Vict. c. 50.	The Municipal Corporations Act 1882.	In section 193 the words from “or whom” to “felony”.
46 & 47 Vict. c. 3.	The Explosive Substances Act 1883.	Section 7(3).
50 & 51 Vict. c. 55.	The Sheriffs Act 1887.	Section 8(1). Section 29(1)(a) and (b).
50 & 51 Vict. c. 71.	The Coroners Act 1887.	In section 4(3) the words “or of being accessories before the fact to such murder”. In section 5(1) the words from “or of being accessory” to “the expression ‘murder’).” Section 29(5) and (9).
54 & 55 Vict. c. 36.	The Consular Salaries and Fees Act 1891.	In section 42 the definition of “murder”. Section 2(3) from “recoverable” onwards.

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Session and Chapter	Title or Short Title	Extent of Repeal
56 & 57 Vict. c. 71. 57 & 58 Vict. c. 60.	The Sale of Goods Act 1893. The Merchant Shipping Act 1894.	Section 22(2). In section 687 the words "be deemed to be offences of the same nature and". In section 700 the words from "may", where first occurring, to "felony" except the words "in England".
2 Edw. 7. c. 8.	The Cremation Act 1902.	Section 8(3).
7 Edw. 7. c. 23.	The Criminal Appeal Act 1907.	In section 20, in subsection (2) the words "criminal informations and".
1 & 2 Geo. 5. c. 6.	The Perjury Act 1911.	In section 8 the words from "in any county" onwards, except the words "in England". In section 14(a) the words "felony or". In section 15(2) the definition of "indictment".
1 & 2 Geo. 5. c. 28.	The Official Secrets Act 1911.	Section 5. In section 6, the words "whether that offence is felony or not", and the words from "in" onwards.
3 & 4 Geo. 5. c. 27.	The Forgery Act 1913.	In section 4(1) and (2) the words from "which" to "in force". In section 6(1) the words "of the like degree (whether felony or misdemeanour)". Section 11. Section 12(2)(a) and (b). In section 17(1) the words "or information".
4 & 5 Geo. 5. c. 58.	The Criminal Justice Administration Act 1914.	Section 39(1).
4 & 5 Geo. 5. c. 59.	The Bankruptcy Act 1914.	In section 26(2), as amended by the Bankruptcy Amendment Act 1926, the words "or any felony connected with his bankruptcy", except as respects past offences. In section 164(1) the words "declared to be a felony or misdemeanour".
5 & 6 Geo. 5. c. 90.	The Indictments Act 1915.	In section 4 the words "for more than one felony or" and the words "and charges for both felonies and misdemeanours" and the words from "but" onwards. In section 8(3) the words "criminal informations in the High Court and". In Schedule 1 in rule 3 the words "offences, whether felonies or".

SCH. 3

Session and Chapter	Title or Short Title	Extent of Repeal
6 & 7 Geo. 5. c. 50.	The Larceny Act 1916.	Section 4. In section 33, in subsection (1) the words "of the like degree (whether felony or misdemeanour)", the words "in the case of felony" and paragraph (b), and in subsection (4) the words "of the like degree (whether felony or misdemeanour)". Section 35. In section 37(5), paragraphs (a) and (b). Section 41(3). Section 44(1).
15 & 16 Geo. 5. c. 19.	The Trustee Act 1925.	In section 41(1) the words "is convicted of felony or"
16 & 17 Geo. 6. c. 7.	The Bankruptcy Amendment Act 1926.	In section 1(1)(a) the words "or any felony connected with his bankruptcy", except as respects past offences.
19 & 20 Geo. 5. c. 34.	The Infant Life (Preservation) Act 1929.	Section 2(4).
23 & 24 Geo. 5. c. 12.	The Children and Young Persons Act 1933.	Section 1(4). Section 51.
23 & 24 Geo. 5. c. 36.	The Administration of Justice (Miscellaneous Provisions) Act 1933.	Schedule 1.
26 Geo. 5 & 1 Edw. 8. c. 16.	The Coinage Offences Act 1936.	In section 12, subsection (1) and subsection (2)(a).
1 & 2 Geo. 6. c. 36.	The Infanticide Act 1938.	In section 1, subsection (3) from the second "or" onwards and subsection (4). Section 3(4).
6 & 7 Geo. 6. c. 18.	The Evidence and Powers of Attorney Act 1943.	Sections 1 and 2, and the Schedule.
8 & 9 Geo. 6. c. 44.	The Treason Act 1945.	Section 13.
11 & 12 Geo. 6. c. 58.	The Criminal Justice Act 1948.	In section 29(3)(a) the words "of quarter sessions", where last occurring. In section 31, in subsection (1) the words "of the same nature", and subsections (2) and (3). In section 35, in subsection (1) the words "for any felony or misdemeanour", and in subsection (3) the words "for felony or misdemeanour". In Schedule 9 the entry relating to the Forfeiture Act 1870.

SCH. 3

Session and Chapter	Title or Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 68.	The Representation of the People Act 1949.	In section 129 the definition of "indictment". In section 151 the definition of "indictment". Section 157.
14 & 15 Geo. 6. c. 39.	The Common Informers Act 1951.	In the Schedule, the entries relating to the Sale of Horses Act 1555 and the Sale of Horses Act 1588.
15 & 16 Geo. 6 & 1 Eliz. 2. c. 31.	The Cremation Act 1952.	Section 2(3).
15 & 16 Geo. 6 & 1 Eliz. 2. c. 48.	The Costs in Criminal Cases Act 1952.	Section 15(2).
15 & 16 Geo. 6 & 1 Eliz. 2. c. 55.	The Magistrates' Courts Act 1952.	In section 19(4) the words from the beginning to "quarter sessions" where first occurring. In section 25(5)(b) the words "triable by quarter sessions". In section 29 the words "triable by quarter sessions". Section 126(7). In Schedule 1, in paragraph 11, the word "four", except as respects offences committed before the commencement of this Act.
4 & 5 Eliz. 2. c. 69.	The Sexual Offences Act 1956.	In section 41 the words "thirty, thirty-one or". In Schedule 2, in item 1, paragraphs (iv) to (ix) in column 4 together with the word "or" at the end of paragraph (iii); in item 14, paragraph (iii) in column 4 together with the word "or" at the end of paragraph (ii); and in items 2, 6 and 26 the whole entry in column 4.
5 & 6 Eliz. 2. c. 52.	The Geneva Conventions Act 1957.	Section 1(2).
7 & 8 Eliz. 2. c. 72.	The Mental Health Act 1959.	In Schedule 7, so much of the entry relating to the Sexual Offences Act 1956 as amends paragraphs 1 and 14 of Schedule 2 to that Act.
8 & 9 Eliz. 2. c. 16.	The Road Traffic Act 1960.	In section 2, subsection (2) and in subsection (3) the words "for manslaughter in England or Wales, or".
8 & 9 Eliz. 2. c. 58.	The Charities Act 1960.	In section 20(3)(a) the words "has been convicted of felony, or".
1965 c. 15.	The Dangerous Drugs Act 1965.	Section 15.

Church Assembly Measure

SCH. 3

Session and Chapter	Short Title	Extent of Repeal
1963 No. 1.	The Ecclesiastical Jurisdiction Measure 1963.	In section 55(1)(a) the words "is convicted of treason or felony, or" and the words "of a misdemeanour".

SCHEDULE 4

Section 13.

REPEALS (OBSOLETE CRIMES)

PART I

ACTS CREATING OFFENCES TO BE ABOLISHED

Chapter	Short Title	Extent of Repeal
3 Edw. 1.	The Statute of Westminster the First.	Chapter 25.
(Statutes of uncertain date—20 Edw. 1).	Statutum de Conspiratoribus.	The whole Act.
28 Edw. 1. c. 11.	(Champerty).	The whole Chapter.
1 Edw. 3. Stat. 2 c. 14.	(Maintenance).	The whole Chapter.
1 Ric. 2. c. 4.	(Maintenance).	The whole Chapter.
16 Ric. 2. c. 5.	The Statute of Praemunire	The whole Chapter (this repeal extending to Northern Ireland).
24 Hen. 8. c. 12.	The Ecclesiastical Appeals Act 1532.	Section 2.
25 Hen. 8. c. 19.	The Submission of the Clergy Act 1533.	Section 4, so far as unrepealed.
25 Hen. 8. c. 20.	The Appointment of Bishops Act 1533.	Section 5.
25 Hen. 8. c. 21.	The Ecclesiastical Licences Act 1533.	Section 6.
26 Hen. 8. c. 14.	The Suffragan Bishops Act 1534.	Section 16.
28 Hen. 8. c. 16.	The Ecclesiastical Licences Act 1536.	Section 4, from "And that no such suffragan" onwards.
32 Hen. 8. c. 9.	The Maintenance and Embrocary Act 1540.	Section 1, from "and shall never" onwards.
1 Mary Sess. 2. c. 3.	The Brawling Act 1553.	The whole Act.
21 Jas. 1. c. 3.	The Statute of Monopolies.	The whole Act.
12 Chas. 2. c. 24.	The Tenures Abolition Act 1660.	Section 4, from "and if any person or persons shall after notice given" onwards.
13 Chas. 2. Stat. 1. c. 1.	The Sedition Act 1661.	Section 12, from "and if any person or persons shall after notice given" onwards.
9 Will. 3. c. 35.	The Blasphemy Act 1697.	The whole Act, so far as unrepealed.
		The whole Act.

SCH. 4

Chapter	Short Title	Extent of Repeal
6 Anne c. 41.	The Succession to the Crown Act 1707.	The preamble and sections 1, 2 and 3.
19 Geo. 2. c. 21.	The Profane Oaths Act 1745.	The whole Act.
12 Geo. 3. c. 11.	The Royal Marriages Act 1772.	Section 3 (this repeal extending to Northern Ireland).
25 Geo. 3. c. 77.	The Fires Prevention Act 1785.	The whole Act, so far as un-repealed.
39 Geo. 3. c. 79.	The Unlawful Societies Act 1799.	The whole Act, so far as un-repealed.
57 Geo. 3. c. 19.	The Seditious Meetings Act 1817.	Sections 25 to 28. In section 29, the words "any meeting of any society or club hereby declared to be an unlawful combination and confederacy or". Sections 30 and 31. Sections 34 to 38. The Schedule.
<i>Act of Parliament of Ireland</i>		
40 Geo. 3. c. 29 (Ir.).	The Parliamentary Representation Act (Ireland) 1800.	Section 3 from "and every person" onwards.

PART II
CONSEQUENTIAL REPEALS

Chapter	Short Title	Extent of Repeal
33 Edw. 1.	Ordinacio de Conspiratoribus.	The whole Act.
7 Ric. 2. c. 15.	(Maintenance).	The whole Chapter.
39 & 40 Geo. 3. c. 67.	The Union with Ireland Act 1800.	In section 2, in the recital, the third section of the recited Act from "and every person" onwards.
1 & 2 Vict. c. 75.	The Fires Prevention Act 1838.	The whole Act, so far as un-repealed.
9 & 10 Vict. c. 33.	The Seditious Meetings Act 1846.	The whole Act.
23 & 24 Vict. c. 32.	The Ecclesiastical Courts Jurisdiction Act 1860.	In section 6 the words "the statute passed in the second session of the first year of the reign of Queen Mary, chapter three; or".
14 & 15 Geo. 6. c. 39.	The Common Informers Act 1951.	In the Schedule, the entries relating to the Maintenance and Embracery Act 1540 and to the Fires Prevention Act 1785.
<i>Act of Parliament of Ireland</i>		
40 Geo. 3. c. 38 (Ir.).	The Act of Union (Ireland) 1800.	Section 4 from "and every person" onwards.

PART III

SCH. 4

SAVINGS, ETC.

1. The repeal by this Act of the Statute of Praemunire shall not 1392 c. 5. affect the punishment for offences against section 11 of the Habeas Corpus Act 1679, and accordingly in that section for the words " shall 1679 c. 2. incur and sustain the pains penalties and forfeitures limited ordained and provided in the Statute of Provision and Praemunire made in the sixteenth year of King Richard the Second " there shall be substituted the words " be liable to imprisonment for life ".

2. The repeal by this Act of the Unlawful Societies Act 1799 and 1799 c. 90. the Seditious Meetings Act 1846 shall not be taken to extend to the 1846 c. 33. provisions of those Acts set out in the Schedule to the Newspapers, Printers and Reading Rooms Repeal Act 1869 as those provisions 1869 c. 24. have effect by virtue of the last mentioned Act.

PRINTED BY SIR PERCY FAULKNER, K.B.E., C.B.

Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament

(380172)