
STATUTORY INSTRUMENTS

2009 No. 3074

**The Criminal Justice and Immigration Act 2008
(Commencement No.13 and Transitory Provision) Order 2009**

Appointed date

2. The date appointed for the coming into force of the following provisions of the 2008 Act is 30 November 2009—

- (a) section 1 (youth rehabilitation orders) to the extent not already in force;
- (b) section 2 (breach, revocation or amendment of youth rehabilitation orders);
- (c) section 3 (transfer of youth rehabilitation order to Northern Ireland);
- (d) section 4 (meaning of “responsible officer”);
- (e) section 5 (responsible officer and offender: duties in relation to the other);
- (f) section 6(1) (abolition of certain youth orders and related amendments) save to the extent it abolishes attendance centre orders and (2) and (3) to the extent they relate to the provisions specified in paragraph (p);
- (g) section 7 (youth rehabilitation orders: interpretation);
- (h) section 8 (Isles of Scilly);
- (i) section 75 (offences relating to the physical protection of nuclear material and nuclear facilities);
- (j) section 126(2) (police misconduct and performance procedures) in so far as it relates to the provision specified in paragraph (r);
- (k) section 148(1) and (2) (consequential etc. amendments and transitional and saving provisions), in so far as it relates to the provisions specified in paragraphs (s) and (t) respectively;
- (l) section 149 (repeals and revocations) in so far as it relates to the provisions specified in paragraph (u);
- (m) Schedule 1 (further provision about youth rehabilitation orders) to the extent not already in force;
- (n) Schedule 2 (breach, revocation or amendment of youth rehabilitation orders);
- (o) Schedule 3 (transfer of youth rehabilitation orders to Northern Ireland);
- (p) in Schedule 4 (youth rehabilitation orders: consequential and related amendments)—
 - (i) paragraphs 1 and 2;
 - (ii) paragraph 3(1), (2) and (4);
 - (iii) paragraphs 4 to 23;
 - (iv) paragraph 24 save to the extent it refers to Schedule 5 of the 2000 Act;
 - (v) paragraphs 26 to 53;

- (vi) paragraph 54 to the extent it omits “any community order or” in section 74(3)(a) of the 2000 Act⁽¹⁾;
- (vii) paragraphs 55 and 56;
- (viii) paragraph 57 save to the extent it omits section 137(2)(b) of the 2000 Act;
- (ix) paragraph 58;
- (x) paragraph 59(a), (b) and (d);
- (xi) paragraph 60(1), (2) to the extent it omits “40(1), 40C(1) or” in section 160(2)(a) of the 2000 Act and “40(2)(b), 40C(2), 68” in section 160(2)(b) of that Act, (3) and (4) to the extent it omits “37(6), 40(2), 40A(6), 40C(2)” in section 160(5)(a) of the 2000 Act and section 160(5)(b) of that Act;
- (xii) paragraph 61(a) save to the extent it omits the definitions of “attendance centre”, “attendance centre order” and “youth community order”, (b) and (c);
- (xiii) paragraphs 62 to 91;
- (xiv) paragraph 92(b);
- (xv) paragraphs 93 to 109;
- (q) Schedule 17 (offences relating to nuclear material and nuclear facilities);
- (r) in Schedule 22 (police misconduct and performance procedures), Part 2 (amendments of Ministry of Defence Police Act 1987⁽²⁾);
- (s) in Schedule 26 (minor and consequential amendments), paragraph 79 (Terrorism Act 2006⁽³⁾);
- (t) in Schedule 27 (transitory, transitional and saving provisions)—
 - (i) paragraphs 1 to 7 (youth justice);
 - (ii) paragraph 26 (offences relating to nuclear material and nuclear facilities);
 - (iii) paragraph 35(2)(b) (police misconduct and performance procedures);
- (u) in Part 1 of Schedule 28 (repeals and revocations) the entries relating to —
 - (i) section 34(7) of the Children and Young Persons Act 1933⁽⁴⁾;
 - (ii) the Social Work (Scotland) Act 1968⁽⁵⁾;
 - (iii) the Children and Young Persons Act 1969⁽⁶⁾;
 - (iv) the Northern Ireland (Modification of Enactments – No. 1) Order 1973⁽⁷⁾;
 - (v) the Transfer of Functions (Local Government, etc.) (Northern Ireland) Order 1973⁽⁸⁾;
 - (vi) the Bail Act 1976⁽⁹⁾;
 - (vii) Schedule 6A of the Magistrates’ Courts Act 1980⁽¹⁰⁾ save to the extent it refers to Schedule 5 to the 2000 Act;

(1) Section 74(3)(a) was amended by section 304 of, and paragraphs 90 and 107 of Schedule 32 to, the 2003 Act.

(2) 1987 c.4

(3) 2006 c.11

(4) 1933 c. 12; section 34(7) was amended by section 108(5) of, and paragraph 6 of Schedule 13 to, the Children Act 1989 (c. 41).

(5) 1968 c. 49

(6) 1969 c. 54

(7) S.I. 1973/2163

(8) S.R. & O. 1973 No. 256

(9) 1976 c. 63

(10) 1980 c. 43; Schedule 6A was inserted by section 48 of, and Schedule 5 to the Criminal Justice Act 1982 (c.48) and substituted by section 17(3) of, and Part IV of Schedule 4, to the Criminal Justice Act 1991 (c. 53).

- (viii) Schedule 13 of the Criminal Justice Act 1982**(11)**;
- (ix) the Mental Health Act 1983**(12)**;
- (x) the Health and Social Services and Social Security Adjudications Act 1983**(13)**;
- (xi) the Children Act 1989**(14)**;
- (xii) the Criminal Justice Act 1991**(15)**;
- (xiii) the Children (Prescribed Orders – Northern Ireland, Guernsey and Isle of Man) Regulations 1991**(16)**;
- (xiv) the Prisoners (Return to Custody) Act 1995**(17)**;
- (xv) the Children (Northern Ireland Consequential Amendments) Order 1995**(18)**;
- (xvi) the Crime and Disorder Act 1998**(19)**;
- (xvii) Chapter 1 of Part 4 of the 2000 Act save for sections 33(1)(c)**(20)** and 36B**(21)**;
- (xviii) Chapter 2 of Part 4 of the 2000 Act;
- (xix) section 60(1)(a) in Chapter 4 of Part 4 of the 2000 Act **(22)**;
- (xx) Chapter 5 of Part 4 of the 2000 Act;
- (xxi) section 74(3)(a) of the 2000 Act to the extent it omits “any community order or”
- (xxii) sections 75 and 137(2)(a), (c) and (d) of the 2000 Act;
- (xxiii) section 159 of the 2000 Act save for the words “paragraph 1(1) of Schedule 5 to this Act”;
- (xxiv) section 160 of the 2000 Act to the extent it refers to “40(1), 40C(1) or” in subsection (2)(a), “40(2)(b), 40C(2), 68” in subsection 2(b), subsection (3)(a) and “37(6), 40(2), 40A(6), 40C(2)” in subsection (5)(a) and subsection (5)(b);
- (xxv) section 163 of the 2000 Act save in so far as it relates to the definitions of “attendance centre”, “attendance centre order” and “youth community order”;
- (xxvi) Schedules 3, 6, 7, 8, 10 and 11 to the 2000 Act;
- (xxvii) Schedule 9 to the 2000 Act save to the extent that paragraph 80 of that Schedule relates to the failure to comply with an attendance centre order or attendance centre rules;
- (xxviii) the Care Standards Act 2000**(23)**;
- (xxix) the Criminal Justice and Court Services Act 2000**(24)** save for the entries related to section 52 and paragraphs 196(a) and (d) and 197(a) of Schedule 7;
- (xxx) the Anti-social Behaviour Act 2003**(25)**;

(11) 1982 c. 48

(12) 1983 c. 20

(13) 1983 c. 41

(14) 1989 c. 41

(15) 1991 c. 53

(16) S.I. 1991/2032

(17) 1995 c. 16

(18) S.I. 1995/756

(19) 1998 c. 37

(20) Section 33 was substituted by section 304 of, and paragraphs 90 and 95 of Part 1 of Schedule 32 to, the 2003 Act.

(21) Section 36B was inserted by section 52 of the Criminal Justice and Court Services Act 2000 (c. 43).

(22) Section 60(1)(a) was amended by section 304 of, and paragraphs 90 and 102(1) and (2)(a) of Part 1 of Schedule 32 to, the 2003 Act.

(23) 2000 c. 14

(24) 2000 c. 43

(25) 2003 c. 38

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- (xxxi) the 2003 Act save for the entries related to section 221(2) and paragraphs 8(2)(a), 95 in so far as it relates to the references in section 33(1) to an attendance centre order in the 2000 Act, 96, 102, 107 and 123(3) and (8) of Schedule 32; and
- (v) in Part 5 of Schedule 28 (repeals and revocations), the entries relating to the Nuclear Material (Offences) Act 1983⁽²⁶⁾.

(26) 1983 c. 18
(e)2006 c. 38