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## SCHEDULES

### SCHEDULE 23

Section 178

#### REPEALS

VALID FROM 12/02/2013

#### PART 1

##### CORONERS ETC

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Births and Deaths Registration Act 1953 (c. 20)	In section 20, from “, at any time” to “of any person,”. Section 21. Section 23A(6). In section 29(4), paragraph (b) and the “or” preceding it. Section 34(4).
Coroners Act (Northern Ireland) 1959 (c. 15)	Section 19. Section 20.
Juries Act 1974 (c. 23)	Section 22(1).
Magistrates' Courts Act 1980 (c. 43)	In Schedule 6A, the entry relating to the Coroners Act 1988.
Coroners Act 1988 (c. 13)	The whole Act.
Caldey Island Act 1990 (c. 44)	Section 3. In section 4(1), paragraph (c).
Local Government (Wales) Act 1994 (c. 19)	In Schedule 17, paragraph 23.
Treasure Act 1996 (c. 24)	Section 13.
Access to Justice Act 1999 (c. 22)	Section 71. Section 104(1). In Schedule 2, in paragraph 2, the “and” following paragraph (3).
Regional Assemblies (Preparations) Act 2003 (c. 10)	In the Schedule, paragraph 2.

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Courts Act 2003 (c. 39)	In Schedule 8, paragraph 302.
Criminal Justice Act 2003 (c. 44)	In Schedule 3, paragraph 59.
Domestic Violence, Crime and Victims Act 2004 (c. 28)	In Schedule 10, paragraphs 26 and 27.
Human Tissue Act 2004 (c. 30)	In Schedule 6, paragraph 3.
Constitutional Reform Act 2005 (c. 4)	In Schedule 1, paragraphs 19 to 21. In Schedule 4, paragraphs 193 to 195. In Schedule 7, in paragraph 4, the entry in Part A relating to the Coroners Act 1988.
Road Safety Act 2006 (c. 49)	Section 20(5). Section 21(4).
Armed Forces Act 2006 (c. 52)	In Schedule 16, paragraphs 110 and 111.
Corporate Manslaughter and Corporate Homicide Act 2007 (c. 19)	In Schedule 2, paragraph 1.
Local Government and Public Involvement in Health Act 2007 (c. 28)	In Schedule 1, paragraph 15.

## PART 2

### CRIMINAL OFFENCES

#### Commencement Information

- I1** Sch. 23 Pt. 2 in force at 1.2.2010 for specified purposes by S.I. 2010/145, art. 2(2), Sch. para. 27(a) (as amended (29.1.2010) by S.I. 2010/186, art. 2)
- I2** Sch. 23 Pt. 2 partly in force; Sch. 23 Pt. 2 in force at 12.1.2010 for specified purposes, see s. 182(2)(e)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Libel Act 1792 (c. 60)	The whole Act.
Criminal Libel Act 1819 (60 Geo. 3 & 1 Geo. 4 c. 8)	In section 1, from “, or any seditious libel” to “means”.
Libel Act 1843 (c. 96)	Sections 4 to 6.

#### Notes

- <sup>1</sup> The repeal of the Libel Act 1792 (c. 60), the repeal in section 1 of the Criminal Libel Act 1819 (60 Geo. 3 & 1 Geo. 4 c. 8), the repeal of section 17(2) of the Defamation Act 1952 (c. 66), the repeal of section 20(2) of the Defamation Act 1996 and the repeals in section 10 of the Legal Deposit Libraries Act 2003 do not extend to Scotland.
- <sup>2</sup> The repeal of section 4 of the Law of Libel Amendment Act 1888 (c. 64) and the repeal of section 20(2) of the Defamation Act 1996 do not extend to Northern Ireland.

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Newspaper Libel and Registration Act 1881 (c. 60)	In section 4, from “as to the publication” to “malice, and”.
Law of Libel Amendment Act 1888 (c. 64)	Sections 3 and 4.
Defamation Act 1952 (c. 66)	Section 17(2).
Homicide Act 1957 (c. 11)	Section 3.
Suicide Act 1961 (c. 60)	In Schedule 1— (a) in Part 1, the entry relating to the Children and Young Persons Act 1933, and (b) in Part 2, the entry relating to section 7 of the Visiting Forces Act 1952.
Criminal Justice Act (Northern Ireland) 1966 (c. 20)	Section 7.
Theatres Act 1968 (c. 54)	In section 4(1), from “(including” to “matter”. In section 7(2), from “or an offence” to “course of a performance of a play”. In section 8, from “or an offence” to “play”.
Broadcasting Act 1990 (c. 42)	In section 166, from “(including” to “matter”.
Criminal Procedure and Investigations Act 1996 (c. 25)	Section 61(4) and (5).
Defamation Act 1996 (c. 31)	Section 20(2).
Legal Deposit Libraries Act 2003 (c. 28)	In section 10— (a) in subsection (1), “, or subject to any criminal liability,”, (b) in subsection (2)(a), “in the case of liability in damages”, (c) in subsection (3), “, or subject to any criminal liability,”, (d) in subsection (4)(a), “in the case of liability in damages”, (e) in subsection 6(a), “, or subject to any criminal liability,”, and (f) in subsection (8), “and criminal liability”.
Criminal Justice Act 2003 (c. 44)	In Schedule 21, in paragraph 11(d), “in a way not amounting to a defence of provocation”.

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*Notes*

- 1 The repeal of the Libel Act 1792 (c. 60), the repeal in section 1 of the Criminal Libel Act 1819 (60 Geo. 3 & 1 Geo. 4 c. 8), the repeal of section 17(2) of the Defamation Act 1952 (c. 66), the repeal of section 20(2) of the Defamation Act 1996 and the repeals in section 10 of the Legal Deposit Libraries Act 2003 do not extend to Scotland.
  - 2 The repeal of section 4 of the Law of Libel Amendment Act 1888 (c. 64) and the repeal of section 20(2) of the Defamation Act 1996 do not extend to Northern Ireland.
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### PART 3

#### CRIMINAL EVIDENCE AND PROCEDURE

##### Commencement Information

**I3** Sch. 23 Pt. 3 partly in force; Sch. 23 Pt. 3 in force at Royal Assent for specified purposes and at 1.1.2010 for further specified purposes, see s. 182(1)(j)(3)(d)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Administration of Justice (Miscellaneous Provisions) Act 1933 (c. 36)	In section 2— (a) in subsection (2), from “, and where” to “the bill,”, (b) in subsection (2), from “Provided” to the end, and (c) in subsection (3), “has been signed by the proper officer of the court”.  In Schedule 2, in paragraph 1, “and signing”.
Supreme Court Act 1981 (c. 54)	In section 82(1), “the signing of indictments,”.
Police and Criminal Evidence Act 1984 (c. 60)	Section 46ZA(3)(a) and (c).  In section 46A(1ZA)(b), from “, without informing” to the end.
Crime and Disorder Act 1998 (c. 37)	Section 1I(3)(c).  In section 57C— (a) subsection (7), (b) in subsection (8), “before or”, and (c) in subsection (9), paragraph (a) and the “and” following it.  In section 57D— (a) subsection (2)(b), and (b) in subsection (3), paragraph (a) and the “and” following it.  In section 57E— (a) in subsection (5), paragraph (a) and the “and” following it, and (b) in subsection (7), paragraph (a) and the “and” following it.
Youth Justice and Criminal Evidence Act 1999 (c. 23)	In section 21— (a) subsection (1)(b), (b) in subsection (4), the “and” following paragraph (b), and (c) subsections (5) to (7).  Section 22(1)(b).  In section 27— (a) in subsection (7)(a), from “if there” to “relevant time,”,

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	(b) subsection (8), and (c) in subsection (9), from “and, if” to the end.
Criminal Justice Act 2003 (c. 44)	Section 120(7)(d). Section 138(1).
Criminal Evidence (Witness Anonymity) Act 2008 (c. 15)	Sections 1 to 9. Section 10(1) to (7). Section 14.

## PART 4

### SENTENCING

#### Commencement Information

**I4** Sch. 23 Pt. 4 partly in force; Sch. 23 Pt. 4 in force at Royal Assent for specified purposes, see s. 182(1)(j)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Parliamentary Commissioner Act 1967 (c. 13)	In Schedule 2, the entries for the Sentencing Advisory Panel and the Sentencing Guidelines Council.
Race Relations Act 1976 (c. 74)	In Part 2 of Schedule 1A, the entry for the Sentencing Advisory Panel.
Criminal Procedure (Scotland) Act 1995 (c. 46)	Section 248C(3).
Freedom of Information Act 2000 (c. 36)	In Part 6 of Schedule 1, the entries for the Sentencing Advisory Panel and the Sentencing Guidelines Council.
Criminal Justice Act 2003	Sections 167 to 173.  In section 176, the definitions of— (a) “allocation guidelines”, (b) “the Council”, (c) “the Panel”, and (d) “sentencing guidelines”.  In Schedule 38, paragraphs 2 and 3 and the italic heading before paragraph 2.
Constitutional Reform Act 2005 (c. 4)	In Schedule 4, paragraphs 357 and 358.
Criminal Justice and Immigration Act 2008 (c. 4)	In Schedule 4, paragraph 60(2) and (4).  In Part 1 of Schedule 28, the entries relating to section 160(2) and (5) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6).

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## PART 5

### MISCELLANEOUS CRIMINAL JUSTICE PROVISIONS

#### Commencement Information

- I5** Sch. 23 Pt. 5 in force at 1.2.2010 for specified purposes by S.I. 2010/145, art. 2(1)(c)  
**I6** Sch. 23 Pt. 5 partly in force; Sch. 23 Pt. 5 in force at Royal Assent for specified purposes, see s. 182(1)(j)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Superannuation Act 1972 (c. 11)	In Schedule 1— (a) in the list headed “Other Bodies”, the entry for employment as a member of the staff of the Commissioner for Victims and Witnesses, and (b) in the list headed “Offices”, the entries for the Commissioner for Victims and Witnesses and the Deputy Commissioner for Victims and Witnesses.
House of Commons Disqualification Act 1975 (c. 24)	In Part 3 of Schedule 1, the entries for the Commissioner for Victims and Witnesses and the Deputy Commissioner for Victims and Witnesses.
Northern Ireland Assembly Disqualification Act 1975 (c. 25)	In Part 3 of Schedule 1, the entries for the Commissioner for Victims and Witnesses and the Deputy Commissioner for Victims and Witnesses.
Magistrates' Courts Act 1980 (c. 43)	In section 19(5), the “or” following paragraph (a).
Criminal Justice Act 1991 (c. 53)	Section 37(5) and (6). Section 50.
Criminal Justice and Public Order Act 1994 (c. 33)	In section 25(5), the “and” following the definition of “conviction”.
Crime and Disorder Act 1998 (c. 37)	In Schedule 3, in paragraph 9(5), the “or” following paragraph (a).
Powers of Criminal Courts (Sentencing) Act 2000	In section 113(3), the “and” following the definition of “class A drug trafficking offence”.
Criminal Justice Act 2003 (c. 44)	In section 143(4), the “or” following paragraph (a).
Domestic Violence, Crime and Victims Act 2004 (c. 28)	Section 48(3) to (5). Section 49(2)(d) and (3)(b). Section 50(2). Schedule 8. In Schedule 9, paragraph 9.
Animal Welfare Act 2006 (c. 45)	Section 8(6).
Armed Forces Act 2006 (c. 52)	In section 238(3), the “or” following paragraph (a). In section 270B—

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- (a) in subsection (6), the “or” following paragraph (a), and
- (b) in subsection (10), the “and” following paragraph (a).

Criminal Justice and Immigration Section 27.  
Act 2008 (c.4)

## PART 6

### LEGAL AID

#### Commencement Information

- I7** Sch. 23 Pt. 6 in force at 1.2.2010 in so far as not already in force by S.I. 2010/145, art. 2(2), Sch. para. 27(b) (with art. 3)
- I8** Sch. 23 Pt. 6 partly in force; Sch. 23 Pt. 6 in force at Royal Assent for specified purposes, see s. 182(1)(j)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Access to Justice Act 1999 (c. 22)	Section 2(2). In section 17(3)(g), from “(including” to the end. In section 17A(2)(e), from “including” to the end. In Schedule 2, paragraph 1(h). In Schedule 3, paragraph 8(5).

VALID FROM 06/04/2010

## PART 7

### CRIMINAL MEMOIRS ETC

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Serious Organised Crime and Police Act 2005 (c. 15)	In section 3(1), the “or” following paragraph (a).

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## PART 8

### DATA PROTECTION ACT 1998

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Data Protection Act 1998 (c. 29)	In section 16(1), the “and” following paragraph (ff). In section 20(2) “that at any time”. In Schedule 9, the “or” following paragraph 12(a).

## PART 9

### MISCELLANEOUS

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Legal Services Act 2007 (c. 29)	In Schedule 23, in the entry for the Constitutional Reform Act 2005 (c. 4), in the second column “1(2),”.
Criminal Justice and Immigration Act 2008 (c. 4)	In Schedule 1, in paragraph 30(1), “the day after”.

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