
STATUTORY INSTRUMENTS

1992 No. 333 (C.8)

**CRIMINAL LAW, ENGLAND AND
WALES
CRIMINAL LAW, SCOTLAND
CRIMINAL LAW, NORTHERN IRELAND**

**The Criminal Justice Act 1991
(Commencement No. 3) Order 1992**

Made - - - - *21st February 1992*

In exercise of the powers conferred on me by section 102(2) and (3) of the Criminal Justice Act 1991(1), I hereby make the following Order:

1. This Order may be cited as the Criminal Justice Act 1991 (Commencement No. 3) Order 1992.

2.—(1) The provisions of the Criminal Justice Act 1991 (“the 1991 Act”) referred to in the left-hand column of Schedule 1 to this Order (which relate to the matters described in the right-hand column of that Schedule) shall come into force on 1st April 1992.

(2) Subject to paragraphs (3) and (4) below, the provisions of the 1991 Act referred to in the left-hand column of Schedule 2 to this Order (which relate to the matters described in the right-hand column of that Schedule) shall come into force on 1st October 1992.

(3) The coming into force of section 18(1) and (2) of the 1991 Act (fixing of certain fines by magistrates' courts by reference to units) shall not have effect for the purposes of any enactment, including any enactment made or passed after the date of making of this Order, the effect whereof is to empower or require the Crown Court to deal with a person before the court in like manner as a magistrates' court.

(4) The coming into force of section 68 of the 1991 Act shall not have effect for the purpose of bringing into force paragraph 1(1) of Schedule 8 and, to the extent that it would otherwise apply to section 34 of the Children and Young Persons Act 1933(2), sub-paragraph (3) of that paragraph.

(5) The provisions of the 1991 Act referred to in the left-hand column of Schedule 3 to this Order (which relate to the matters described in the right-hand column of that Schedule) shall come into force on the day appointed by the Secretary of State by order under section 62(1) (secure accommodation: transitory provisions).

(1) 1991 c. 53.
(2) 1933 c. 12.

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3.—(1) Subject to paragraphs (2) to (4) below, this Order extends to England and Wales only.

(2) So far as relating to the following provisions of the 1991 Act, namely—

(a) sections 16, 17(1) and (2) and 24; and

(b) Schedule 3, paragraph 6 of Schedule 6, paragraph 5 of Schedule 8, paragraph 15 of Schedule 11 and, so far as relating to the Social Work (Scotland) Act 1968⁽³⁾, Schedule 13,

this Order also extends to Scotland.

(3) So far as relating to section 23(2), and to Schedule 13 in so far as it relates to the Criminal Procedure (Scotland) Act 1975⁽⁴⁾, this Order extends to Scotland only.

(4) So far as relating to the following provisions of the 1991 Act, namely, section 16, Schedule 3, paragraph 16 of Schedule 11 and, so far as relating to the Social Work (Scotland) Act 1968, Schedule 13, this Order also extends to Northern Ireland.

Home Office
21st February 1992

Kenneth Baker
One of Her Majesty's Principal Secretaries of
State

⁽³⁾ 1968 c. 49.
⁽⁴⁾ 1975 c. 21.

SCHEDULE 1

Article 2(1)

PROVISIONS OF THE CRIMINAL JUSTICE ACT
1991 COMING INTO FORCE ON 1ST APRIL 1992

<i>Provisions of the Act</i>	<i>Subject matter of provisions</i>
Section 75	The inner London probation area
Sections 76 to 79 and section 92(2)	Court security
Section 100, to the extent necessary to bring into force the provisions of Schedule 11 specified below	Minor and consequential amendments
Schedule 11, paragraphs 18 and 29	Amendment of Juries Act 1974 (c. 23) and Contempt of Court Act 1981 (c. 49)

SCHEDULE 2

Article 2(2)

PROVISIONS OF THE CRIMINAL JUSTICE ACT
1991 COMING INTO FORCE ON 1ST OCTOBER 1992

<i>Provisions of the Act</i>	<i>Subject matter of provisions</i>
Sections 1 to 11 and 14 to 16 and Schedules 1 to 3	Custodial and community sentences
Sections 17 to 24 (subject to article 2(3)) and Schedule 4	Financial penalties
Sections 25 to 31, so far as not already in force	Miscellaneous and supplemental provisions
Part II and Schedule 5	Early release of prisoners
Sections 52 to 59, section 60(1) and (2)(a), sections 61 to 72 and Schedules 6 to 9 (subject to article 2(4))	Children and young persons
Section 97	Grants by probation committees
Section 99 so far as not already in force	General interpretation
Section 100, to the extent necessary to bring into force the provisions of Schedule 11 specified below	Minor and consequential amendments
Section 101, to the extent necessary to bring into force the provisions of Schedules 12 and 13 specified below	Transitional provisions, savings and repeals
Schedule 9	Amendments to service law
Schedule 11, paragraphs 1, 2(1) and (2)(a), (3) and (4)(a) and (b), 3 to 16, 17(2), 18 to 35 and 37 to 41	Minor and consequential amendments
Schedule 12, paragraphs 1 to 6, 8 to 14, 15(1) and (2), 16(1), 17 to 22 and 24	Transitional provisions and savings

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<i>Provisions of the Act</i>	<i>Subject matter of provisions</i>
Schedule 13, so far as not already in force, save in so far as it relates to section 67(6) of the Criminal Justice Act 1967 (c. 80)	Repeals

SCHEDULE 3

Article 2(5)

PROVISIONS OF THE CRIMINAL JUSTICE ACT 1991 COMING INTO FORCE ON DAY APPOINTED BY ORDER UNDER SECTION 62(1)

<i>Provisions of the Act</i>	<i>Subject matter of provisions</i>
Section 60(2)(b), (c)	Remands and committals to local authority accommodation
Section 92(3)	Interpretation of Part IV
Section 100, to the extent necessary to bring into force the provisions of Schedule 11 specified below	Minor and consequential amendments
Schedule 11, paragraph 2, sub-paragraphs (2) (b) and (4)(c)	Amendment of Criminal Justice Act 1967 (c. 80)
Section 101, to the extent necessary to bring into force the provisions of Schedules 12 and 13 specified below	Transitional provisions, savings and repeals
Schedule 12, paragraphs 15(3) to (5) and 16(2) to (4)	Transitional provisions
Schedule 13, so far as it relates to section 67(6) of the Criminal Justice Act 1967 (c. 80)	Repeals

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the commencement, except for certain purposes, of all the remaining provisions of the Criminal Justice Act 1991 not already in force (see S.I.'s 1991/2208 and 2706) with the exception of sections 12 and 13 (curfew orders and electronic monitoring).

The provisions listed in Schedule 1 to the Order come into force on 1st April 1992 and those listed in Schedule 2 on 1st October 1992. Section 62(1) of the 1991 Act, which comes into force on 1st October 1992, makes transitory provision pending the provision by local authorities of secure accommodation for juveniles, which will cease to have effect on such day as the Secretary of State may by order thereunder appoint. Article 2(5) brings into force on that day the minor supplemental provisions listed in Schedule 3 consequential on the making of such an order.

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