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STATUTORY INSTRUMENTS

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**1995 No. 3061 (C.69)**

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

**The Criminal Appeal Act 1995 (Commencement  
No. 1 and Transitional Provisions) Order 1995**

*Made - - - - 27th November 1995*

In exercise of the powers conferred on him by section 32 of the Criminal Appeal Act 1995<sup>(1)</sup>, the Secretary of State hereby makes the following Order:

**1.** This Order may be cited as the Criminal Appeal Act 1995 (Commencement No. 1 and Transitional Provisions) Order 1995.

**2.** In this Order, “the 1968 Act” means the Criminal Appeal Act 1968<sup>(2)</sup>, “the 1980 Act” means the Criminal Appeal (Northern Ireland) Act 1980<sup>(3)</sup>, and “the 1995 Act” means the Criminal Appeal Act 1995.

**3.** The following provisions of the 1995 Act shall, subject to article 4 below, come into force on 1 January 1996:

- (a) sections 1, 2, 4 and 6;
- (b) section 7, except to the extent that section 44A of the 1968 Act and section 47A of the 1980 Act, as inserted by that section, relate to references by the Criminal Cases Review Commission;
- (c) sections 26 to 28;
- (d) section 29, so far as is necessary to bring into force Schedules 2 and 3 to the extent specified below;
- (e) section 30;
- (f) section 31, except for subsection (1)(a);
- (g) sections 32 to 34;
- (h) in Schedule 2: paragraphs 1, 2, 4(1) to (3), 4(5), 5, 6, 12(1) to (4), 12(6), 15 and 17;
- (i) Schedule 3, so far as it relates to the following enactments:
  - (i) section 23(3) of the 1968 Act;

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(1) 1995 c. 35.  
(2) 1968 c. 19.  
(3) 1980 c. 47.

- (ii) the Courts-Martial (Appeals) Act 1968(4);
- (iii) the Criminal Law Act 1977(5);
- (iv) the Magistrates' Courts Act 1980(6);
- (v) sections 16(1) and 25(3) of the 1980 Act;
- (vi) the Supreme Court Act 1981(7);
- (vii) the Criminal Justice Act 1988(8);
- (viii) Paragraph 3(1) of Schedule 3 to the Criminal Procedure (Insanity and Unfitness to Plead) Act 1991(9).

4. The following provisions shall continue to have effect, in the circumstances described below, as if this Order had not been made:

- (a) sections 1, 12 and 15 of the 1968 Act and sections 1, 12(1) and 13A(2) of the 1980 Act so far as they relate to a conviction, verdict or finding occurring before 1 January 1996;
- (b) sections 2, 13, 16 and 23 of the 1968 Act, sections 2, 12(2), 12(3), 13A(3), 13A(4) and 25 of the 1980 Act, section 110 of the Army Act 1955(10), section 110 of the Air Force Act 1955(11) and sections 12 and 28 of the Courts-Martial (Appeals) Act 1968 so far as they relate to an appeal where the hearing begins before 1 January 1996.

Home Office  
27th November 1995

*Michael Howard*  
One of Her Majesty's Principal Secretaries of  
State

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(4) 1968 c. 20.  
(5) 1977 c. 45.  
(6) 1980 c. 43.  
(7) 1981 c. 54.  
(8) 1988 c. 33.  
(9) 1991 c. 25.  
(10) 1955 c. 18.  
(11) 1955 c. 19.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order brings into force on 1 January 1996 the provisions of the Criminal Appeal Act 1995 referred to in article 3. Article 4 contains transitional provisions.