
STATUTORY INSTRUMENTS

1998 No. 3263 (C. 82)

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

**The Crime and Disorder Act 1998 (Commencement
No. 3 and Appointed Day) Order 1998**

Made - - - - 21st December 1998

In exercise of the powers conferred upon him by sections 6(7) and 121 of the Crime and Disorder Act 1998(1), the Secretary of State hereby makes the following Order:

1.—(1) This Order may be cited as the Crime and Disorder Act 1998 (Commencement No. 3 and Appointed Day) Order 1998.

(2) In this Order, “the 1998 Act” means the Crime and Disorder Act 1998.

2. The following provisions of the 1998 Act shall come into force on 1st January 1999:

- (a) section 103 (recall to prison of short-term prisoners);
- (b) paragraphs 83 and 88 of Schedule 8, to the extent that they are not already in force;
- (c) paragraph 12 of Schedule 9, to the extent that it is not already in force;
- (d) the entries in Schedule 10 relating to sections 37 (to the extent that that entry is not already in force), 38 and 45 of the Criminal Justice Act 1991(2).

3. Section 99 and, to the extent that it is not already in force, section 100 (power to release short-term prisoners on licence including curfew condition) of, and paragraph 10 of Schedule 9 to, the 1998 Act shall come into force on 28th January 1999.

4. Sections 25 and 27 and, to the extent that it is not already in force, section 26 (power to require removal of masks etc.; power of arrest for failure to comply with requirement; retention and disposal of things seized) of the 1998 Act shall come into force on 1st March 1999.

5. The following provisions of the 1998 Act shall come into force on 1st April 1999:

- (a) section 1 (anti-social behaviour orders);
- (b) section 4 (appeals against orders), to the extent that it is not already in force;
- (c) section 19 (anti-social behaviour orders) in Scotland;

(1) 1998 c. 37.
(2) 1991 c. 53.

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- (d) sections 21 and 22 (procedural provisions and offences in connection with orders in Scotland), to the extent that they are not already in force;
 - (e) section 71(4) (residential requirements of supervision orders).
- 6.** Sections 80 and 81 (sentencing guidelines and Sentencing Advisory Panel) of, and paragraph 7 of Schedule 9 to, the 1998 Act shall come into force on 1st July 1999.
- 7.** 1st April 1999 is appointed for the purposes of section 6 of the 1998 Act.

Home Office
21st December 1998

Jack Straw
One of Her Majesty's Principal Secretaries of
State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings fully into force in January, March, April and July 1999 the following provisions of the Crime and Disorder Act 1998. Section 103 and related minor provisions (recall to prison of short-term prisoners) are brought into force on 1st January 1999. Sections 99 and 100 and related minor provisions (powers to release short-term prisoners on licence) are brought into force on 28th January 1999. Sections 25 to 27 (removal, retention and disposal of masks etc.) are brought into force on 1st March 1999. Sections 1, 4, 19, 21, 22 and 71(4) (anti-social behaviour and supervision orders) are brought into force on 1st April 1999. Sections 80 and 81 and a related minor provision (sentencing provisions) are brought into force on 1st July 1999.

This Order also appoints 1st April 1999 as the beginning of the first period of three years for which there must be a strategy for the reduction of crime and disorder in each local government area, under section 6 of the 1998 Act.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the 1998 Act have been brought into force by commencement orders before the date of this Order.

<i>Provisions</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
Sections 41 and 49 (both partially), 114, 116 and 117	1.8.98	1998/1883
Section 84 and Schedules 2 and 9 (both partially)	7.8.98	1998/1883
Sections 5 to 9, 10 (partially), 11 and 12, 13 (partially), 14 and 15, 17 and 18, 28 to 37, 38 to 40 (all partially only), 41 and 42, 43 (partially), 46 (partially), 47 and 48, 49 (partially), 50, 52 (partially), 53 to 64, 65 and 66 (both partially), 67 to 70, 71 (partially), 72, 82 and 83, 85 to 96, 97 (partially), 100 (partially), 101 and 102, 104 to 108, 110 to 113, 115, 118, 119 and 120 and Schedules 2, 3 (partially), 4 to 7, and 8 to 10 (all partially only)	30.9.98	1998/2327
Sections 2 and 3, 4 (partially), 16, 20, 21 and 22 (both partially), 23, 24, 26 (partially)	1.12.98	1998/2327 (as amended)

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<i>Provisions</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
and Schedules 1 and 8 (partially)		
Sections 51 and 52 and Schedules 3, 8 and 10 (both partially)	4.1.99	1998/2327