

**2015 No. 336 (C. 41)**

**CRIMINAL LAW**

**HIGH COURT OF JUSTICIARY**

**SHERIFF APPEAL COURT**

**The Criminal Justice and Licensing (Scotland) Act 2010  
(Commencement No. 13) and the Courts Reform (Scotland) Act  
2014 (Commencement No. 4) Order 2015**

*Made* - - - - - *16th September 2015*

*Laid before the Scottish Parliament* *18th September 2015*

*Coming into force* - - - *19th October 2015*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 206(1) of the Criminal Justice and Licensing (Scotland) Act 2010<sup>(a)</sup> and section 138(2) of the Courts Reform (Scotland) Act 2014<sup>(b)</sup>.

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as the Criminal Justice and Licensing (Scotland) Act 2010 (Commencement No. 13) and the Courts Reform (Scotland) Act 2014 (Commencement No. 4) Order 2015 and comes into force on the appointed day.

(2) In this Order—

“the 2010 Act” means the Criminal Justice and Licensing (Scotland) Act 2010;

“the 2014 Act” means the Courts Reform (Scotland) Act 2014; and

“the appointed day” means 19th October 2015.

**Provisions coming into force on the appointed day**

**2.** The following provisions come into force on the appointed day—

(a) Sections 1 to 13 of the 2010 Act, in so far as not already in force;

(b) Schedule 1 to the 2010 Act, in so far as not already in force;

(c) Section 132 of the 2014 Act, for the purpose of bringing into force paragraph 17 of schedule 5 to the 2014 Act; and

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(a) 2010 asp 13.

(b) 2014 asp 18.

(d) Paragraph 17 of schedule 5 to the 2014 Act.

St Andrew's House,  
Edinburgh  
16th September 2015

*MICHAEL MATHESON*  
A member of the Scottish Government

## EXPLANATORY NOTE

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

This Order brings into force on 19th October 2015 certain provisions of the Criminal Justice and Licensing (Scotland) Act 2010 (“the 2010 Act”) and the Courts Reform (Scotland) Act 2014 (“the 2014 Act”).

Article 2 of this Order brings fully into force sections 1 to 13, and schedule 1 to the 2010 Act, insofar as these provisions are not in force already. Article 2 also brings into force section 132 of the 2014 Act for the purpose of bringing into force paragraph 17 of schedule 5 to the 2014 Act, which is also commenced.

The 2010 Act received Royal Assent on 6th August 2010. Sections 201, 202, 204 and 206 came into force on Royal Assent. The 2014 Act received Royal Assent on 10th November 2014. Sections 133, 134(1) and (3) and 135 to 139 came into force the following day.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

### ORDERS UNDER THE CRIMINAL JUSTICE AND LICENSING (SCOTLAND) ACT 2010

The following provisions of the 2010 Act have been brought into force by commencement orders made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 1(1)	7th May 2015	2015/177
Section 1(2) (partially)	7th May 2015	2015/177
Section 14(1) (partially)	1st February 2011	2010/413
Section 14(1) (for all remaining purposes)	1st April 2011	2010/413
Section 14(2)	1st February 2011	2010/413
Section 15	28th March 2011	2011/178
Section 16	13th December 2010	2010/413
Section 17	1st February 2011	2010/413
Section 19	28th March 2011	2011/178
Sections 20 and 21	1st February 2011	2010/413
Section 22	28th March 2011	2011/178
Section 23	13th December 2010	2010/413
Section 24	28th March 2011	2011/178
Sections 25 and 26	13th December 2010	2010/413
Section 27	28th March 2011	2011/178
Sections 28 to 31	13th December 2010	2010/413
Sections 32 and 33	28th March 2011	2011/178
Section 34	13th December 2010	2010/413
Section 35	28th March 2011	2011/178
Section 36	28th March 2011	2011/178
Section 37	13th December 2010	2010/413
Section 38	6th October 2010	2010/339
Sections 39 to 41	13th December 2010	2010/413
Section 42	28th March 2011	2011/178
Sections 43 and 44	1st December 2010	2010/357
Section 45	13th December 2010	2010/413
Sections 46 to 53	28th March 2011	2011/178
Section 54	6th June 2011	2011/178

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 55	28th March 2011	2011/178
Section 56	13th December 2010	2010/413
Sections 57 and 58	28th March 2011	2011/178
Sections 59 and 60	13th December 2010	2010/413
Sections 61 and 62	28th March 2011	2011/178
Section 63	1st December 2010	2010/357
Section 64	13th December 2010	2010/413
Sections 65 to 70	28th March 2011	2011/178
Section 71	13th December 2010	2010/413
Sections 72 to 76	28th March 2011	2011/178
Section 77(1) (partially)	28th March 2011	2011/178
Section 77(1) (for all remaining purposes)	1st August 2011	2011/178
Section 77(2)(a)	28th March 2011	2011/178
Section 77(2)(b) and (c)	1st August 2011	2011/178
Section 77(3)	28th March 2011	2011/178
Sections 78 and 79	28th March 2011	2011/178
Section 80 (partially)	13th December 2010	2010/413
Section 80 (for all remaining purposes)	15th April 2011	2011/178
Section 81	28th March 2011	2011/178
Section 82	1st August 2011	2011/178
Section 83	5th November 2010	2010/385
Section 84	28th March 2011	2011/178
Section 85	6th June 2011	2011/178
Sections 86 to 91	28th March 2011	2011/178
Section 93	13th December 2010	2010/413
Sections 94 to 96	10th January 2011	2010/413
Section 97	6th October 2010	2010/339
Section 99	13th December 2010	2010/413
Section 100	1st November 2011	2011/354
Section 101	13th December 2010	2010/413
Section 102(1) (partially), (2) (partially) and (3) to (6)	28th March 2011	2011/178
Section 102 (1) and (2) insofar as not already in force	8th July 2013	2013/214
Section 103	1st November 2011	2011/354
Sections 104 and 105	13th December 2010	2010/413
Sections 106 and 107	28th March 2011	2011/178
Section 108(1) (partially) and (4)	12th October 2010	2010/344
Section 108 (for all remaining purposes)	28th February 2011	2011/157
Section 109	1st November 2011	2011/354
Section 110	1st November 2011	2011/354
Sections 111 to 114	13th December 2010	2010/413
Section 115	28th March 2011	2011/178
Sections 116 to 167	6th June 2011	2011/178
Sections 168 to 171	25th June 2012	2012/160
Section 172(1) to (3), (4)(a), (5) and (6)	28th March 2011	2011/178
Section 173	13th December 2010	2010/413
Section 174	1st November 2011	2011/354
Section 175	28th March 2011	2011/178
Section 176	1st April 2012	2011/178
Section 177	1st October 2012	2011/178
Section 178(3)(e)	16th August 2010	2010/297

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 178 (for all remaining purposes)	28th February 2011	2010/413
Sections 180 and 181	13th December 2010	2010/413
Section 182	28th February 2011	2010/413
Section 183	13th December 2010	2010/413
Section 184(1), (2) (partially) and (3) (partially)	13th December 2010	2010/413
Section 184 (for all remaining purposes)	1st November 2011	2011/354
Section 185	13th December 2010	2010/413
Section 186	28th March 2011	2011/178
Section 187	13th December 2010	2010/413
Section 188(1)	13th December 2010	2010/413
Section 188(2)	28th March 2011	2011/178
Section 188(3)	13th December 2010	2010/413
Sections 189 and 190	1st October 2011	2011/178
Section 191	28th March 2011	2011/178
Sections 192 to 194	13th December 2010	2010/413
Section 195(1), (2) and (3) (partially)	13th December 2010	2010/413
Section 195 (for all remaining purposes)	1st November 2011	2011/354
Section 196	13th December 2010	2010/413
Sections 198 and 199	13th December 2010	2010/413
Section 203	28th March 2011	2011/178
Schedule 1 (partially), paragraph 2	7th May 2015	2015/177
Schedule 2 (with the exception of paragraph 38)	1st February 2011	2010/413
Schedule 2, paragraph 38	The day that section 25(2) of the Welfare Reform Act 2009 (c.24) (jobseekers allowance: sanctions for violent conduct etc. in connection with claim) comes into force	2010/413
Schedule 4 (with the exception of paragraph 12)	13th December 2010	2010/413
Schedule 5	28th March 2011	2011/178
Schedule 6 (with the exception of paragraphs 2, 9, 10 and 17)	13th December 2010	2010/413
Schedule 6, paragraphs 2, 9, 10 and 17	1st November 2011	2011/354
Schedule 7, paragraphs—		
1 to 3	28th March 2011	2011/178
4 and 5	13th December 2010	2010/413
6	28th March 2011	2011/178
7	1st November 2011	2011/354
8	25th June 2012	2012/160
9 and 10	1st November 2011	2011/354
11 and 12	28th March 2011	2011/178
13	13th December 2010	2010/413
14 and 15	28th March 2011	2011/178
16	25th June 2012	2012/160
17 to 25	28th March 2011	2011/178
27 to 31	28th March 2011	2011/178
32	25th June 2012	2012/160

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
33	1st August 2011	2011/178
34 to 36	28th March 2011	2011/178
37 to 43	25th June 2012	2012/160
44 and 45	28th March 2011	2011/178
46	25th June 2012	2012/160
47	28th March 2011	2011/178
48	10th January 2011	2010/413
49	13th December 2010	2010/413
50	28th March 2011	2011/178
51	25th June 2012	2012/160
52 to 56	28th March 2011	2011/178
57 and 58	25th June 2012	2012/160
59 to 61	28th March 2011	2011/178
62	25th June 2012	2012/160
63 to 65	28th March 2011	2011/178
66	25th June 2012	2012/160
67 to 69	28th March 2011	2011/178
71	25th June 2012	2012/160
72	28th March 2011	2011/178
73	25th June 2012	2012/160
74	28th March 2011	2011/178
75 and 76	25th June 2012	2012/160
77 to 83	28th March 2011	2011/178
84 and 85	25th June 2012	2012/160
86	13th December 2010	2010/413
87	25th June 2012	2012/160

#### **ORDERS UNDER THE COURTS REFORM (SCOTLAND) ACT 2014**

The following provisions of the 2014 Act have been brought into force by commencement orders made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Sections 1 to 4	1st April 2015	2015/77
Section 5 (partially)	1st April 2015	2015/77
Section 5 (for all remaining purposes)	22nd September 2015	2015/247
Sections 6 to 9	1st April 2015	2015/77
Section 10 (partially)	1st April 2015	2015/77
Section 10 (for all remaining purposes)	22nd September 2015	2015/247
Sections 11 to 15	1st April 2015	2015/77
Section 16(1) to (11)	1st April 2015	2015/77
Sections 17 to 22	1st April 2015	2015/77
Section 23(5)	12th March 2015	2015/77
Section 23 (for all remaining purposes)	1st April 2015	2015/77
Sections 24 and 25	1st April 2015	2015/77
Sections 27 to 38	1st April 2015	2015/77
Section 39 (partially)	1st April 2015	2015/77
Section 39 (for all remaining purposes)	22nd September 2015	2015/247
Sections 40 to 43	1st April 2015	2015/77
Sections 44 and 45	22nd September 2015	2015/247
Section 46 (partially)	1st April 2015	2015/77

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 46 (for all remaining purposes)	22nd September 2015	2015/247
Sections 47 and 48 (partially)	22nd September 2015	2015/247
Sections 49 to 56	1st April 2015	2015/77
Section 57(1) and (2)	22nd September 2015	2015/247
Section 57(3) to (5)	1st April 2015	2015/77
Section 58	22nd September 2015	2015/247
Sections 59 to 62	1st April 2015	2015/77
Sections 63 to 71	22nd September 2015	2015/247
Section 72 (partially)	1st April 2015	2015/77
Sections 75 and 76	1st April 2015	2015/77
Section 79	22nd September 2015	2015/247
Section 81 (partially)	1st April 2015	2015/77
Section 86 (partially)	1st April 2015	2015/77
Sections 87 and 88	1st April 2015	2015/77
Section 89	22nd September 2015	2015/247
Sections 90 and 91	1st April 2015	2015/77
Sections 92 to 94	22nd September 2015	2015/247
Section 98	1st April 2015	2015/77
Section 99	22nd September 2015	2015/247
Section 102 (partially)	1st April 2015	2015/77
Sections 103 to 107	1st April 2015	2015/77
Section 108	22nd September 2015	2015/247
Section 115	1st April 2015	2015/77
Sections 117 and 118	22nd September 2015	2015/247
Section 119 (partially)	1st April 2015	2015/77
Section 119 (for all remaining purposes)	22nd September 2015	2015/247
Sections 120 to 122	22nd September 2015	2015/247
Section 123	1st April 2015	2015/77
Section 125	1st April 2015	2015/77
Section 127	1st April 2015	2015/77
Section 130 and paragraphs 1(1), (2), (6), (8) and (9) and 3(1) to (4) and (6) of schedule 4 (partially)	2nd February 2015	2015/12
Section 130 and schedule 4 (for all remaining purposes)	1st April 2015	2015/77
Section 131	1st April 2015	2015/77
Section 132 (for the purpose of bringing into force certain provisions of schedule 5)	1st April 2015	2015/77
Section 132 (for the purpose of bringing into force further provisions of schedule 5)	22nd September 2015	2015/247
Section 134(2)	1st April 2015	2015/77
Schedule 1	22nd September 2015	2015/247
Schedule 2 (partially)	1st April 2015	2015/77
Schedule 2 (for all remaining purposes)	22nd September 2015	2015/247
Paragraphs 1 to 9, 10(1) to (3), (6) and (7), 11 to 21, 23, 24 and 26 of schedule 3	22nd September 2015	2015/247
Schedule 4		
The following provisions of schedule 5—		
Paragraphs 1 to 3	1st April 2015	2015/77
Paragraph 4(a) (partially)	1st April 2015	2015/77
Paragraph 4(a) (for all remaining purposes)	22nd September 2015	2015/247
Paragraphs 4(b) and (c)	1st April 2015	2015/77

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Paragraph 4(f) (partially)	1st April 2015	2015/77
Paragraph 5	1st April 2015	2015/77
Paragraph 6(1) and (2) (partially)	1st April 2015	2015/77
Paragraph 6(1) and (2) (partially)	22nd September 2015	2015/247
Paragraph 7	1st April 2015	2015/77
Paragraph 8	22nd September 2015	2015/247
Paragraphs 9 to 11	1st April 2015	2015/77
Paragraph 12(1) and (4)	1st April 2015	2015/77
Paragraph 14(1) to (3)	22nd September 2015	2015/247
Paragraph 15	22nd September 2015	2015/247
Paragraph 16	1st April 2015	2015/77
Paragraph 18	1st April 2015	2015/77
Paragraph 19	22nd September 2015	2015/247
Paragraphs 24 and 25	22nd September 2015	2015/247
Paragraph 26	1st April 2015	2015/77
Paragraphs 28 to 31	1st April 2015	2015/77
Paragraph 32(1), (2) and (4)	22nd September 2015	2015/247
Paragraph 33	22nd September 2015	2015/247
Paragraph 34	1st April 2015	2015/77
Paragraphs 36 to 38	1st April 2015	2015/77
Paragraphs 42 to 45	1st April 2015	2015/77

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