



Criminal Justice Act 1988

1988 CHAPTER 33

PART XII

GENERAL AND SUPPLEMENTARY

172 Extent.

- (1) Subject to the following provisions of this section, and to sections 19, 20 and 21 above, this Act extends to England and Wales only.
- (2) The following provisions extend also to Scotland—
 - Part I;
 - sections 44 to 48;
 - section 50;
 - section 57;
 - section 63;
 - section 68;
 - section 76(3);
 - section 77(10) and (11);
 - section 82;
 - sections 84 to 88;
 - [^{F1}sections 93A to 93D;
 - sections 93F and 93G]
 - section 94;
 - section 102, so far as relating to other provisions of this Act extending to Scotland;
 - [^{F2}sections 108 to 115 and 117;]
 - section 133;
 - section 134;
 - section 136;
 - section 137;

Changes to legislation: *Criminal Justice Act 1988, Section 172 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

sections 141 [^{F3}141A and 142];
section 143;
section 145(a) and (b);
section 162;
section 170;
section 171;
this section; and
section 173.

(3) The following provisions extend also to Northern Ireland—

Part I;
Part IV;
section 50;
section 133;
[^{F4}sections 133 to 133B][^{F5}, with the exception of paragraph 5(ba) of Schedule 12 which extends to England and Wales and Scotland only]
section 135;
section 136;
section 137;
[^{F6}section 139;
section 139A;
section 139B;]
section 141;
section 142;
section 143;
section 152;
section 159;
section 162;
section 166(5);
section 170;
section 171;
this section; and
section 173;

(4) The following provisions—

section 56;
sections 90 to 93;
[^{F7}section 93E]
section 103(2);
[^{F8}section 116;]
section 124;
[^{F9}section 141ZA;]
[^{F10}section 141C;]
section 161;

extend to Scotland only.

(5) Section 95 above extends only to Scotland and Northern Ireland.

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(6) Sections 145(c), 149 and 168 [^{F11}and paragraph 5(bb)]^{F12}, 5(bc) and 5(bd)] of Schedule 12] above extend to Northern Ireland only.

[^{F13}(7) Nothing in subsection (1) above affects the extent of section 146 or Schedule 13.]

(10) Section 158 above extends—

- (a) to Scotland, so far as it relates to courts-martial; and
- (b) to Northern Ireland, so far as it relates to courts-martial and to such a publication or broadcast or inclusion in a cable programme in Northern Ireland as is mentioned in section 4(1) of the ^{M1}Sexual Offences (Amendment) Act 1976 as adapted by section 5(1)(b) of that Act.

(11) The extent of any amendment of an enactment in Schedule 15 to this Act is the same as that of the enactment amended, except that the amendments of the Offences against the ^{M2}Person Act 1861 do not extend to Northern Ireland.

(12) The extent of any repeal of an enactment in Schedule 16 to this Act is the same as that of the enactment repealed, subject to the Notes at the end of the Schedule.

Textual Amendments

- F1** Words in s. 172(2) inserted (15.2.1994 so far as it relates to E.W.S.) by 1993 c. 36, ss. 78(3), 79(13), [Sch. 5, Pt. I para. 14\(2\)\(a\)](#); S.I. 1994/71, art. 2, [Sch.](#)
- F2** Words in s. 172(2) repealed (E.W.S.) (8.11.1995) by 1995 c. 53, s. 12(7), Sch.
- F3** Words in s. 172(2) substituted (1.1.1997) by 1996 c. 26, s. 6(2)(3); S.I. 1996/3063, [art. 2](#)
- F4** S. 172(3): words substituted (1.12.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. [61\(8\)](#), 153 (with [Sch. 27 para. 22](#)); S.I. 2008/2993, [art. 2\(1\)\(a\)](#)
- F5** Words in s. 172(3) inserted (1.10.2012) by [The Tribunals, Courts and Enforcement Act 2007 \(Consequential Amendments\) Order 2012 \(S.I. 2012/2404\)](#), art. 1, [Sch. 2 para. 24\(2\)](#) (with art. 5)
- F6** Words in s. 172(3) substituted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 26 para. 7](#); S.I. 2012/2770, art. 2(f)
- F7** Words in s. 172(4) inserted (15.2.1994 so far as it relates to Scotland) by 1993 c. 36, ss. 78(3), 79(13), [Sch. 5 Pt. I para. 14\(2\)\(b\)](#); S.I. 1994/71, art. 2, [Sch.](#)
- F8** Words in s. 172(4) repealed (E.W.S.) (8.11.1995) by 1995 c. 53, s. 12(7), Sch.
- F9** Words in s. 172(4) inserted (S.) (1.11.2007) by [Custodial Sentences and Weapons \(Scotland\) Act 2007 \(asp 17\)](#), ss. [61\(3\)](#), 67; S.S.I. 2007/431, [art. 3](#), Sch.
- F10** Words in s. 172(4) inserted (1.1.2021 for S.) by [Offensive Weapons Act 2019 \(c. 17\)](#), ss. [36\(4\)](#), [70\(1\)\(2\)](#); S.S.I. 2020/410, reg. 2(f)
- F11** Words in s. 172(6) inserted (N.I.) (21.4.2015) by [The Insolvency \(Northern Ireland\) Order 2005 \(Consequential Amendments\) Order \(Northern Ireland\) 2015 \(S.R. 2015/159\)](#), art. 1, [Sch. Pt para. 9\(2\)](#)
- F12** Words in s. 172(6) inserted (N.I.) (7.3.2016) by [The Debt Relief Act \(Northern Ireland\) 2010 \(Consequential Amendments\) Order \(Northern Ireland\) 2016 \(S.R. 2016/108\)](#), art. 1, [Sch. para. 12\(2\)](#)
- F13** S. 172(7) substituted for s. 172(7)-(9) (28.3.2009 for certain purposes and 31.10.2009 insofar as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378, 383, [Sch. 16 para. 114](#); S.I. 2009/812, [art. 3\(a\)\(b\)](#) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)

Marginal Citations

- M1** 1976 c. 82.
- M2** 1861 c. 100.

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 172(2) words repealed by [2002 c. 29 Sch. 12](#)
- s. 172(4) words repealed by [2002 c. 29 Sch. 12](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 36(2)(b)(v) and word inserted by [2019 c. 17 s. 13\(3\)\(b\)](#)
- s. 36(3A)(3B) substituted for s. 36(3A) by [2008 c. 4 s. 46\(2\)](#)
- s. 41(4A) inserted by [2004 c. 28 Sch. 10 para. 28](#)
- s. 139AZA(1)(a)(iii) and word inserted by [2019 c. 17 s. 13\(4\)\(b\)](#)