



# Criminal Justice Act 1991

## 1991 CHAPTER 53

### PART VI

#### SUPPLEMENTAL

#### **102 Short title, commencement and extent.**

- (1) This Act may be cited as the Criminal Justice Act 1991.
- (2) This Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint, and different days may be appointed for different provisions or for different purposes.
- (3) Without prejudice to the provisions of Schedule 12 to this Act, an order under subsection (2) above may make such transitional provisions and savings as appear to the Secretary of State necessary or expedient in connection with any provision brought into force by the order.
- (4) Subject to subsections (5) to (8) below, this Act extends to England and Wales only.
- (5) The following provisions of this Act, namely—
  - (a) this section;
  - (b) sections 16, 17(1) and (2), 24 and 26(3) and (4); and
  - (c) Schedule 3, paragraph 6 of Schedule 6, paragraph 5 of Schedule 8, <sup>F1</sup> . . . and, so far as relating to the <sup>M1</sup> Social Work (Scotland) Act 1968, Schedule 13, also extend to Scotland; and section 23(2) above and, in so far as relating to the <sup>M2</sup> Criminal Procedure (Scotland) Act 1975, Schedule 13 to this Act extend to Scotland only.
- (6) This section, section 16 above, Schedule 3 to this Act, <sup>F2</sup> . . . and, so far as relating to the <sup>M3</sup> Social Work (Scotland) Act 1968, Schedule 13 to this Act also extend to Northern Ireland.
- (7) An Order in Council under section 81(11) of the 1982 Act may direct that both or either of—

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**Changes to legislation:** Criminal Justice Act 1991, Section 102 is up to date with all changes known to be in force on or before 28 December 2023. 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](#)

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(a) section 37 of that Act as amended by section 17(1) above; and  
 (b) section 32 of the 1980 Act as amended by section 17(2) above,  
 shall extend, subject to such modifications as may be specified in the Order, to the Isle of Man or any of the Channel Islands.

[<sup>F3</sup>(7A) Sections 80, 82 and 83 above, so far as relating to the delivery of prisoners to or from premises situated in a part of the British Islands outside England and Wales, extend to that part of those Islands.]

(8) Nothing in subsection (4) above affects the extent of this Act in so far as it amends or repeals any provision of the <sup>M4</sup>Army Act 1955, the <sup>M5</sup>Air Force Act 1955, the <sup>M6</sup>Naval Discipline Act 1957 or the <sup>M7</sup>Armed Forces Act 1991.

#### Subordinate Legislation Made

- P1** [S. 102\(2\)\(3\)](#) power exercised by [S.I. 1991/2208](#)  
[S. 102\(2\)\(3\)](#) power exercised by [S.I. 1991/2706](#)
- P2** [S. 102\(2\)\(3\)](#) power exercised (21.2.1992): different dates appointed for specified provisions by [S.I. 1999/333](#), [art. 2\(1\)\(2\)](#) (as amended by [S.I. 1999/2118](#))  
[S. 102\(2\)\(3\)](#) power partly exercised (11.12.1994): 9.1.1995 appointed day by 1994/3191
- P3** [S. 102\(2\)](#) power partly exercised (4.5.1999): 1.6.1999 appointed for specific provisions by [S.I. 1999/1280](#), [art. 3](#), [Sch.](#)

#### Textual Amendments

- F1** Words in [s. 102\(5\)\(c\)](#) repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), [Sch. 12 Pt. I](#) (with [Sch. 11 paras. 1, 2](#))
- F2** Words in [s. 102\(6\)](#) repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), [Sch. 12 Pt. I](#) (with [Sch. 11 paras. 1, 2](#))
- F3** [S. 102\(7A\)](#) inserted (3.11.1994) by 1994 c. 33, [s. 101\(8\)](#).

#### Commencement Information

- I1** [S. 102](#) so far as not in force wholly in force at 14.10.1991 see [s. 102\(2\)\(3\)](#) and [S.I. 1991/2208](#), [art. 2\(1\)](#) and [Sch. 1](#)

#### Marginal Citations

- M1** 1968 c. 49.  
**M2** 1975 c. 21.  
**M3** 1968 c. 49.  
**M4** 1955 c. 18.  
**M5** 1955 c. 19.  
**M6** 1957 c. 53.  
**M7** 1991 c. 62.

**Changes to legislation:**

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**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. 24(2)(ba) inserted by [2013 c. 22 s. 26\(7\)](#)
- s. 46(3)(aa) substituted for word by [2008 c. 4 s. 33\(7\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S. 33(2)(4)(7)(8) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(a); S.I. 2012/2906, art. 2(d))
- s. 46ZA inserted by [2008 c. 4 s. 33\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 33(2)(4)(7)(8) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(a); S.I. 2012/2906, art. 2(d))