



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART XII

#### MISCELLANEOUS AND GENERAL

##### *General*

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

- (1) This Act may be cited as the Criminal Justice and Public Order Act 1994.
- (2) With the exception of section 82 and subject to subsection (4) below, this Act shall come into force on such day as the Secretary of State or, in the case of sections 52 and 53, the Lord Chancellor may appoint by order made by statutory instrument, and different days may be appointed for different provisions or different purposes.
- (3) Any order under subsection (2) above may make such transitional provisions and savings as appear to the authority making the order necessary or expedient in connection with any provision brought into force by the order.
- (4) The following provisions and their related amendments, repeals and revocations shall come into force on the passing of this Act, namely sections 5 to 15 (and Schedules 1 and 2), 61, 63, 65, 68 to 71, 77 to 80, 81, 83, 90, Chapters I and IV of Part VIII, sections 142 to 148, 150, 158(1), (3) and (4), 166, 167, 171, paragraph 46 of Schedule 9 and this section.
- (5) No order shall be made under subsection (6) of section 166 above unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.
- (6) For the purposes of subsection (4) above—
  - (a) the following are the amendments related to the provisions specified in that subsection, namely, in Schedule 10, paragraphs 26, 35, 36, 59, 60 and 63(1), (3), (4) and (5);

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- (b) the repeals and revocations related to the provisions specified in that subsection are those specified in the Note at the end of Schedule 11.
- (7) Except as regards any provisions applied under section 39 and subject to the following provisions, this Act extends to England and Wales only.
- (8) Sections 47(3), 49, <sup>[F1</sup>60 to 67], 70, 71, 81, 82, 146(4), 157(1), 163, 169 and 170 also extend to Scotland.
- (9) Section 83(1) extends to England and Wales and Northern Ireland.
- (10) This section, sections 68, 69, 83(3) to (5), 88 to 92, 136 to 141, 156, 157(2), (3), (4), (5) and (9), 158, 159, 161, 162, 164, 165, 168, 171 and Chapter IV of Part VIII extend to the United Kingdom and sections 158 and 159 also extend to the Channel Islands and the Isle of Man.
- (11) Sections 93, 95 and 101(8), 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.
- (12) Sections 102(1) to (3), 104, 105 and 117, so far as relating to the transfer of prisoners to or from premises situated in a part of the British Islands outside Scotland, extend to that part of those Islands, but otherwise Chapter II of Part VIII extends to Scotland only.
- (13) Sections 47(4), 83(2), 84(5) to (7), 87, Part IX, sections 145(2), 146(2), 148, 151(2), 152(2), 153, 157(7) and 160(2) extend to Scotland only.
- <sup>[F2</sup>(13A) Subject to subsection (14), Chapter 3 of Part 8 extends to Northern Ireland only.]
- (14) Sections <sup>[F3</sup>117A,] 118, 120, 121 and 125, so far as relating to the delivery of prisoners to or from premises situated in a part of the British Islands outside Northern Ireland, <sup>[F4</sup>also] extend to that part of those islands, <sup>[F5</sup>except that section 117A does not extend to any part of those islands outside the United Kingdom].
- (15) Sections 53, 84(8) to (11), 85(4) to (6), 86(2), 145(3), 147 and 157(8) extend to Northern Ireland only.
- (16) Where any enactment is amended, repealed or revoked by Schedule 9, 10 or 11 to this Act the amendment, repeal or revocation has the same extent as that enactment; except that Schedules 9 and 11 do not extend to Scotland in so far as they relate to section 17(1) of the <sup>M1</sup>Video Recordings Act 1984.

#### **Subordinate Legislation Made**

- P1** S. 172(2) power partly exercised: 19.12.1994 appointed for specified provisions by [S.I. 1994/2935](#), [art. 2](#)
- S. 172(2) power partly exercised: 9.1.1995 appointed for specified provisions by [S.I. 1994/3192](#), [art. 2](#)
- S. 172(2) power partly exercised: 11.1.1995 appointed for specified provisions by [S.I. 1994/3258](#), [art. 2](#)
- S. 172(2) power partly exercised: 2.2.1995 appointed for specified provisions by [S.I. 1995/24](#), [art. 2](#)
- S. 172(2) power partly exercised: Different dates appointed for specified provisions by [S.I. 1995/127](#), [art. 2](#)
- S. 172(2) power partly exercised: 10.4.1995 appointed for specified provisions by [S.I. 1995/721](#), [art. 2](#), [Sch.](#)

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S. 172(2) power partly exercised: 30.5.1995 appointed for specified provisions by [S.I. 1995/1378, art. 2](#)

S. 172(2) power partly exercised: Different dates appointed for specified provisions by [S.I. 1995/1957, arts. 3-6](#)

S. 172(2) power partly exercised: 8.3.1996 appointed for specified provisions by [S.I. 1996/625, art. 2](#)

S. 172(2) power partly exercised: 1.7.1996 appointed for specified provisions by 1996/1530, art. 2 (which S.I. is revoked (20.6.1996) by [S.I. 1996/1608, art. 3](#))

S. 172(2) power partly exercised: 1.7.1996 appointed for specified provisions by [S.I. 1996/1608, art. 2](#)

S. 172(2) power partly exercised: 1.4.1997 appointed for specified provisions by [S.I. 1997/882, arts. 2, 3](#)

S. 172(2) power partly exercised: 1.3.1998 appointed for specified provisions by [S.I. 1998/277, art. 3](#)

S. 172(2) power partly exercised: 20.3.2002 appointed for specified provisions by [S.I. 2002/447, art. 2](#)

S. 172(2) power partly exercised: 6.4.2007 appointed for specified provision by [S.I. 2007/621, art. 2](#)

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### Textual Amendments

**F1** Words in s. 172(8) substituted (1.3.1999) by 1997 c. 21, [s. 8\(11\)](#); [S.I. 1999/5, art. 2](#)

**F2** S. 172(13A) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 7 para. 7\(2\)](#) (with arts. 28-31)

**F3** Word in s. 172(14) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 7 para. 7\(3\)\(a\)](#) (with arts. 28-31)

**F4** Word in s. 172(14) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 7 para. 7\(3\)\(b\)](#) (with arts. 28-31)

**F5** Words in s. 172(14) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 7 para. 7\(3\)\(c\)](#) (with arts. 28-31)

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### Marginal Citations

**M1** 1984 c. 39.

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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. 51(10)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 11\(3\)](#)