

These notes refer to the Criminal Justice and Immigration Act 2008 (c.4) which received Royal Assent on 8 May 2008

CRIMINAL JUSTICE AND IMMIGRATION ACT 2008

EXPLANATORY NOTES

COMMENCEMENT

887. The following provisions of the Act came into force on Royal Assent:
- Section 53 and Schedule 13 which amend Schedule 3 to the 2003 Act, which makes provision in relation to the allocation of offences triable either way and the sending of cases to the Crown Court. Commencement of the amendments to Schedule 3 to the 2003 Act will not have any material effect until Schedule 3, as amended, is itself commenced;
 - Section 77 which introduces a power of the Secretary of State to make an order altering the maximum penalty for unlawfully obtaining etc. personal data;
 - Section 128 which amends section 57 of the Police Act 1996 which makes provision for the Secretary of State to provide and maintain organisations which promote the efficiency and effectiveness of the police;
 - Sections 138(1) to (4) and 139 which reintroduce a statutory prohibition on prison officers in England and Wales taking industrial action;
 - Part 12, Sections 147, 148(3) to (7), 150, 152 to 154;
 - Paragraph 6(3) and 12 to 16 of Schedule 16 (and the related appeals in Schedule 28) which make amendments to Part 3A of the Public Order Act 1986; and
 - Paragraphs 35 to 39 of Schedule 26 which amend the provisions in the Youth Justice and Criminal Evidence Act 1999 intended to protect rape complainants from cross-examination about their previous sexual history;
888. The following provisions of the Act will come into force two months after Royal Assent:
- Section 62, which repeals the requirement to publish an annual report on the workings of the Criminal Justice (Terrorism and Conspiracy) Act 1998;
 - Sections 69 and 70 and related provisions which extend the definition of an indecent photograph in the Protection of Children Act 1978 (and the equivalent Northern Ireland legislation) to include a tracing or other image derived from a photograph;
 - Section 79 and the related repeals in Part 5 of Schedule 28, which abolishes the common law offences of blasphemy and blasphemous libel; and
 - Paragraphs 2 to 7 of Schedule 15 which amend the Sexual Offences Act 2003 in relation to adoption.
889. All other provisions will be brought into force by means of commencement orders.