

Status: This version of this part contains provisions that are prospective.

Changes to legislation: Criminal Justice and Immigration Act 2008, Part 5 is up to date with all changes known to be in force on or before 19 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

SCHEDULES

SCHEDULE 27 **U.K.**

TRANSITORY, TRANSITIONAL AND SAVING PROVISIONS

PART 5 **U.K.**

CRIMINAL LAW

Penalties for possession of extreme pornographic images

- 23 In section 67(4)(a) the reference to [^{F1}the general limit in a magistrates' court] is to be read as a reference to 6 months in relation to an offence committed before [^{F2}2 May 2022].

Textual Amendments

- F1** Words in Sch. 27 para. 23 substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(1), Sch. Pt. 1 table
- F2** Words in Sch. 27 para. 23 substituted (28.4.2022) by The Criminal Justice Act 2003 (Commencement No. 33) and Sentencing Act 2020 (Commencement No. 2) Regulations 2022 (S.I. 2022/500), regs. 1(2), 5(1), Sch. Pt. 1

Commencement Information

- I1** Sch. 27 para. 23 in force at 26.1.2009 by S.I. 2008/2993, art. 2(2)(k)

Indecent photographs of children

- 24 (1) Section 69(3) applies in relation to things done as mentioned in—
- (a) section 1(1) of the Protection of Children Act 1978 (c. 37) (offences relating to indecent photographs of children), or
 - (b) section 160(1) of the Criminal Justice Act 1988 (c. 33) (offence of possession of indecent photographs of children),
- after the commencement of section 69.
- (2) Section 70(3) applies in relation to things done as mentioned in—
- (a) Article 3(1) of the Protection of Children (Northern Ireland) Order 1978 (S.I. 1978/1047 (N.I. 17)) (offences relating to indecent photographs of children), or
 - (b) Article 15(1) of the Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 (S.I. 1988/1847 (N.I. 17)) (offence of possession of indecent photographs of children),
- after the commencement of section 70.

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Maximum penalty for publication etc. of obscene articles

- 25 Section 71 does not apply to offences committed before the commencement of that section.

Commencement Information

I2 Sch. 27 para. 25 in force at 26.1.2009 by S.I. 2008/2993, art. 2(2)(k)

Offences relating to nuclear material and nuclear facilities

- 26 The new section 2 inserted into the Nuclear Material (Offences) Act 1983 (c. 18) by paragraph 4 of Schedule 17 and the repeal in Part 5 of Schedule 28 of section 14 of the Terrorism Act 2006 (c. 11) do not apply in relation to anything done before the date on which Schedule 17 comes into force.

Commencement Information

I3 Sch. 27 para. 26 in force at 30.11.2009 by S.I. 2009/3074, art. 2(t)(ii)

Reasonable force for purposes of self-defence etc.

- 27 (1) Section 76 applies whether the alleged offence took place before, or on or after, the date on which that section comes into force.
- (2) But that section does not apply in relation to—
- (a) any trial on indictment where the arraignment took place before that date, or
 - (b) any summary trial which began before that date,
- or in relation to any proceedings in respect of any trial within paragraph (a) or (b).
- (3) Where the alleged offence is a service offence, that section similarly does not apply in relation to—
- (a) any proceedings before a court where the arraignment took place before that date, or
 - (b) any summary proceedings which began before that date,
- or in relation to any proceedings in respect of any proceedings within paragraph (a) or (b).
- (4) For the purposes of sub-paragraph (3) summary proceedings are to be regarded as beginning when the hearing of the charge, or (as the case may be) the summary trial of the charge, begins.
- (5) In this paragraph—
- “service offence” means—
- (a) any offence against any provision of Part 2 of the Army Act 1955 (3 & 4 Eliz. 2 c. 18), Part 2 of the Air Force Act 1955 (3 & 4 Eliz. 2 c. 19) or Part 1 of the Naval Discipline Act 1957 (c. 53); or
 - (b) any offence under Part 1 of the Armed Forces Act 2006 (c. 52);
- “summary proceedings” means summary proceedings conducted by a commanding officer or appropriate superior authority.

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Commencement Information

I4 Sch. 27 para. 27 in force at 14.7.2008 by S.I. 2008/1586, art. 2(1), **Sch. 1 para. 49**

PROSPECTIVE

Unlawfully obtaining etc. personal data: defences

28 The amendment made by section 78 does not apply in relation to an offence committed before the commencement of that section.

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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):

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)