1988 No. 1408 (C. 53)

CRIMINAL LAW, ENGLAND AND WALES

The Criminal Justice Act 1988
(Commencement No. 1) Order 1988

Made - - - - *5th August 1988*

In exercise of the power conferred upon me by section 171(1) of the Criminal Justice Act 1988(a) I hereby make the following Order:–

1. This Order may be cited as the Criminal Justice Act 1988 (Commencement No. 1) Order 1988.

2.—(1) Subject to paragraph (2) below, the provisions of the Criminal Justice Act 1988 referred to in column 1 of the Schedule to this Order (which relate to the matters described in column 2 of that Schedule) shall come into force on 1st October 1988.

(2) Nothing in this Order shall bring into force any provision of the Criminal Justice Act 1988 in its application to Scotland and, accordingly, this Order does not extend to Scotland.

Home Office
5th August 1988

Douglas Hurd
One of Her Majesty's Principal Secretaries of State

(a) 1988 c.33.

PROVISIONS OF THE CRIMINAL JUSTICE ACT 1988
COMING INTO FORCE ON 1st OCTOBER 1988

Column 1 *Provisions of the Act*	Column 2 *Subject matter of provisions*
Section 123 and Schedule 8	Custodial sentences for young offenders
Section 125	Abolition of power of court to commit juvenile to remand centre instead of local authority care
Section 126	Amendment of section 53(2) of the Children and Young Persons Act 1933 (c.12)
Section 127	Payment of fine by parent or guardian
Section 128 and Schedule 10	Supervision
Section 170(1), to the extent necessary to bring into force the provisions of Schedule 15 specified in Appendix A hereto	Minor and consequential amendments
Section 170(2), to the extent necessary to bring into force the provisions of Schedule 16 specified in Appendix B hereto	Repeals
So much of Schedule 15 as is specified in Appendix A hereto	Minor and consequential amendments
So much of Schedule 16 as is specified in Appendix B hereto	Repeals

APPENDIX A

PROVISIONS OF SCHEDULE 15 COMING INTO FORCE ON 1st OCTOBER 1988

So much of Schedule 15 as amends the following enactments:–

The Prison Act 1952 (c.52).
Section 20A(1) of the Children and Young Persons Act 1969 (c.54).
Paragraph 3(2A)(b) of Schedule 3 to the Powers of Criminal Courts Act 1973 (c.62).
Section 133 of the Magistrates' Courts Act 1980 (c.43).

APPENDIX B

REPEALS TAKING EFFECT ON 1st OCTOBER 1988

Chapter	Short Title	Extent of repeal
15 and 16 Geo. 6. and 1 Eliz. 2. c.52	Prison Act 1952	Section 43(1)(b) and (c)
9 and 10 Eliz. 2. c.39	Criminal Justice Act 1961	Section 2.
1968 c.27	Firearms Act 1968	In section 21(2) the words "to borstal training; to corrective training for less than three years or". In section 52(1)(a), the words "preventive detention, corrective training, borstal training,".
1969 c.54	Children and Young Persons Act 1969	In section 16(10), the words from "and the provisions" to the end. Section 22(5). Section 34(1)(f).
1973 c.62	Powers of Criminal Courts Act 1973	In section 57(3), the definition of "detention centre".
1977 c.45	Criminal Law Act 1977	In Schedule 12, in the entry relating to the Children and Young Persons Act 1969, paragraph 4(b) and (c).
1980 c.9	Reserve Forces Act 1980	In Schedule 1, paragraph 5(c)(ii) and the word "or" immediately preceding it.
1982 c.48	Criminal Justice Act 1982	Sections 4 to 7. Section 12(1) to (5), (8) and (9). Section 14. Section 20(1). In Schedule 8, paragraphs 3(c) and 7(d).
1984 c.47	Repatriation of Prisoners Act 1984	In Schedule 1, paragraph 4.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st October 1988 sections 123, 125, 126, 127 and 128 of the Criminal Justice Act 1988 and associated amendments and repeals. These provisions introduce a new sentence of detention in a young offender institution, to replace the youth custody sentence and detention centre order, and amend certain provisions of the Children and Young Persons Act 1933 and the Children and Young Persons Act 1969 in relation to young offenders. The Order does not affect Scotland.