

1989 No. 264 (C.8)

CRIMINAL LAW, ENGLAND AND WALES
CRIMINAL LAW, SCOTLAND
CRIMINAL LAW, NORTHERN IRELAND

The Criminal Justice Act 1988 (Commencement No. 7)
Order 1989

Made - - - - 28th February 1989

In exercise of the powers conferred on 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. 7) Order 1989.

2. The provisions of the Criminal Justice Act 1988 specified in the Schedule to this Order shall come into force on 3rd April 1989 but the provisions specified in Part I of that Schedule shall not apply in the case of a trial, or proceedings before a magistrates' court acting as examining justices, which began before that date.

Home Office
28th February 1989

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

SCHEDULE

PROVISIONS OF THE CRIMINAL JUSTICE ACT 1988
COMING INTO FORCE ON 3RD APRIL 1989

PART I

<i>Provisions of the Act</i>	<i>Subject matter of provisions</i>
Part II and Schedule 2.	Documentary evidence in criminal proceedings.
Section 30.	Expert reports.
Section 31.	Form of evidence and glossaries.
So much of Schedule 16 as is specified in Part I of Appendix B hereto.	Repeals.

PART II

<i>Provisions of the Act</i>	<i>Subject matter of provisions</i>
Part VI (so far as not already in force) and Schedule 4.	Confiscation of the proceeds of an offence.
Section 151(5).	Meaning of "drug trafficking offence".
Schedule 5 (so far as not already in force).	Drug trafficking amendments.
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 Part II of Appendix B hereto.	Repeals.

APPENDIX A
PROVISIONS OF SCHEDULE 15 COMING INTO FORCE ON 3RD APRIL 1989

So much of Schedule 15 as relates to the following enactments:

Bankruptcy Act 1914 (c.59).
 Land Registration Act 1925 (c.21), section 49(1)(g).
 Rehabilitation of Offenders Act 1974 (c.53).
 Criminal Appeal (Northern Ireland) Act 1980 (c.47), sections 10, 17, 18 and 45(2)(d).
 Bankruptcy (Scotland) Act 1985 (c.66).
 Insolvency Act 1986 (c.45).

APPENDIX B
REPEALS TAKING EFFECT FROM 3RD APRIL 1989

PART I

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1984 c.60.	Police and Criminal Evidence Act 1984.	Section 68. In Schedule 3, paragraphs 1 to 7 and paragraph 13.

PART II

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1970 c.31.	Administration of Justice Act 1970.	Section 41(8).
1985 c.65.	Insolvency Act 1985.	In Schedule 8, paragraph 24.
1986 c.32.	Drug Trafficking Offences Act 1986.	In sections 19 and 25, the words specified.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 3rd April 1989 the provisions of the Criminal Justice Act 1988 providing for the admission of documentary evidence and expert reports and for the making of Crown Court Rules as to the form in which evidence is to be furnished (including glossaries). There are also brought into force on that date the remainder of Part VI of the 1988 Act providing for the confiscation of the proceeds of offences and associated amendments and repeals, and certain amendments to the Criminal Appeal (Northern Ireland) Act 1980 (c.47).

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act are brought into force by Commencement Order made before the date of this Order:

<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 123, Schedule 8, sections 125 to 128, Schedule 10, section 170(1) (partially), section 170(2) (partially), Schedule 15 (partially) and Schedule 16 (partially)	1.10.1988	1988/1408
Sections 33, 34, 37 to 39, 40 to 42, 49, 51 to 57, 59, 63, 70, 96, 97, 104 to 107, 121, 122, 131 to 133, 145, 147, 148, 155 to 157, 163 to 165, 170(1) (partially), 170(2) (partially), Schedule 11, Schedule 12, Schedule 15 (partially) and Schedule 16 (partially)	12.10.1988	1988/1676
Section 124 and Schedule 9, section 170(2) (partially), and Schedule 16 (partially)	1.11.1988	1988/1817 (S.169)
Sections 32 (partially), 50, 60 to 62, 118, 120, 130, 152 to 154, 170(1) (partially), 170(2) (partially), Schedule 15 (partially), Schedule 16 (partially)	5.1.1989	1988/2073
Sections 35 and 36, section 170(1) (partially), Schedule 3, Schedule 15 (partially)	1.2.1989	1989/1
Section 103, Schedule 5 (partially), section 170(2) (partially), Schedule 16 (partially)	23.1.1989	1989/50