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STATUTORY INSTRUMENTS

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**1997 No. 2200**

**The Crime (Sentences) Act 1997 (Commencement  
No. 2 and Transitional Provisions) Order 1997**

**2.—**(1) Subject to the transitional provisions and savings made by article 5 below, the following provisions of the 1997 Act shall come into force on 1st October 1997, namely—

- (a) in section 1, subsections (1) and (2) and, so far as relating to section 3, subsection (3);
- (b) section 2;
- (c) in section 3, subsections (1) to (5) and, so far as relating to that section, subsection (6);
- (d) section 5 so far as relating to sentences imposed under section 2(2) or 3(2);
- (e) section 6 so far as relating to serious offences within the meaning of section 2 or class A drug trafficking offences within the meaning of section 3;
- (f) sections 7, 28 to 34, 36 and 38;
- (g) section 41 and Schedule 1 so far as not already in force;
- (h) section 42 and, in Schedule 2, paragraphs 1 to 3, 5 to 7 and 9 to 11;
- (i) sections 44 to 47;
- (j) section 48 and Schedule 3;
- (k) sections 49 and 51 to 54;
- (l) section 55(1) and the provisions of Schedule 4 mentioned in paragraph (2) below;
- (m) in section 55(2), paragraph (a) so far as relating to sentences falling to be imposed under section 2(2) or 3(2), and paragraph (b);
- (n) section 56(1) and paragraphs 5 and 7 to 13 of Schedule 5;
- (o) section 56(2) and Schedule 6 so far as relating to the repeals in the Criminal Justice Act 1961(1), the 1973 Act, the 1983 Act and sections 4(1) and 12 of, and paragraph 14 of Schedule 2 to, the 1991 Act;
- (p) section 56(2) and Schedule 6 so far as they repeal the provisions of the 1991 Act mentioned in paragraph (3) below; and
- (q) section 57.

(2) The provisions of Schedule 4 to the 1997 Act referred to in paragraph (1)(1) above are—

- (a) in each of paragraphs 1 to 3, sub-paragraph (1) so far as relating to offences whose corresponding civil offences are offences to which section 2 would apply, and sub-paragraphs (2) and (4);
- (b) paragraphs 4 and 5;
- (c) in paragraph 6, sub-paragraph (1)(a);
- (d) in paragraph 8, sub-paragraphs (1) to (3) so far as relating to offences the sentences for which fall to be imposed under section 2(2) or 3(2), and sub-paragraph (4);

- (e) in paragraph 10, sub-paragraph (1);
  - (f) in paragraph 12, sub-paragraph (1), sub-paragraph (2) so far as relating to offences the sentences for which would otherwise fall to be imposed under section 3(2), and sub-paragraphs (3) and (5) to (19);
  - (g) paragraph 13 so far as relating to sentences required by section 2(2) or 3(2);
  - (h) in paragraph 15, sub-paragraphs (1), (8) and (9) so far as relating to offences the sentences for which fall to be imposed under section 2(2) or 3(2), sub-paragraph (4) so far as relating to section 3(2), sub-paragraph (5) so far as relating to sentences falling to be imposed under section 3(2), and sub-paragraphs (2), (3), (6), (7) and (10) to (13);
  - (i) paragraph 16; and
  - (j) paragraph 17 so far as relating to offences the sentences for which fall to be imposed under section 3(2).
- (3) The provisions of the 1991 Act referred to in paragraph (1)(p) above are—
- (a) section 34;
  - (b) in section 35, subsections (2) and (3);
  - (c) in section 36, subsection (1) so far as relating to life prisoners and, in subsection (2), the words “or life”;
  - (d) in section 37, subsection (3) and, so far as relating to life prisoners, subsections (4) and (5);
  - (e) in section 39, in subsection (1), the words “or life” and, in subsection (5), paragraph (a), the word “other” in paragraph (b) and the words “direction or”;
  - (f) in section 43, subsection (2) and, in subsection (3), the words “(whether short-term, long-term or life prisoners)” and the words “or (2)”;
  - (g) section 48; and
  - (h) in section 51, in subsection (1), the definitions of “discretionary life prisoner” and “life prisoner”, and subsection (3).
- (4) In paragraph (3) above “life prisoner” has the same meaning as in Part II of the 1991 Act.