
STATUTORY INSTRUMENTS

2000 No. 3283 (C.107)

CRIMINAL LAW, ENGLAND AND WALES

The Crime and Disorder Act 1998
(Commencement No. 8) Order 2000

Made - - - - 15th December 2000

In the exercise of the powers conferred upon him by section 121 of the Crime and Disorder Act 1998(1), the Secretary of State hereby makes the following Order:

1.—(1) This Order may be cited as the Crime and Disorder Act 1998 (Commencement No. 8) Order 2000.

(2) In this Order, “the 1998 Act” means the Crime and Disorder Act 1998.

2. To the extent that they are not already in force, the following provisions shall, subject to article 3 below, come into force on 15th January 2001:

- (a) sections 51 and 52 of the 1998 Act (no committal proceedings for indictable-only offences etc.)(2);
- (b) Schedule 3 of the 1998 Act (3);
- (c) paragraphs 3, 5(1)(a) and (2), 8, 12, 28, 29, 37, 40(2), 44, 45, 48, 49, 52(2), 63 to 67, 93 and 125(a), 126, 128 and 129 of Schedule 8 to the 1998 Act(4);
- (d) in Schedule 10, the entry relating to sections 125 and 126 of the Magistrates' Courts Act 1980(5).

(1) 1998 c. 37.

(2) These provisions of the 1998 Act were brought into force for certain areas by article 4(2) of the Crime and Disorder Act 1998 (Commencement No. 2 and Transitional Provisions) Order 1998 (S.I. 1998/2327) which was amended by the Crime and Disorder Act 1998 (Commencement No. 2 and Transitional Provisions) (Amendment) Order 1998 (S.I. 1998/2412) and by the Crime and Disorder Act 1998 (Commencement No. 7) Order 2000 (S.I. 2000/924).

(3) These provisions of the 1998 Act were brought into force for certain areas by article 4(2) of the Crime and Disorder Act 1998 (Commencement No. 2 and Transitional Provisions) Order 1998 (S.I. 1998/2327) which was amended by the Crime and Disorder Act 1998 (Commencement No. 2 and Transitional Provisions) (Amendment) Order 1998 (S.I. 1998/2412) and by the Crime and Disorder Act 1998 (Commencement No. 7) Order 2000 (S.I. 2000/924).

(4) These provisions of the 1998 Act were brought into force for certain areas by article 4(2) of the Crime and Disorder Act 1998 (Commencement No. 2 and Transitional Provisions) Order 1998 (S.I. 1998/2327) which was amended by the Crime and Disorder Act 1998 (Commencement No. 2 and Transitional Provisions) (Amendment) Order 1998 (S.I. 1998/2412) and by the Crime and Disorder Act 1998 (Commencement No. 7) Order 2000 (S.I. 2000/924).

(5) These provisions of the 1998 Act were brought into force for certain areas by article 4(2) of the Crime and Disorder Act 1998 (Commencement No. 2 and Transitional Provisions) Order 1998 (S.I. 1998/2327) which was amended by the Crime and Disorder Act 1998 (Commencement No. 2 and Transitional Provisions) (Amendment) Order 1998 (S.I. 1998/2412) and by the Crime and Disorder Act 1998 (Commencement No. 7) Order 2000 (S.I. 2000/924).

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3. In relation to any area not specified in Schedule 2 to the Crime and Disorder Act 1998 (Commencement No. 2 and Transitional Provisions) Order 1998, the provisions referred to in article 2 above shall apply only where the adult who appears or is brought before a magistrates' court in the proceedings in respect of which he is charged with an indictable-only offence, as provided for in section 51(1) of the 1998 Act, so appears or is brought before the court for the first time on or after 15th January 2001.

Home Office
15th December 2000

Jack Straw
One of Her Majesty's Principal Secretaries of
State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings fully into force on 15th January 2001 sections 51 and 52 of and Schedule 3 to the Crime and Disorder Act 1998 which provides that there shall be no committal proceedings for indictable-only offences. These provisions are already in force in the areas specified in Schedule 2 to the Crime and Disorder Act 1998 (Commencement No. 2 and Transitional Provisions) Order 1998. The Order also brings into force a number of minor and consequential amendments and repeals.

In relation to areas not specified in Schedule 2 to the 1998 Order, the provisions commenced by this Order apply only where the adult who appears or is brought before a magistrates' court in the proceedings in respect of which he is charged with an indictable-only offence, as provided for in section 51(1) of the 1998 Act, so appears or is brought before the court for the first time on or after 15th January 2001.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Crime and Disorder Act 1998 have been brought into force by commencement orders before the date of this Order.

<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 41 and 49 (both partially), 114, 116 and 117	1.8.98	1998/1883
Section 84 and Schedules 2 and 9 (both partially)	7.8.98	1998/1883
Sections 5 to 9, 10 (partially), 11 and 12, 13 (partially), 14 and 15, 17 and 18, 28 to 37, 38 to 40 (all partially only), 41 and 42, 43 (partially), 46 (partially), 47 and 48, 49 (partially), 50, 52 (partially), 53 to 64, 65 and 66 (both partially), 67 to 70, 71 (partially), 72, 82 and 83, 85 to 96, 97 (partially), 100 (partially), 101 and 102, 104 to 108, 110 to 113, 115, 118, 119 and 120 and Schedules 2, 3 (partially), 4 to 7, and 8 to 10 (all partially only)	30.9.98	1998/2327
Sections 2 and 3, 4 (partially), 16, 20, 21 and 22 (both partially), 23, 24, 26 (partially)	1.12.98	1998/2327 (as amended by 1998/2906)

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<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
and Schedules 1 and 8 (partially)		
Section 103 and Schedules 8, 9 and 10 (all partially only)	1.1.99	1998/3263
Sections 51 and 52 and Schedules 3, 8 and 10 (both partially)	4.1.99	1998/2327
Sections 99 and 100 and Schedule 9 (partially)	28.1.99	1998/3263
Sections 25 to 27	1.3.99	1998/3263
Sections 1, 4, 19, 21, 22 and 71 (partially)	1.4.99	1998/3263
Sections 43 to 45, 97 and 98 and Schedules 8 and 10 (both partially)	1.6.99	1999/1279
Sections 80 and 81 and Schedule 9 (partially)	1.7.99	1998/3263
Sections 46 and 49	1.11.99	1999/2976
Section 40	1.1.00	1999/3426
Sections 73 and 79, Schedule 8 (partially) and Schedule 10 (partially)	1.4.00	1999/3426
Sections 38, 39, 65 and 66 (all partially) and Schedules 8 to 10 (all partially),	1.4.00	2000/924
Sections 10, 65, 66, 13 and 71 (all partially) and Schedules 8 and 9 (both partially)	1.6.00	2000/924