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STATUTORY INSTRUMENTS

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**2004 No. 1629**

**The Criminal Justice Act 2003 (Commencement  
No. 4 and Saving Provisions) Order 2004**

**3.**—(1) Subject to paragraphs (3) and (4), the provisions of the 2003 Act listed in paragraph (2) shall come into force on 1<sup>st</sup> September 2004.

(2) The provisions referred to in paragraph (1) are—

- (a) section 313 (extension of investigations by Criminal Cases Review Commission in England and Wales);
- (b) section 314 (extension of investigations by Criminal Cases Review Commission in Northern Ireland);
- (c) section 316 (power to substitute conviction of alternative offence on appeal in England and Wales);
- (d) section 317 (power to substitute conviction of alternative offence on appeal in Northern Ireland);
- (e) section 318 (substitution of conviction on different charge on appeal from court-martial);
- (f) section 331 (further minor and consequential amendments ) in so far as it relates to the provisions referred to in sub-paragraph (g);
- (g) in Schedule 36 (further minor and consequential amendments), paragraphs 86, 89 and 97.

(3) A direction under section 23A of the Criminal Appeal Act 1968<sup>(1)</sup> may not be made in relation to an application for leave to appeal made before the commencement of section 313 of the 2003 Act.

(4) A direction under section 25A of the Criminal Appeal (Northern Ireland) Act 1980<sup>(2)</sup> may not be made in relation to an application for leave to appeal made before the commencement of section 314 of the 2003 Act.

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(1) 1968 c. 19. Section 23A is amended by section 313 of the 2003 Act.

(2) 1980 c. 47. Section 25A is amended by section 314 of the 2003 Act.