
STATUTORY INSTRUMENTS

2004 No. 81

**The Criminal Justice Act 2003 (Commencement
No. 2 and Saving Provisions) Order 2004**

2.—(1) The provisions of the 2003 Act listed in paragraph (2) shall come into force on 20th January 2004.

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

- (a) sections 1, 2, 4, 6 to 8, 11 and 12 and Schedule 1 (amendments of the Police and Criminal Evidence Act 1984⁽¹⁾);
- (b) sections 294 to 297 (offenders transferred to mental hospital);
- (c) section 306 (limit on period of detention without charge of suspected terrorists);
- (d) section 320 (offence of outraging public decency triable either way);
- (e) section 329 (civil proceedings for trespass to the person brought by offender);
- (f) section 332 (repeals) in so far as it relates to the entries in Schedule 37 referred to in subparagraph (g); and
- (g) in Part 1 of Schedule 37 (repeals) the entries relating to—
 - (i) the Police and Criminal Evidence Act 1984 save for the reference to section 63(3)(a) of that Act;
 - (ii) the Criminal Justice and Public Order Act 1994⁽²⁾;
 - (iii) the Armed Forces Act 2001⁽³⁾; and
 - (iv) the Police Reform Act 2002⁽⁴⁾.

(3) The commencement of section 306 of the 2003 Act does not alter the period of time that may be authorised by a warrant of further detention under Part III of Schedule 8 to the 2000 Act in relation to a person—

- (a) arrested before 20th January 2004 under section 41 of the 2000 Act; or
- (b) arrested on or after 20th January 2004 under section 41 of the 2000 Act if at the time of that arrest he was detained under Schedule 7 to that Act and his examination under that Schedule began before 20th January 2004.

(1) 1984 c. 60.
(2) 1994 c. 33.
(3) 2001 c. 19.
(4) 2002 c. 30.