
STATUTORY INSTRUMENTS

2004 No. 81

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

4.—(1) The provisions of the 2003 Act listed in paragraph (2) shall come into force on 29th January 2004.

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

- (a) section 3 (arrestable offences);
- (b) section 25 (code of practice);
- (c) section 28 and Schedule 2 (charging or release of persons in police detention), except new section 37B(8) and (9)(a) of the Police and Criminal Evidence Act 1984⁽¹⁾;
- (d) section 31 (removal of requirement to substantiate information on oath);
- (e) section 49 (rules of court);
- (f) section 55 (rules of court);
- (g) section 73 (rules of court);
- (h) section 93 (rules of court);
- (i) section 111 (rules of court);
- (j) section 132 (rules of court);
- (k) section 284 and Schedule 28 (increase in penalties for drug-related offences);
- (l) section 286 (increase in penalties for offences under section 174 of the Road Traffic Act 1988⁽²⁾);
- (m) section 328 (criminal record certificates: amendments of Part 5 of Police Act 1997⁽³⁾) in so far as it relates to the entries in Schedule 35 referred to in sub-paragraph (o);
- (n) section 332 (repeals) in so far as it relates to the entries in Schedule 37 referred to in sub-paragraph (p);
- (o) in Schedule 35 (criminal record certificates: amendments of Part 5 of the Police Act 1997)
 - (i) paragraphs 1, 2, 3(1), (2)(b) and (c), 4(1), (2)(b) and (c), 7, 10 and 11; and
 - (ii) for the purpose of making regulations only, paragraphs 4(3) and 5; and
- (p) in Part 11 of Schedule 37 (repeals), the entry relating to section 120(3) of the Police Act 1997.

⁽¹⁾ New section 37B is inserted by paragraph 3 of Schedule 2 to the 2003 Act.

⁽²⁾ 1988 c. 53.

⁽³⁾ 1997 c. 50.