STATUTORY INSTRUMENTS

2006 No. 3423 (C. 131)

CRIMINAL LAW

The Domestic Violence, Crime and Victims Act 2004 (Commencement No. 7 and Transitional Provision) Order 2006

Made - - - - *19th December 2006*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 60 and 61(1) of the Domestic Violence, Crime and Victims Act 2004(**1**):

Citation and interpretation

1.—(1) This Order may be cited as the Domestic Violence, Crime and Victims Act 2004 (Commencement No. 7 and Transitional Provision) Order 2006.

(2) In this Order "the 2004 Act" means the Domestic Violence, Crime and Victims Act 2004.

Commencement

2. Subject to article 3, the following provisions of the 2004 Act shall come into force on 8th January 2007—

(a) sections 17 to 21 (trial by jury of sample counts only);

(b) section 30 (prosecution appeals);

(c) section 56 (grants for assisting victims, witnesses etc);

(d) section 58(1) (minor and consequential amendments) in so far as it relates to the provision referred to in paragraph (f);

(e) Schedule 1 (modifications of sections 17 to 20 for Northern Ireland); and

(f) paragraph 62 of Schedule 10.

Transitional provision

3. The coming into force of sections 17 to 20 of the 2004 Act has no effect in relation to cases where one of the following events has occurred before 8th January 2007—

(a) the defendant has been committed for trial;

(**1**) 2004 c. 28.

(b) a notice of transfer has been given under section 4 of the Criminal Justice Act 1987 (serious or complex fraud)(**2**) or Article 3 of the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988(**3**);

(c) a notice of transfer has been given under section 53 of the Criminal Justice Act 1991 (cases involving children)(**4**) or Article 4 of the Children's Evidence (Northern Ireland) Order 1995(**5**); or

(d) the prosecution evidence has been served on the defendant in a case sent for trial under section 51 of the Crime and Disorder Act 1998(**6**).

Home Office	*Scotland of Asthal, Q.C.*
19th December 2006	Minister of State

(**2**) 1987 c.38.
(**3**) S.I. 1988/1846 (N.I.16).
(**4**) 1991 c.53.
(**5**) S.I. 1995/757 (N.I.3).
(**6**) 1998 c. 37.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 8th January 2007 the provisions of the Domestic Violence, Crime and Victims Act 2004 specified in article 2, subject to the transitional provision in article 3.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

Provision	Date of Commencement	S.I. No.
Sections 2 to 3	5th December 2005	2005/3196
Sections 5 to 8	21st March 2005	2005/579
Section 10(2)	1st July 2005	2005/1705
Section 11	31st March 2005	2005/579
Sections 22 to 26	31st March 2005	2005/579
Section 27	18th July 2005	2005/1821
Sections 28 to 29	31st March 2005	2005/579
Section 31	31st March 2005	2005/579
Sections 32 to 34	12th October 2005	2005/2848
Sections 35 to 45	1st July 2005	2005/1705
Section 47	12th October 2005	2005/2848
Section 54 (in part)	12th October 2005	2005/2848
Section 55	4th October 2006	2006/2662
Section 58 (in part)	21st March 2005	2005/579
(in part)	31st March 2005	2005/579
(in part)	1st July 2005	2005/1705
Section 59 (in part)	21st March 2005	2005/579
(in part)	31st March 2005	2005/579
(in part)	1st July 2005	2005/1705
Schedule 2	31st March 2005	2005/579
Schedule 3	31st March 2005	2005/579
Schedule 4	18th July 2005	2005/1821
Schedule 5	31st March 2005	2005/579
Schedule 6	31st March 2005	2005/579

Provision	Date of Commencement	S.I. No.
Schedule 7	12th October 2005	2005/2848
Schedule 10 (in part)	21st March 2005	2005/579
(in part)	31st March 2005	2005/579
(in part)	1st July 2005	2005/1705
(in part)	5th December 2005	2005/3196
Schedule 11 (in part)	21st March 2005	2005/579
(in part)	31st March 2005	2005/579
(in part)	1st July 2005	2005/1705
(in part)	5th December 2005	2005/3196
Schedule 12 (in part)	21st March 2005	2005/579
(in part)	31st March 2005	2005/579
(in part)	1st July 2005	2005/1705