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STATUTORY INSTRUMENTS

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**2008 No. 3260 (C. 149)**

**REHABILITATION OF OFFENDERS,  
ENGLAND AND WALES  
POLICE, ENGLAND AND WALES  
CRIMINAL LAW, ENGLAND**

The Criminal Justice and Immigration Act  
2008 (Commencement No. 5) Order 2008

*Made - - - - 18th December 2008*

The Secretary of State, in exercise of the powers conferred by section 153(5)(a) and (7) of the Criminal Justice and Immigration Act 2008<sup>(1)</sup>, makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Criminal Justice and Immigration Act 2008 (Commencement No. 5) Order 2008.

(2) In this Order, “the 2008 Act” means the Criminal Justice and Immigration Act 2008.

**Appointed Dates**

2.—(1) The date appointed for the coming into force of the following provisions of the 2008 Act is the day after the day on which this Order is made —

- (a) section 49 (Protection for spent cautions under Rehabilitation of Offenders Act 1974);
- (b) section 50 (Criminal conviction certificates and criminal record certificates);
- (c) section 148(2) (Consequential etc. amendments and transitional and saving provision) in so far as it relates to the entries in sub-paragraph (e);
- (d) Schedule 10 (protection for spent cautions under Rehabilitation of Offenders Act 1974); and
- (e) paragraphs 19 and 20 of Schedule 27 (Consequential etc. amendments and transitional and saving provision).

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(2) The date appointed for the coming into force of the following provisions of the 2008 Act in relation to English NHS premises is 1st January 2009—

- (a) section 119(4) (Offence of causing nuisance or disturbance on NHS premises);
- (b) section 120(5) and (6) (Power to remove person causing nuisance or disturbance); and
- (c) section 121(1) to (3), (5) and (6) (Guidance about the power to remove etc.).

Signed by the authority of the Secretary of State

18th December 2008

*Maria Eagle*  
Parliamentary Under Secretary of State  
Ministry of Justice

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force the provisions of the Criminal Justice and Immigration Act 2008 (c.4) set out in article 2(1) on the day after this Order is made. The provisions detailed in article 2(2) come into force on 1 January 2009.

The provisions specified in article 2(2) are commenced in relation to English NHS premises only. Commencement of these provisions in relation to Welsh NHS premises is a matter for the Welsh Ministers.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Criminal Justice and Immigration Act 2008 have been brought into force by a commencement order made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 10	14 July 2008	<a href="#">2008/1586</a>
Section 11 (partially)	14 July 2008	<a href="#">2008/1586</a>
Section 12	14 July 2008	<a href="#">2008/1586</a>
Section 13	14 July 2008	<a href="#">2008/1586</a>
Section 14	14 July 2008	<a href="#">2008/1586</a>
Section 15	14 July 2008	<a href="#">2008/1586</a>
Section 16	14 July 2008	<a href="#">2008/1586</a>
Section 17	14 July 2008	<a href="#">2008/1586</a>
Section 18	14 July 2008	<a href="#">2008/1586</a>
Section 20	14 July 2008	<a href="#">2008/1586</a>
Section 21 (partially)	3 November 2008	<a href="#">2008/2712</a>
Section 22	3 November 2008	<a href="#">2008/2712</a>
Section 23	3 November 2008	<a href="#">2008/2712</a>
Section 24	14 July 2008	<a href="#">2008/1586</a>
Section 25	14 July 2008	<a href="#">2008/1586</a>
Section 26 (partially)	9 June 2008	<a href="#">2008/1466</a>
Section 27	14 July 2008	<a href="#">2008/1586</a>
Section 28	14 July 2008	<a href="#">2008/1586</a>
Section 29 (partially)	14 July 2008	<a href="#">2008/1586</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 30	14 July 2008	2008/1586
Section 31	14 July 2008	2008/1586
Section 32	14 July 2008	2008/1586
Section 33 (partially)	3 November 2008	2008/2712
Section 34 (partially)	3 November 2008	2008/2712
Section 38	14 July 2008	2008/1586
Section 40	14 July 2008	2008/1586
Section 41	3 November 2008	2008/2712
Section 42	14 July 2008	2008/1586
Section 43	14 July 2008	2008/1586
Section 44	14 July 2008	2008/1586
Section 45	14 July 2008	2008/1586
Section 46 (partially)	14 July 2008	2008/1586
Section 47	14 July 2008	2008/1586
Section 51	3 November 2008	2008/2712
Section 52	14 July 2008	2008/1586
Section 54	14 July 2008	2008/1586
Section 55	14 July 2008	2008/1586
Section 56	14 July 2008	2008/1586
Section 57	14 July 2008	2008/1586
Section 58	14 July 2008	2008/1586
Section 59	14 July 2008	2008/1586
Section 60	3 November 2008	2008/2712
Section 61	1 December 2008	2008/2993
Section 63	26 January 2009	2008/2993
Section 64	26 January 2009	2008/2993
Section 65	26 January 2009	2008/2993
Section 66	26 January 2009	2008/2993
Section 67	26 January 2009	2008/2993
Section 68	26 January 2009	2008/2993
Section 71	26 January 2009	2008/2993
Section 72	14 July 2008	2008/1586
Section 73	14 July 2008	2008/1586
Section 76	14 July 2008	2008/1586

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 93	14 July 2008	2008/1586
Section 94	14 July 2008	2008/1586
Section 95	14 July 2008	2008/1586
Section 96	14 July 2008	2008/1586
Section 97	14 July 2008	2008/1586
Section 118	1 December 2008	2008/2993
Section 126 (partially)	14 July 2008	2008/1586
(partially)	3 November 2008	2008/2712
(partially)	1 December 2008	2008/2993
Section 127 (partially)	3 November 2008	2008/2712
(partially)	1 December 2008	2008/2993
Section 129	3 November 2008	2008/2712
Section 140	14 July 2008	2008/1586
Section 141	14 July 2008	2008/1586
Section 142	14 July 2008	2008/1586
Section 148 (partially)	9 June 2008	2008/1466
(partially)	14 July 2008	2008/1586
(partially)	15 July 2008	2008/1586
(partially)	3 November 2008	2008/2712
(partially)	1 December 2008	2008/2993
(partially)	26 January 2009	2008/2993
Section 149 (partially)	14 July 2008	2008/1586
(partially)	3 November 2008	2008/2712
(partially)	1 December 2008	2008/2993
Schedule 5	14 July 2008	2008/1586
Schedule 6	3 November 2008	2008/2712
Schedule 8	14 July 2008	2008/1586
Schedule 11	3 November 2008	2008/2712
Schedule 14	26 January 2009	2008/2993
Schedule 15	14 July 2008	2008/1586
Schedule 20	1 December 2008	2008/2993
Schedule 22 (partially)	14 July 2008	2008/1586
(partially)	3 November 2008	2008/2712
(partially)	1 December 2008	2008/2993

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 23 (partially)	3 November 2008	<a href="#">2008/2712</a>
(partially)	1 December 2008	<a href="#">2008/2993</a>
Schedule 24	14 July 2008	<a href="#">2008/1586</a>
Schedule 26 (partially)	9 June 2008	<a href="#">2008/1466</a>
(partially)	14 July 2008	<a href="#">2008/1586</a>
(partially)	15 July 2008	<a href="#">2008/1586</a>
(partially)	3 November 2008	<a href="#">2008/2712</a>
(partially)	26 January 2009	<a href="#">2008/2993</a>
Schedule 27 (partially)	9 June 2008	<a href="#">2008/1466</a>
(partially)	14 July 2008	<a href="#">2008/1586</a>
(partially)	1 December 2008	<a href="#">2008/2993</a>
(partially)	26 January 2009	<a href="#">2008/2993</a>
Schedule 28 (partially)	14 July 2008	<a href="#">2008/1586</a>
(partially)	3 November 2008	<a href="#">2008/2712</a>
(partially)	1 December 2008	<a href="#">2008/2993</a>