
STATUTORY INSTRUMENTS

2009 No. 1028 (C. 61)

DEFENCE

**The Criminal Justice and Immigration Act
2008 (Commencement No. 8) Order 2009**

Made - - - - 22nd April 2009

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

1. This order may be cited as the Criminal Justice and Immigration Act 2008 (Commencement No 8) Order 2009.

2. Section 145 (amendments to armed forces legislation) of the Criminal Justice and Immigration Act 2008 shall come into force on 31st October 2009 so far as is necessary to bring into force the provisions specified in paragraphs (a) and (b)—

- (a) Schedule 25, Part 1 (amendments to the Courts-Martial (Appeals) Act 1968⁽²⁾), paragraphs 1 to 9; and
- (b) Schedule 25, Part 2 (amendments to the Armed Forces Act 2006⁽³⁾), paragraphs 10 to 23, 26 (1) and (2) and 28 to 33.

22nd April 2009

Kevan Jones
Parliamentary Under Secretary of State
Ministry of Defence

(1) 2008 c. 4
(2) 1968 c. 20
(3) 2006 c. 52

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 31st October 2009 amendments to the Courts-Martial (Appeals) Act 1968 (c. 20) and the Armed Forces Act 2006 (c. 52) made by the provisions specified in article 2. They make equivalent provisions, with modifications to reflect the Service context, to those introduced in the civilian system by the Criminal Justice and Immigration Act regarding appeals following references by the Criminal Cases Review Commission, sentencing, dangerous offenders, review of sentence on reference by the Attorney General, compensation for miscarriages of justice, imposition of unpaid work requirement for breach of community punishments and suspended prison sentences.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (partially)	1 April 2009	2009/860
Section 10	14 July 2008	2008/1586
Section 11 (partially)	14 July 2008	2008/1586
Section 12	14 July 2008	2008/1586
Section 13	14 July 2008	2008/1586
Section 14	14 July 2008	2008/1586
Section 15	14 July 2008	2008/1586
Section 16	14 July 2008	2008/1586
Section 17	14 July 2008	2008/1586
Section 18	14 July 2008	2008/1586
Section 20	14 July 2008	2008/1586
Section 21 (partially)	3 November 2008	2008/2712
Section 22	3 November 2008	2008/2712
Section 23	3 November 2008	2008/2712
Section 24	14 July 2008	2008/1586
Section 25	14 July 2008	2008/1586
Section 26 (partially)	9 June 2008	2008/1466
Section 27	14 July 2008	2008/1586
Section 28	14 July 2008	2008/1586
Section 29 (partially)	14 July 2008	2008/1586
Section 30	14 July 2008	2008/1586

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Section 1 (partially)	1 April 2009	2009/860
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 35	27 April 2009	2009/860
Section 36	27 April 2009	2009/860
Section 37	27 April 2009	2009/860
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 48 (partially)	1 February 2009	2009/140
Section 49	19 December 2008	2008/3260
Section 50	19 December 2008	2008/3260
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

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (partially)	1 April 2009	2009/860
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
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 119 (partially)	1 January 2009	2008/3260
Section 120 (partially)	1 January 2009	2008/3260
Section 121 (partially)	1 January 2009	2008/3260
Section 123	1 February 2009	2009/140
Section 124	1 February 2009	2009/140
Section 125 (partially)	1 April 2009	2009/860
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 143 (partially)	1 April 2009	2009/860
Section 146 (partially)	1 April 2009	2009/860
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)	19 December 2008	2008/3260

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Section 1 (partially)	1 April 2009	2009/860
(partially)	26 January 2009	2008/2993
Section 148 (partially)	1 February 2009	2009/140
Section 148 (partially)	1 April 2009	2009/860
(partially)	27 April 2009	2009/860
Section 149 (partially)	14 July 2008	2008/1586
(partially)	3 November 2008	2008/2712
(partially)	1 December 2008	2008/2993
(partially)	1 April 2009	2009/860
(partially)	27 April 2009	2009/860
Schedule 1 (partially)	1 April 2009	2009/860
Schedule 5	14 July 2008	2008/1586
Schedule 6	3 November 2008	2008/2712
Schedule 8	14 July 2008	2008/1586
Schedule 9 (partially)	1 February 2009	2009/140
(partially)	1 April 2009	2009/860
Schedule 10	19 December 2008	2008/3260
Schedule 11	3 November 2008	2008/2712
Schedule 14	26 January 2008	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
Schedule 23 (partially)	3 November 2008	2008/2712
(partially)	1 December 2008	2008/2993
Schedule 24	14 July 2008	2008/1586
Schedule 26 (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)	26 January 2009	2008/2993
(partially)	27 April 2009	2009/860
Schedule 27 (partially)	9 June 2008	2008/1466
(partially)	14 July 2008	2008/1586

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(partially)	1 December 2008	2008/2993
(partially)	19 December 2008	2008/3260
(partially)	26 January 2009	2008/2993
(partially)	1 February 2009	2009/140
(partially)	1 April 2009	2009/860
Schedule 28 (partially)	14 July 2008	2008/1586
(partially)	3 November 2008	2008/2712
(partially)	1 December 2008	2008/2993
(partially)	1 April 2009	2009/860
(partially)	27 April 2009	2009/860