

2011 No. 2148 (C. 77)

CRIMINAL PROCEDURE, ENGLAND AND WALES

**The Coroners and Justice Act 2009 (Commencement No. 8)
Order 2011**

Made - - - -

25th August 2011

The Secretary of State makes the following Order in exercise of the powers conferred by sections 176(3)(a) and 182(5) of the Coroners and Justice Act 2009^(a):

Citation and interpretation

1. This Order may be cited as the Coroners and Justice Act 2009 (Commencement No. 8) Order 2011.

Appointed day

2.—(1) The following provisions of the Coroners and Justice Act 2009 come into force on 3rd October 2011 in the relevant local justice areas^(b)—

- (a) in section 106 (directions to attend through live link), subsection (3), and subsection (1) so far as it relates to that subsection;
- (b) section 107 (answering to live link bail);
- (c) section 108 (searches of persons answering to live link bail);
- (d) section 178 (repeals), so far as it relates to the provisions specified in sub-paragraph (e); and
- (e) in Schedule 23 (repeals), the repeals in Part 3 (criminal evidence and procedure) relating to the Police and Criminal Evidence Act 1984^(c) and to section 57C of the Crime and Disorder Act 1998^(d).

(2) The relevant local justice areas are: Central Hertfordshire; Chester, Ellesmere Port and Neston; East Hertfordshire; Halton; Macclesfield; North Hertfordshire; South Cheshire; Vale Royal; Warrington; and West Hertfordshire.

Signed by the authority of the Secretary of State

25th August 2011

Nick Herbert
Minister of State
Ministry of Justice

(a) 2009 c. 25.

(b) The local justice areas into which England and Wales is divided are specified in the Local Justice Areas Order 2005 (S.I. 2005/554), to which there are amendments not relevant to this Order.

(c) 1984 c. 60.

(d) 1998 c. 37.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 3rd October 2011 the provisions of the Coroners and Justice Act 2009 (c. 25) (“the 2009 Act”) set out in article 2(1), but only in certain local justice areas (article 2(2)).

Section 106 of the 2009 Act amends section 57C of the Crime and Disorder Act 1998 (c. 37), which concerns the use of “live links” at preliminary hearings in magistrates’ courts where the accused is at a police station. A live link is a video-link between a court and a police station. The amendment replaces the requirement that the court obtain the consent of the accused before giving a live link direction with a new requirement that the court be satisfied that it is not contrary to the interests of justice to make such a direction. Section 107 of the 2009 Act makes consequential amendments to sections 46ZA and 46A of the Police and Criminal Evidence Act 1984 (c. 60) (“the 1984 Act”).

Section 108 of the 2009 Act inserts new sections 54B and 54C of the 1984 Act, and paragraph 27A of Schedule 4 to the Police Reform Act 2002, to allow persons answering to live link bail at a police station to be searched.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Coroners and Justice Act 2009 (c. 25) have been brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 35	01.02.2010	2010/145
Section 52	04.10.2010	2010/816
Section 53	01.06.2011	2011/182 (N.I.)
Section 54 to 55 (partially)	04.10.2010	2010/816
(fully in force)	01.06.2011	2011/182 (N.I.)
Section 56 (partially)	04.10.2010	2010/816
	01.06.2011	2011/182 (N.I.)
Section 57	04.10.2010	2010/816
Section 58	01.06.2011	2011/182 (N.I.)
Sections 59 to 61	01.02.2010	2010/145
Sections 62 to 71	06.04.2010	2010/816
Section 72	01.02.2010	2010/145
Section 74 (partially)	06.04.2010	2010/816
(fully in force)	18.04.2011	2011/182 (N.I.)
Section 75 (partially)	06.04.2010	2010/816
	18.04.2011	2011/182 (N.I.)
	02.05.2011	2011/1122
Section 76 (partially)	06.04.2010	2010/816
	18.04.2011	2011/182 (N.I.)
Section 77 (partially)	06.04.2010	2010/816
	18.04.2011	2011/182 (N.I.)
	02.05.2011	2011/1122
Section 78 (partially)	06.04.2010	2010/816
(fully in force)	18.04.2011	2011/182 (N.I.)
Section 79 to 80 (partially)	06.04.2010	2010/816
	18.04.2011	2011/182 (N.I.)

Section 81 (partially)	06.04.2010	2010/816
	18.04.2011	2011/182 (N.I.)
	02.05.2011	2011/1122
Section 82 (partially)	06.04.2010	2010/816
(fully in force)	18.04.2011	2011/182 (N.I.)
Section 83 (partially)	06.04.2010	2010/816
	18.04.2011	2011/182 (N.I.)
Section 84	06.04.2010	2010/816
Section 85 (partially)	06.04.2010	2010/816
(fully in force)	18.04.2011	2011/182 (N.I.)
Sections 98 to 103	27.06.2011	2011/1452
Section 105	27.06.2011	2011/1452
Section 106 (partially)	14.12.2009	2009/3253
Section 107 (partially)	14.12.2009	2009/3253
Section 108 (partially)	14.12.2009	2009/3253
Section 109 to 110	14.12.2009	2009/3253
Section 111	27.06.2011	2011/1452
Section 112	01.02.2010	2010/145
Section 113	06.04.2010	2010/816
Section 114 to 115	01.02.2010	2010/145
Section 118 (partially)	01.02.2010	2010/145
(fully in force)	06.04.2010	2010/816
Section 119 to 136	06.04.2010	2010/816
Section 139	12.01.2010	2010/28
Sections 140 to 141	01.02.2010	2010/145
Section 142	31.01.2010	2010/145
Section 144 (partially)	15.08.2010	2010/1858
	18.04.2011	2011/182 (N.I.)
Section 145	02.08.2010	2010/1858
Section 146 to 147	06.04.2010	2010/816
Section 149 to 150	01.02.2010	2010/145
Section 153	01.02.2010	2010/145
Section 155 to 172	06.04.2010	2010/816
Section 173 (partially)	01.02.2010	2010/145
(fully in force)	06.04.2010	2010/816
Section 174	01.02.2010	2010/145
Section 175 (partially)	01.02.2010	2010/145
	06.04.2010	2010/816
Section 177 (partially)	12.01.2010	2010/28
	01.02.2010	2010/145
	06.04.2010	2010/816
	04.10.2010	2010/816
	02.08.2010	2010/1858
	15.08.2010	2010/1858
	18.04.2011	2011/182 (N.I.)
	27.06.2011	2011/1452
Section 178 (partially)	31.01.2010	2010/145
	01.02.2010	2010/145
	06.04.2010	2010/816
	04.10.2010	2010/816
	15.08.2010	2010/1858
	01.06.2011	2011/182 (N.I.)
	27.06.2011	2011/1452

Section 180	01.02.2010	2010/145
Schedule 8	01.02.2010	2010/145
Schedule 12	01.02.2010	2010/145
Schedule 13	06.04.2010	2010/816
Schedule 14	27.06.2011	2011/1452
Schedule 15 (partially)	01.02.2010	2010/145
(fully in force)	06.04.2010	2010/816
Schedule 17 (partially)	15.08.2010	2010/1858
	18.04.2011	2011/182 (N.I.)
Schedule 19	06.04.2010	2010/816
Schedule 20 (partially)	01.02.2010	2010/145
	06.04.2010	2010/816
Schedule 21 (partially)	01.02.2010	2010/145
	06.04.2010	2010/816
	04.10.2010	2010/816
	27.06.2011	2011/1452
Schedule 22 (partially)	12.01.2010	2010/28
	01.02.2010	2010/145
	06.04.2010	2010/816
	02.08.2010	2010/1858
	15.08.2010	2010/1858
	18.04.2011	2011/182 (N.I.)
	27.06.2011	2011/1452
Schedule 23 (partially)	31.01.2010	2010/145
	01.02.2010	2010/145
	06.04.2010	2010/816
	04.10.2010	2010/816
	02.08.2010	2010/1858
	15.08.2010	2010/1858
	01.06.2011	2011/182 (N.I.)
	27.06.2011	2011/1452

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