

**2013 No. 2200 (C. 90)**

**FAMILY PROCEEDINGS**

**SENIOR COURTS OF ENGLAND AND WALES**

**COUNTY COURTS, ENGLAND AND WALES**

**MAGISTRATES' COURTS, ENGLAND AND WALES**

**JUDICIAL APPOINTMENTS AND DISCIPLINE**

**SUPREME COURT OF THE UNITED KINGDOM**

**TRIBUNALS AND INQUIRIES**

**The Crime and Courts Act 2013 (Commencement No. 4) Order  
2013**

*Made* - - - -

*3rd September 2013*

The Lord Chancellor makes the following Order in exercise of the powers conferred by section 61(3) of the Crime and Courts Act 2013<sup>(a)</sup>:

**Citation**

1. This Order may be cited as the Crime and Courts Act 2013 (Commencement No. 4) Order 2013.

**Provisions coming into force on 4th September 2013**

2. The following provisions of the Crime and Courts Act 2013 come into force on 4th September 2013—

- (a) section 17(4);
- (b) section 20, for the purpose of commencing Part 3 of Schedule 13; and
- (c) Part 3 of Schedule 13.

### **Provisions coming into force on 1st October 2013**

**3.** The following provisions of the Crime and Courts Act 2013 come into force on 1st October 2013—

- (a) section 20, for the purpose of commencing Parts 1 and 4 of Schedule 13;
- (b) section 21;
- (c) section 30;
- (d) Part 1 of Schedule 13;
- (e) subject to article 4 and sub-paragraph (f) of this article, Part 4 of Schedule 13;
- (f) paragraph 49(6)(a) of Schedule 13 only to the extent that it applies to the Coroner for Treasure; and
- (g) Schedule 14.

### **Provision not coming into force on 1st October 2013**

**4.** In so far as it relates to sections 85 to 97 and 99 of the Constitutional Reform Act 2005<sup>(a)</sup> (which relate to appointments) the entry in paragraph 41(4) of Schedule 13 to the Crime and Courts Act 2013 referring to Justice of the Peace appointed under section 10(1) of the Courts Act 2003 (justices of the peace other than District Judges (Magistrates' Courts)) does not come into force on 1st October 2013.

### **Provision coming into force on 1st November 2013**

**5.** Section 22 of the Crime and Courts Act 2013 comes into force on 1st November 2013.

### **Amendment of the Crime and Courts Act 2013 (Commencement No. 3) Order 2013**

**6.** In article 3 of the Crime and Courts Act 2013 (Commencement No. 3) Order 2013<sup>(b)</sup>, omit paragraph (b).

3rd September 2013

*Chris Grayling*  
Lord Chancellor

### **EXPLANATORY NOTE**

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

This Order is the fourth commencement order made under the Crime and Courts Act 2013 (c. 22) (“the Act”).

This Order commences a number of provisions of the Act on 4th September 2013, on 1<sup>st</sup> October 2013 and on 1<sup>st</sup> November 2013.

The provisions which are commenced on 4th September 2013 are—

- section 17(4) (which provides for the repeal of Part 2 of the Children Schools and Families Act 2010 and related provisions);

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(a) 2005 c.4.  
(b) S.I. 2013/1725.

- section 20 (which provides for Schedule 13, concerning judicial appointments, to have effect), for the purpose of bringing Part 3 of Schedule 13 into force;
- Part 3 of Schedule 13 (Judicial Appointments Commission).

The provisions which are commenced on 1<sup>st</sup> October 2013 are—

- section 20 for the purpose of bringing Parts 1 and 4 of Schedule 13 into force;
- section 21 which makes provision about deployment of the judiciary;
- section 30 which amends Part 3 of the Constitutional Reform Act 2005 to insert sections 51A to 51E. These provisions provide for Supreme Court security officers with specified powers;
- Part 1 (judges of the Supreme Court: number and selection) of Schedule 13;
- Part 4 (judicial appointments: selection, and transfer of powers of Lord Chancellor) of Schedule 13;
- Schedule 14 (deployment of the judiciary).

The entry relating to Justices of the Peace (who are not District Judges (Magistrates' Courts)) in paragraph 41 of Schedule 13 to the Act in so far as it relates to sections 85 to 97 and 99 of the Act (which relate to appointment) does not come into force on 1<sup>st</sup> October 2013 but it does come into force for all other purposes on 1<sup>st</sup> October 2013.

Paragraph 49(6) of Schedule 13 to the Act amends paragraph 51 of Schedule 21 to the Coroners and Justice Act 2009 (c.25) ("the 2009 Act"). As paragraph 51 of Schedule 21 to the 2009 Act has already been partially commenced, the amendment made by paragraph 49(6)(a) is commenced on 1<sup>st</sup> October 2013 only in so far as it applies to the Coroner for Treasure as paragraph 51 of Schedule 21 to the 2009 Act has yet to be commenced in so far as it applies to the Coroner for Treasure.

The provision which is commenced on 1<sup>st</sup> November 2013 is—

- section 22, which makes provision about the transfer of immigration, asylum and nationality judicial review applications to the Upper Tribunal.

Article 6 amends the Crime and Courts Act 2013 (Commencement No. 3) Order 2013 (S.I. 2013/1725) to remove the reference to section 22 which, in accordance with article 5, will now commence on 1st November 2013.

#### **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(1) and (2)                          | 27th May 2013               | 2013/1042       |
| Section 1(3) to (11)                          | 7th October 2013            | 2013/1682       |
| Section 1(12) (partially)                     | 27th May 2013               | 2013/1042       |
| Section 1(12), so far as not already in force | 7th October 2013            | 2013/1682       |
| Section 2                                     | 7th October 2013            | 2013/1682       |
| Section 3                                     | 27th May 2013               | 2013/1042       |
| Section 4(1)                                  | 7th October 2013            | 2013/1682       |
| Section 4(2) to (9)                           | 27th May 2013               | 2013/1042       |
| Section 4(10) (partially)                     | 27th May 2013               | 2013/1042       |
| Section 4(10), so far as not already in force | 7th October 2013            | 2013/1682       |
| Section 5(1) to (9), (11) and (12)            | 7th October 2013            | 2013/1682       |
| Section 5(10) (partially)                     | 8th May 2013                | 2013/1042       |
| Section 5(10), so far as not already in force | 7th October 2013            | 2013/1682       |

|   |                  |           |
|---|------------------|-----------|
| Section 6(1), (3) and (4)                       | 7th October 2013 | 2013/1682 |
| Section 6(2)                                    | 27th May 2013    | 2013/1042 |
| Section 7                                       | 7th October 2013 | 2013/1682 |
| Section 8(1) to (5)                             | 7th October 2013 | 2013/1682 |
| Section 8(6) (partially)                        | 8th May 2013     | 2013/1042 |
| Section 8(6), so far as not already in force    | 7th October 2013 | 2013/1682 |
| Section 9(1) to (3) and (5) to (8)              | 7th October 2013 | 2013/1682 |
| Section 9(4) (partially)                        | 8th May 2013     | 2013/1042 |
| Section 9(4) (partially)                        | 27th May 2013    | 2013/1042 |
| Section 9(4), so far as not already in force    | 7th October 2013 | 2013/1682 |
| Section 10                                      | 7th October 2013 | 2013/1682 |
| Section 11(1) to (5), (7) and (8)               | 7th October 2013 | 2013/1682 |
| Section 11(6) (partially)                       | 8th May 2013     | 2013/1042 |
| Section 11(6), so far as not already in force   | 7th October 2013 | 2013/1682 |
| Section 11(9) (partially)                       | 8th May 2013     | 2013/1042 |
| Section 11(9), so far as not already in force   | 7th October 2013 | 2013/1682 |
| Section 12                                      | 7th October 2013 | 2013/1682 |
| Section 13                                      | 7th October 2013 | 2013/1682 |
| Section 14                                      | 8th May 2013     | 2013/1042 |
| Section 15(1) and (2)                           | 7th October 2013 | 2013/1682 |
| Section 15(3) (partially)                       | 8th May 2013     | 2013/1042 |
| Section 15(3) (partially)                       | 27th May 2013    | 2013/1042 |
| Section 15(3) (partially)                       | 7th October 2013 | 2013/1682 |
| Section 16                                      | 8th May 2013     | 2013/1042 |
| Section 17(5) (partially)                       | 1st October 2013 | 2013/1725 |
| Section 20 (partially)                          | 15th July 2013   | 2013/1725 |
| Section 23                                      | 15th July 2013   | 2013/1725 |
| Section 25(4) (partially)                       | 15th July 2013   | 2013/1725 |
| Section 25(5) and (8)                           | 15th July 2013   | 2013/1725 |
| Section 29                                      | 15th July 2013   | 2013/1725 |
| Section 32                                      | 15th July 2013   | 2013/1725 |
| Section 50 (partially)                          | 29th July 2013   | 2013/1682 |
| Section 50 (partially, as to England and Wales) | 29th July 2013   | 2013/1682 |
| Section 51                                      | 8th May 2013     | 2013/1042 |
| Section 52                                      | 25th June 2013   | 2013/1042 |
| Section 53                                      | 25th June 2013   | 2013/1042 |
| Section 54                                      | 25th June 2013   | 2013/1042 |
| Section 55(1) and (2)                           | 25th June 2013   | 2013/1042 |
| Section 55(3) (partially)                       | 25th June 2013   | 2013/1042 |
| Section 55(5)                                   | 25th June 2013   | 2013/1042 |
| Section 55(6) to (13)                           | 25th June 2013   | 2013/1042 |
| Section 55(14) (partially)                      | 25th June 2013   | 2013/1042 |
| Schedule 1, paragraph 7                         | 27th May 2013    | 2013/1042 |
| Schedule 1, so far as not already in force      | 7th October 2013 | 2013/1682 |
| Schedule 2, paragraph, 1, 4 and 5               | 27th May 2013    | 2013/1042 |
| Schedule 2, so far as not already in force      | 7th October 2013 | 2013/1682 |
| Schedule 3, paragraph 34                        | 8th May 2013     | 2013/1042 |
| Schedule 3, so far as not already in force      | 7th October 2013 | 2013/1682 |
| Schedule 4, paragraph 1                         | 8th May 2013     | 2013/1042 |
| Schedule 4, so far as not already in force      | 7th October 2013 | 2013/1682 |
| Schedule 5, paragraphs 5, 27, 28, 29 and 30     | 8th May 2013     | 2013/1042 |
| Schedule 5, paragraph 4                         | 27th May 2013    | 2013/1042 |

|   |                  |           |
|---|------------------|-----------|
| Schedule 5, so far as not already in force                          | 7th October 2013 | 2013/1682 |
| Schedule 6, paragraph 5(5) and (6)                                  | 8th May 2013     | 2013/1042 |
| Schedule 6, so far as not already in force                          | 7th October 2013 | 2013/1682 |
| Schedule 7  | 7th October 2013 | 2013/1682 |
| Schedule 8, paragraphs 1 to 5 and 13                                | 8th May 2013     | 2013/1042 |
| Schedule 8, paragraphs 101 to 103                                   | 27th May 2013    | 2013/1042 |
| Schedule 8, paragraphs 6 to 10, 12 to 100 and 104 to 190            | 7th October 2013 | 2013/1682 |
| Schedule 9, paragraphs 21 (except for sub-paragraph (3)), 27 and 30 | 1st October 2013 | 2013/1725 |
| Schedule 13, Parts 2, 6 and 7                                       | 15th July 2013   | 2013/1725 |
| Schedule 20, paragraphs 16 to 29                                    | 29th July 2013   | 2013/1682 |
| Schedule 20, paragraphs 10 to 15, as to England and Wales           | 29th July 2013   | 2013/1682 |
| Schedule 21, paragraphs 1 to 13                                     | 25th June 2013   | 2013/1042 |
| Schedule 21, paragraph 14 (partially)                               | 25th June 2013   | 2013/1042 |
| Schedule 21, paragraphs 19 and 30 to 38                             | 25th June 2013   | 2013/1042 |
| Schedule 21, paragraphs 39 to 50                                    | 25th June 2013   | 2013/1042 |

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