



# Criminal Justice Act 1982

## 1982 CHAPTER 48

### PART V

#### MISCELLANEOUS

##### *The Chief Inspectors of Prisons*

#### 57 Her Majesty's Chief Inspectors of Prisons

(1) The following shall be inserted after section 5 of the Prison Act 1952—

**“5A Appointment and functions of Her Majesty's Chief Inspector of Prisons.**

- (1) Her Majesty may appoint a person to be Chief Inspector of Prisons.
- (2) It shall be the duty of the Chief Inspector to inspect or arrange for the inspection of prisons in England and Wales and to report to the Secretary of State on them.
- (3) The Chief Inspector shall in particular report to the Secretary of State on the treatment of prisoners and conditions in prisons.
- (4) The Secretary of State may refer specific matters connected with prisons in England and Wales and prisoners in them to the Chief Inspector and direct him to report on them.
- (5) The Chief Inspector shall in each year submit to the Secretary of State a report in such form as the Secretary of State may direct, and the Secretary of State shall lay a copy of that report before Parliament.
- (6) The Chief Inspector shall be paid such salary and allowances as the Secretary of State may with the consent of the Treasury determine.”

(2) The following shall be inserted after section 6 of the Prisons (Scotland) Act 1952—

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**“6A Appointment and functions of Her Majesty's Chief Inspector of Prisons for Scotland.**

- (1) Her Majesty may appoint a person to be Chief Inspector of Prisons for Scotland.
- (2) It shall be the duty of the Chief Inspector to inspect or arrange for the inspection of prisons in Scotland and to report to the Secretary of State on them.
- (3) The Chief Inspector shall in particular report to the Secretary of State on the treatment of prisoners and conditions in prisons.
- (4) The Secretary of State may refer specific matters connected with prisons in Scotland and prisoners in them to the Chief Inspector and direct him to report on them.
- (5) The Chief Inspector shall in each year submit to the Secretary of State a report in such form as the Secretary of State may direct, and the Secretary of State shall lay a copy of that report before Parliament.
- (6) The Chief Inspector shall be paid such salary and allowances as the Secretary of State may with the consent of the Treasury determine.
- (7) In this section references to prisons include legalised police cells within the meaning of section 14(1) of this Act.”.

*Courts-martial etc.*

**58 Courts-martial and Standing Civilian Courts**

Schedule 8 shall have effect in relation to offenders who come before courts-martial and Standing Civilian Courts.

*Persons remanded in custody*

**59 Remand in custody in absence of accused**

- (1) The Magistrates' Courts Act 1980 shall have effect subject to the amendments specified in Schedule 9 to this Act, being amendments to modify the requirement that a person may not be remanded in custody without being brought before the court.
- (2) Nothing in this section shall affect the operation of section 2 of the Imprisonment (Temporary Provisions) Act 1980.

**60 Applications to Crown Court for bail by persons remanded in custody**

- (1) In section 81 of the Supreme Court Act 1981—
  - (a) in subsection (1) (which lists cases in which the Crown Court may grant bail) at the end of paragraph (f) there shall be added “or
  - (g) who has been remanded in custody by a magistrates' court on adjourning a case under—

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- (i) section 5 (adjournment of inquiry into offence);
  - (ii) section 10 (adjournment of trial);
  - (iii) section 18 (initial procedure on information against adult for offence triable either way); or
  - (iv) section 30 (remand for medical examination),of the Magistrates' Courts Act 1980;”;
- (b) the following subsections shall be inserted after that subsection—
  - “(1H) Where the Crown Court grants a person bail under subsection (1)(g) it may direct him to appear at a time and place which the magistrates' court could have directed and the recognizance of any surety shall be conditioned accordingly.
  - (1J) The Crown Court may only grant bail to a person under subsection (1)(g) if the magistrates' court which remanded him in custody has certified under section 5(6A) of the Bail Act 1976 that it heard full argument on his application for bail before it refused the application.”.
- (2) In subsection (6)(a) of section 5 of the Bail Act 1976 (supplementary provisions about decisions on bail) after the word " Court", in the first place where it occurs, there shall be inserted the words " or if it issues a certificate under subsection (6A) below ".
- (3) The following subsections shall be inserted after that subsection—
  - “(6A) Where in criminal proceedings—
    - (a) a magistrates' court remands a person in custody under any of the following provisions of the Magistrates' Courts Act 1980—
      - (i) section 5 (adournment of inquiry into offence);
      - (ii) section 10 (adjournment of trial);
      - (iii) section 18 (initial procedure on information against adult for offence triable either way); or
      - (iv) section 30 (remand for medical examination),after hearing full argument on an application for bail from him ; and
    - (b) either—
      - (i) it has not previously heard such argument on an application for bail from him in those proceedings; or
      - (ii) it has previously heard full argument from him on such an application but it is satisfied that there has been a change in his circumstances or that new considerations have been placed before it,it shall be the duty of the court to issue a certificate in the prescribed form that they heard full argument on his application for bail before they refused the application,
  - (6B) Where the court issues a certificate under subsection (6A) above in a case to which paragraph (b)(ii) of that subsection applies, it shall state in the certificate the nature of the change of circumstances or the new considerations which caused it to hear a further fully argued bail application.
  - (6C) Where a court issues a certificate under subsection (6A) above it shall cause the person to whom it refuses bail to be given a copy of the certificate.”.

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- (4) In section 30 of the Legal Aid Act 1974 (scope of legal aid) the following subsections shall be inserted after subsection (1)—

“(1A) Legal aid which may be ordered to be given to any person for the purposes of any proceedings by a legal aid order under section 28(2) above, whether or not in the circumstances mentioned in section 29(1)(c) above, shall include, in the event—

- (a) of his being remanded in custody in those proceedings ; and
- (b) of the court issuing a certificate under section 5(6A) of the Bail Act 1976 (refusal of fully argued bail application),

legal aid for the purpose of proceedings in connection with an application for bail to the Crown Court.

(1B) Notwithstanding anything in subsection (1) above, legal aid in connection with an application for bail to the Crown Court shall not include representation by counsel except in a case where by virtue of subsection (2) (a) below legal aid ordered to be given for the purposes of the proceedings before the magistrates' court included representation by counsel.”.

*Committal on written statements*

**61 Legal representation in case of committal on written statements**

In section 6(2)(a) of the Magistrates' Courts Act 1980 for the words " is not represented by counsel or a solicitor " there shall be substituted the words " has no solicitor acting for him in the case (whether present in court or not) " .

*Requirement of social inquiry reports*

**62 Social inquiry reports on persons who have not previously served prison sentences**

The following section shall be inserted after section 20 of the Powers of Criminal Courts Act 1973—

**“20A Social inquiry report for purposes of s. 20.**

- (1) Subject to subsection (2) below, the court shall in every case obtain a social inquiry report for the purpose of determining under section 20(1) above whether there is any appropriate method of dealing with an offender other than imprisonment.
- (2) Subsection (1) above does not apply if, in the circumstances of the case, the court is of the opinion that it is unnecessary to obtain a social inquiry report.
- (3) Where a magistrates' court passes a sentence of imprisonment on a person of or over 21 years of age on whom such a sentence has not previously been passed by a court in any part of the United Kingdom without obtaining a social inquiry report, it shall state in open court the reason for its opinion that it was unnecessary to obtain such a report.

- (4) A magistrates' court shall cause a reason stated under subsection (3) above to be specified, in the warrant of commitment and to be entered in the register.
- (5) No sentence shall be invalidated by the failure of a court to comply with subsection (1) above, but any other court on appeal from that court shall obtain a social inquiry report if none was obtained by the court below, unless it is of the opinion that in the circumstances of the case it is unnecessary to do so.
- (6) In determining whether it should deal with the appellant otherwise than by passing a sentence of imprisonment on him the court hearing the appeal shall consider any social inquiry report obtained by it or by the court below.
- (7) In this section " social inquiry report" means a report about a person and his circumstances made by a probation officer.”.

#### *Deferment of sentence*

### **63 Deferment of sentence**

Section 1 of the Powers of Criminal Courts Act 1973 (which gives a court sentencing an offender the power to defer passing sentence on him) shall have effect subject to the following amendments—

- (a) in subsection (1), for the words from " to have" to " sentence " there shall be substituted the words " or any other court to which it falls to deal with him to have regard, in dealing with him ";
  - (b) the words ", subject to subsection (8A) below," shall be inserted after the word " and " in subsection (2);
  - (c) the words " deal with " shall be substituted—
    - (i) for the words " pass sentence on " in subsection (4);
    - (ii) for the words " pass sentence on " in subsection (4A); and
    - (iii) for the word " sentence " in the second place where it occurs! in subsection (5); and
  - (d) the following subsections shall be substituted for subsection (8)—
    - “(8) The power of a court under this section to deal with an offender in a case where the passing of sentence has been deferred thereunder—
      - (a) includes power to deal with him in any way in which the court which deferred passing sentence could have dealt with him; and
      - (b) without prejudice to the generality of the foregoing, in the case of a magistrates' court, includes the power conferred by section 37 or 38 of the Magistrates' Courts Act 1980 to commit him to the Crown Court for sentence.
- (8A) Where, in a case where the passing of sentence on an offender in respect of one or more offences has been deferred under this section, a magistrates' court deals with him by committing him to the Crown Court under section 37 or 38 of the Act of 1980, the power of the Crown Court to deal with him includes the same power to defer passing sentence on him as if he had just been convicted of the offence or offences on indictment before the court.”.

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*Persons recommended for deportation*

**64 Persons recommended by courts for deportation**

Schedule 3 to the Immigration Act 1971 shall be amended in accordance with Schedule 10 to this Act.

*Probation and after-care*

**65 Probation and after-care**

- (1) The designations " probation and after-care area ", " probation and after-care committee" and " probation and after-care service " are hereby changed to " probation area ", " probation committee " and " probation service " respectively and the new designations shall be substituted for the former designations in every enactment relating to any such area or committee or that service.
- (2) The amendments specified in Schedule 11 to this Act, being amendments relating to probation and after-care and the duties and powers of probation committees, shall have effect.

**66 Right of appeal of probationer etc.**

- (1) The following subsection shall be inserted after subsection (1) of section 50 of the Criminal Appeal Act 1968 (meaning of " sentence " )—

“(1A) Section 13 of the Powers of Criminal Courts Act 1973 (under which a conviction of an offence for which a probation order or an order for conditional or absolute discharge is made is deemed not to be a conviction except for certain purposes) shall not prevent an appeal under this Act, whether against conviction or otherwise.”.

- (2) The following subsection shall be inserted after subsection (1) of section 108 of the Magistrates' Courts Act 1980 (right of appeal to the Crown Court)—

“(1A) Section 13 of the Powers of Criminal Courts Act 1973 (under which a conviction of an offence for which a probation order or an order for conditional or absolute discharge is made is deemed not to be a conviction except for certain purposes) shall not prevent an appeal under this section, whether against conviction or otherwise.”.

- (3) In the Powers of Criminal Courts Act 1973—

- (a) the following subsection shall be inserted after subsection (1) of section 11 (substitution of conditional discharge for probation)—

“(1A) No application may be made under subsection (1) above while an appeal against the probation order is pending.”; and

- (b) in Schedule 1 (discharge and amendment of probation orders)—

- (i) the following sub-paragraph shall be inserted after paragraphs 1(1) and 3(1)—

“(1A) No application may be made under sub-paragraph (1) above while an appeal against the probation order is pending.”;

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(ii) the following sub-paragraph shall be inserted after paragraph 2(1)—

“(1A) No order may be made under sub-paragraph (1) above while an appeal against the probation order is pending.”;

(iii) in paragraph 4, for the word " Where " there shall be substituted the words " Subject to paragraph 4A below, where ";

(iv) the following paragraph shall be inserted after that paragraph—

“4A No application may be made under paragraph 4 above while an appeal against the probation order is pending.”.

### *Compensation*

## **67 Compensation orders**

In section 35 of the Powers of Criminal Courts Act 1973 (which gives a court power to make a compensation order in addition to dealing with an offender in any other way)—

(a) the following subsections shall be substituted for subsection (1)—

“(1) Subject to the provisions of this Part of this Act and to section 40 of the Magistrates' Courts Act 1980 (which imposes a monetary limit on the powers of a magistrates' court under this section), a court by or before which a person is convicted of an offence, instead of or in addition to dealing with him in any other way, may, on application or otherwise, make an order (in this Act referred to as "a compensation order") requiring him to pay compensation for any personal injury, loss or damage resulting from that offence or any other offence which is taken into consideration by the court in determining sentence.

(1A) Compensation under subsection (1) above shall be of such amount as the court considers appropriate, having regard to any evidence and to any representations that are made by or on behalf of the accused or the prosecutor.”; and

(b) the following subsection shall be inserted after subsection (4)—

“(4A) Where the court considers—

(a) that it would be appropriate both to impose a fine and to make a compensation order; but

(b) that the offender has insufficient means to pay both an appropriate fine and appropriate compensation,

the court shall give preference to compensation (though it may impose a fine as well).”.

### *Community service*

## **68 Community service orders**

(1) Schedule 12 to this Act shall have effect with respect—

(a) to the powers of courts in England and Wales in relation to community service orders ; and

(b) to arrangements for persons in England and Wales to perform work under such orders.

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- (2) Schedule 13 to this Act shall have effect for the purpose of the enforcement in one part of the United Kingdom of community service orders made in another part.

*Imprisonment for fine defaulters etc.*

**69 Maximum periods of imprisonment for defaulting on fines etc.**

- (1) In section 31 of the Powers of Criminal Courts Act 1973—

- (a) the following subsections shall be substituted for subsections (2) to (4)—

“(2) Subject to the provisions of this section, if the Crown Court imposes a fine on any person or forfeits his recognizance, the court shall make an order fixing a term of imprisonment or of detention under section 9 of the Criminal Justice Act 1982 (detention of persons aged 17 to 20 for default) which he is to undergo if any sum which he is liable to pay is not duly paid or recovered.

- (3) No person shall on the occasion when a fine is imposed on him or his recognizance is forfeited by the Crown Court be committed to prison or detained in pursuance of an order under subsection (2) above unless—

- (a) in the case of an offence punishable with imprisonment, he appears to the court to have sufficient means to pay the sum forthwith ;
- (b) it appears to the court that he is unlikely to remain long enough at a place of abode in the United Kingdom to enable payment of the sum to be enforced by other methods; or
- (c) on the occasion when the order is made the court sentences him to immediate imprisonment, custody for life, youth custody or detention in a detention centre for that or another offence, or sentences him as aforesaid for an offence in addition to forfeiting his recognizance, or he is already serving a sentence of custody for life or a term—
- (i) of imprisonment;
- (ii) of youth custody ;
- (iii) of detention in a detention centre; or
- (iv) of detention under section 9 of the Criminal Justice Act 1982.

- (3A) Subject to subsections (3B) and (3C) below, the periods set out in the second column of the following Table shall be the maximum periods of imprisonment or detention under subsection (2) above applicable respectively to the amounts set out opposite thereto.

TABLE

An amount not exceeding £25	7 days
An amount exceeding £25 but not exceeding £50	14 days



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An amount exceeding £50 but not exceeding £200	30 days
An amount exceeding £200 but not exceeding £500	60 days
An amount exceeding £500 but not exceeding £1,000	90 days
An amount exceeding £1,000 but not exceeding £2,500	6 months
An amount exceeding £2,500 but not exceeding £5,000	9 months
An amount exceeding £5,000	12 months

(3B) Where the amount due at the time imprisonment or detention is imposed is so much of a fine or forfeited recognizance as remains due after part payment, then, subject to subsection (3C) below, the maximum period applicable to the amount shall be the period applicable to the whole sum reduced by such number of days as bears to the total number of days therein the same proportion as the part paid bears to the total sum.

(3C) In calculating the reduction required under subsection (3B) above any fraction of a day shall be left out of account and the maximum period shall not be reduced to less than five days.

(4) Where any person liable for the payment of a fine or a sum due under a recognizance to which this section applies is sentenced by the court to, or is serving or otherwise liable to serve, a term of imprisonment or youth custody or a term of detention under section 4 or 9 of the Criminal Justice Act 1982, the court may order that any term of imprisonment or detention fixed under subsection (2) above shall not begin to run until after the end of the first-mentioned term.”; and

(b) the following subsections shall be substituted for subsections (7) and (8)—

“(7) Any term fixed under subsection (2) above as respects a fine imposed in pursuance of such an enactment, that is to say a fine which the magistrates' court could have imposed, shall not exceed the period applicable to that fine (if imposed by the magistrates' court) under section 149(1) of the Customs and Excise Management Act 1979.

(8) This section shall not apply to a fine imposed by the Crown Court on appeal against a decision of a magistrates' court, but subsections (2) to (3C) above shall apply in relation to a fine imposed or recognizance forfeited by the criminal division of the Court of Appeal, or by the House of Lords on appeal from that division, as they apply in relation to a fine imposed or recognizance forfeited by the Crown Court, and the references to the Crown Court in subsections (2) and (3) above shall be construed accordingly.”.

(2) The following subsection shall be substituted—

- (a) for section 71B(2) of the Army Act 1955 and the Air Force Act 1955 ; and
- (b) for section 43B(2) of the Naval Discipline Act 1957 ;—

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“(2) Subject to subsections (4) and (5) below, the periods set out in the second column of the following Table shall be the maximum periods of further imprisonment or detention applicable respectively to fines of the amounts set out opposite thereto.

TABLE

An amount not exceeding £25	7 days
An amount exceeding £25 but not exceeding £50	14 days
An amount exceeding £50 but not exceeding £200	30 days
An amount exceeding £200 but not exceeding £500	60 days
An amount exceeding £500 but not exceeding £1,000	90 days
An amount exceeding £1,000 but not exceeding £2,500	6 months
An amount exceeding £2,500 but not exceeding £5,000	9 months
An amount exceeding £5,000	12 months”.

### *Vagrancy*

## **70 Vagrancy offences**

- (1) Where a person is convicted—
- (a) under section 3 or 4 of the Vagrancy Act 1824, of wandering abroad, or placing himself in any public place, street, highway, court, or passage, to beg or gather alms ; or
  - (b) under section 4 of that Act.—
    - (i) of wandering abroad and lodging in any barn or outhouse, or in any deserted or unoccupied building, or in the open air, or under a tent, or in any cart or waggon, and not giving a good account of himself; or
    - (ii) of wandering abroad, and endeavouring by the exposure of wounds and deformities to obtain or gather alms,

the court shall not have power to sentence him to imprisonment but shall have the same power to fine him as if this section had not been enacted.
- (2) If a person deemed a rogue and vagabond by virtue of section 4 of the Vagrancy Act 1824 is thereafter guilty of an offence mentioned in subsection (1) above, he shall be convicted of that offence under section 4 of that Act and accordingly—
- (a) shall not be deemed an incorrigible rogue; and
  - (b) shall not be committed to the Crown Court,
- by reason only of that conviction.
- (3) This section applies to offences committed before as well as after it comes into effect.

*Loitering and soliciting*

**71 Abolition of imprisonment for loitering and soliciting for purposes of prostitution**

(1) The following subsection shall be substituted for section 1(2) of the Street Offences Act 1959—

“(2) A person guilty of an offence under this section shall be liable on summary conviction to a fine of an amount not exceeding level 2 on the standard scale, as defined in section 75 of the Criminal Justice Act 1982, or, for an offence committed after a previous conviction, to a fine of an amount not exceeding level 3 on that scale.”.

(2) The subsection substituted by subsection (1) above for section 1(2) of the Street Offences Act 1959 shall have effect in relation to offences committed before as well as after this section comes into force.

*Unsworn statements*

**72 Abolition of right of accused to make unsworn statement**

(1) Subject to subsections (2) and (3) below, in any criminal proceedings the accused shall not be entitled to make a statement without being sworn, and accordingly, if he gives evidence, he shall do so on oath and be liable to cross-examination; but this section shall not affect the right of the accused, if not represented by counsel or a solicitor, to address the court or jury otherwise than on oath on any matter on which, if he were so represented, counsel or a solicitor could address the court or jury on his behalf.

(2) Nothing in subsection (1) above shall prevent the accused making a statement without being sworn—

- (a) if it is one which he is required by law to make person ally ; or
- (b) if he makes it by way of mitigation before the court passes sentence upon him.

(3) Nothing in this section applies—

- (a) to a trial; or
- (b) to proceedings before a magistrates' court acting as examining justices, which began before the commencement of this section.

*Recall of witnesses*

**73 Recall of witnesses**

(1) After section 148 of the Criminal Procedure (Scotland) Act 1975 there shall be inserted the following new section—

**“148A Recall of witnesses.**

In any trial, on the motion of either party, the presiding judge may permit a witness who has been examined to be recalled.”.

- (2) After section 349 of the said Act of 1975 there shall be inserted the following new section—

**“349A Recall of witnesses.**

In any trial, on the motion of either party, the presiding judge may permit a witness who has been examined to be recalled.”.

*Interpretation*

**74 Construction of references to " statutory maximum 75. Construction of references to " the standard scale "**

- (1) In any enactment (whether contained in an Act passed before or after this Act) " statutory maximum ", in relation to a fine on summary conviction for an offence in England and Wales, means the prescribed sum within the meaning of section 32 of the Magistrates' Courts Act 1980 (£1,000 or another sum fixed by order under section 143 of that Act to take account of changes in the value of money).
- (2) In any provision of this Act or of any enactment passed or made after the passing of this Act (including any provision inserted in an earlier enactment by such a provision) " statutory maximum " , in relation to a fine on summary conviction in Scotland of an offence triable either summarily or on indictment, means the prescribed sum within the meaning of section 289B(6) of the Criminal Procedure (Scotland) Act 1975 (£1,000 or another sum fixed by order under section 289D(1) of that Act to take account of changes in the value of money).

**75 Construction of references to " the standard scale ".**

In any enactment (whether contained in an Act passed before or after this Act) " the standard scale "—

- (a) in relation to England and Wales, has the meaning given by section 37 of this Act;
- (b) in relation to Scotland, has the meaning given by section 289G of the Criminal Procedure (Scotland) Act 1975.

*Supplementary*

**76 Financial provision**

There shall be defrayed out of money provided by Parliament any increase attributable to the provisions of this Act in the sums payable out of such money under any other Act.

**77 Minor and consequential amendments**

The enactments specified in Schedules 14 and 15 to this Act shall have effect subject to the amendments there specified (being minor amendments and amendments consequential on the foregoing provisions of this Act).

## **78 Repeals**

The enactments specified in Schedule 16 to this Act (which include enactments already obsolete or unnecessary) are repealed to the extent specified in the third column of that Schedule.

## **79 Transitional**

The transitional provisions in Schedule 17 to this Act shall have effect.

## **80 Commencement**

- (1) The following provisions of this Act shall come into force on the day this Act is passed, namely—
- section 32;
  - section 33 ;
  - section 57;
  - section 74 ;
  - section 75;
  - section 76;
  - section 77, so far as it relates to paragraph 20 of Schedule 14;
  - section 78, so far as it relates to the Imprisonment (Temporary Provisions) Act 1980;
  - section 79, so far as it relates to paragraph 15 of Schedule 17;
  - this section; and
  - section 81.
- (2) Subject to subsection (1) above, this Act shall come into operation on such day as the Secretary of State may by order made by statutory instrument appoint, and different days may be so appointed for different provisions and for different purposes.

## **81 Citation and extent**

- (1) This Act may be cited as the Criminal Justice Act 1982.
- (2) Subject to the following provisions of this section, this Act extends to England and Wales only.
- (3) The following provisions of this Act extend to England and Wales and Scotland—
- section 33 ;
  - section 41 ;
  - section 42 ;
  - section 44 ;
  - section 75.
- (4) The following provisions of this Act extend to Scotland only—
- Part IV (including Schedules 6 and 7);
  - section 57(2);
  - section 73;
  - section 74(2).

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- (5) The following provisions of this Act extend to England and Wales, Scotland and Northern Ireland—
- section 45 ;
  - section 47(2);
  - section 49;
  - section 50;
  - section 64 (including Schedule 10);
  - section 68(2) (including Schedule 13);
  - section 76;
  - section 80;
  - this section.
- (6) Section 52 above extends to England and Wales and Northern Ireland.
- (7) Sections 77 and 78 above extend to any part of the United Kingdom in so far as they amend or repeal any enactment which extends to that Part, except that—
- (a) section 78, so far as it relates to the Animal Health Act 1981, extends to England and Wales only ; and
  - (b) the following provisions—
    - (i) section 77, so far as it relates to paragraph 2 of Schedule 15 ; and
    - (ii) section 78, so far as it relates to the Electric Lighting (Clauses) Act 1899,extend to Scotland only.
- (8) Section 79 above extends to Scotland only, so far as it relates to paragraph 18 of Schedule 17.
- (9) Section 58 above (including Schedule 8), so far as it relates to any enactment, extends to any place to which that enactment extends.
- (10) Section 78 above, so far as it relates to any enactment contained in—
- (a) the Army Act 1955 ;
  - (b) the Air Force Act 1955 ;
  - (c) the Naval Discipline Act 1957 ; or
  - (d) the Armed Forces Act 1976,
- extends to any place to which that enactment extends.
- (11) Her Majesty may by Order in Council direct that all or any of the enactments specified in subsection (12) below shall extend, subject to such modifications as may be specified in the Order, to the Isle of Man or any of the Channel Islands.
- (12) The enactments mentioned in subsection (11) above are—
- (a) section 32(1) of the Criminal Law Act 1977 ;
  - (b) sections 32 and 143 of the Magistrates' Courts Act 1980 ; and
  - (c) in this Act—
    - (i) sections 35 to 38 ;
    - (ii) section 39 (including Schedules 2 and 3);
    - (iii) section 40;
    - (iv) sections 46 and 47 ;
    - (v) section 50;

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- (vi) section 64 (including Schedule 10);
  - (vii) section 74(1); and
  - (viii) section 75.
- (13) Her Majesty may by Order in Council provide that section 50 above shall extend, subject to such modification as may be specified in the Order.—
- (a) so far as it relates to section 20 of the Merchant Shipping Act 1979, to any of the Channel Islands, the Isle of Man or any colony and any country or place outside Her Majesty's dominions in which Her Majesty has jurisdiction in right of the Government of the United Kingdom; and
  - (b) so far as it relates to section 21 of that Act, to any country such as is mentioned in section 15 of the said Act of 1979.
- (14) Section 77 above extends to the Isle of Man and the Channel Islands, so far as it relates to paragraphs 11 to 16 of Schedule 14.
- (15) Section 78 above extends to the Isle of Man and the Channel Islands, so far as it relates to section 32(2)(a), (c) and (e) of the Criminal Justice Act 1961.