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STATUTORY INSTRUMENTS

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**1977 No. 1682 (C. 58)**

**CRIMINAL LAW, ENGLAND AND WALES  
CRIMINAL LAW, NORTHERN IRELAND**

The Criminal Law Act 1977  
(Commencement No. 3) Order 1977

Made - - - - 17th October 1977

In exercise of the powers conferred on me by section 65(7) of the Criminal Law Act 1977 I hereby make the following Order:—

1.—(1) This Order may be cited as the Criminal Law Act 1977 (Commencement No. 3) Order 1977.

(2) In the case of any provision specified in a Schedule to this Order which (by virtue of sections 63(2) and 65(10) of the Criminal Law Act 1977) extends to Scotland nothing in this Order shall bring the provision into force in its application to Scotland.

2. The provisions of the Criminal Law Act 1977 specified in the Schedules to this Order shall come into force on the dates mentioned in the headings of those Schedules.

*Merlyn Rees*  
One of Her Majesty's Principal Secretaries of  
State  
Home Office

17th October 1977

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## SCHEDULE 1

### PROVISIONS OF THE CRIMINAL LAW ACT 1977 COMING INTO FORCE ON 1ST DECEMBER 1977

<i>Provisions of the Act</i>	<i>Subject matter of provisions</i>
Part I (but not section 5(10)(b) which came into force on 8th September 1977).	Conspiracy.
Part II.	Offences relating to entering and remaining on property.
Section 44.	Appeals against conviction.
Section 49.	Power to order search of persons before Crown Court.
Section 50.	Amendment of Road Traffic Act 1972.
Section 53.	Amendment of Obscene Publications Act 1959 with respect to cinematograph exhibitions.
Section 60.	Increase in maximum amount of compensation which may be ordered by magistrates' court.
So much of Schedule 12 as is specified in Appendix A hereto.	Minor and consequential amendments.
So much of Schedule 13 as is specified in Appendix B hereto.	Repeals.

## APPENDIX A TO SCHEDULE 1

### PROVISIONS OF SCHEDULE 12 TO THE CRIMINAL LAW ACT 1977 COMING INTO FORCE ON 1ST DECEMBER 1977

So much of Schedule 12 as relates to the following enactments:—

- The Metropolitan Police Courts Act 1839 (c. 71).
- The Public Stores Act 1875 (c. 25).
- The Prison Act 1952 (c. 52).
- Sections 87(2) and 130 of the Magistrates' Courts Act 1952 (c. 55).
- The Obscene Publications Act 1959 (c. 66).
- The Criminal Justice Act 1961 (c. 39).
- Section 30(5) of the Licensing Act 1964 (c. 26).
- Sections 43(2), 78A and 80(5) of the Road Traffic Regulation Act 1967 (c. 76).
- Sections 23(2), 24, 44(5), 60, 63 and 91 of the Criminal Justice Act 1967 (c. 80).
- The Companies Act 1967 (c. 81).
- The Theft Act 1968 (c. 60).
- The Road Traffic Act 1972 (c. 20).
- The Finance Act 1972 (c. 41).

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The Criminal Justice Act 1972 (c. 71).

The Administration of Justice Act 1973 (c. 15).

Sections 1, 2(5), 49, 50, 51 and 57(1) of, and Schedules 1 and 3 to, the Powers of Criminal Courts Act 1973 (c. 62) (but not the amendment to paragraph 9 of Schedule 3 which came into force on 8th September 1977).

The Legal Aid Act 1974 (c. 4).

The Juries Act 1974 (c. 23).

Section 7(4) of the Bail Act 1976 (c. 63).

## APPENDIX B TO SCHEDULE 1

### REPEALS TAKING EFFECT ON 1ST DECEMBER 1977

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of repeal</i>
1381 c.7.	Forcible Entry Act 1381.	The whole Chapter.
1391 c.2.	Statutes concerning forcible entries and riots confirmed.	The whole Chapter.
1429 c.9.	Forcible Entry Act 1429.	The whole Chapter.
1588 c.11.	Forcible Entry Act 1588.	The whole Act.
1623 c.15.	Forcible Entry Act 1623.	The whole Act.
1839 c.71.	Metropolitan Police Courts Act 1839.	Section 24.
1861 c.100.	Offences Against the Person Act 1861.	In section 4, the words preceding “whosoever”.
1875 c.25.	Public Stores Act 1875.	Sections 7, 9 and 10.
1875 c.86.	Conspiracy and Protection of Property Act 1875.	Section 3.
1949 c.101.	Justices of the Peace Act 1949.	Section 43(3).
1959 c.66.	Obscene Publications Act 1959.	In the proviso to section 1(3), the words from “a cinematograph exhibition” to “in the course of”.
1961 c.39.	Criminal Justice Act 1961.	In section 26(6), the proviso. In section 28(2), the words “subsection (1) of”.
1964 c.26.	Licensing Act 1964.	In section 30(5), the words from “and the clerk” onwards.
1967 c.76.	Road Traffic Regulation Act 1967.	In section 43(2), the words from “in the case of” to “carriageway”. In section 80, in subsection (5), the words “by virtue of regulations made for the purposes of this subsection”, and, in subsection (11), the words from “and the” to “payable”.

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<b>Chapter</b>	<b>Short Title</b>	<b>Extent of repeal</b>
1967 c.80.	Criminal Justice Act 1967.	In section 60, in subsection (6)(a), the words from “to a person” where they first occur to “or”, Section 91(5).
1968 c.73.	Transport Act 1968.	In section 131(2), the words “by virtue of regulations made for the purposes of this subsection”.
1972 c.20.	Road Traffic Act 1972.	In Part I of Schedule 4, in the entry relating to section 1, in column 2, the words “or dangerous”; in the entry relating to section 2, in column 2, the words “and dangerous” and “generally”; in the entry relating to section 17, in column 2, the words “and dangerous”.
1972 c.71.	Criminal Justice Act 1972.	In section 34(1), the word “medical”.
1973 c.62.	Powers of Criminal Courts Act 1973.	In section 2(8)(a), the words “or approved probation home”.  In section 49, in subsection (1), the words “and homes”, “respectively” and “and approved probation homes”, and, in subsections (2) and (3), the words “or home”.  In section 50, in subsection (1), the words “Any approved bail hostel and” , in subsection (2), the words “or home”, and, in subsection (3), the words “any approved bail hostel or” and “hostel or”.  In section 51, the words “or homes” and “or home” wherever occurring.  In section 57(1), in the paragraph beginning with the words “probation hostel”, the words from “being persons who” onwards. In Schedule 1, paragraph 3(2)(b). In Schedule 3, in paragraphs 11 and 12, the words “probation homes”; in paragraph 18(1)(b), the words “conditions of service”.
1974 c.50.	Road Traffic Act 1974.	In Part II of Schedule 5, the entry relating to section 13(4). In Part III of Schedule 5, the entry relating to section 3 and, in the entry relating to section 17, in the second column, the words “and dangerous”.

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## SCHEDULE 2

### PROVISIONS OF THE CRIMINAL LAW ACT 1977 COMING INTO FORCE ON 1ST JANUARY 1978

<i>Provisions of the Act</i>	<i>Subject matter of provisions</i>
Section 56.	Coroners' inquests.
Schedule 10.	New section to be substituted for section 20 of Coroners (Amendment) Act 1926.
So much of Schedule 12 as is specified in Appendix A hereto.	Minor and consequential amendments.
So much of Schedule 13 as is specified in Appendix B hereto.	Repeals.

## APPENDIX A TO SCHEDULE 2

### PROVISIONS OF SCHEDULE 12 TO THE CRIMINAL LAW ACT 1977 COMING INTO FORCE ON 1ST JANUARY 1978

So much of Schedule 12 as relates to the following enactments:—

The Coroners Act 1887 (c. 71).

The Births and Deaths Registration Act 1953 (c. 20).

Section 22 of the Criminal Justice Act 1967 (c. 80).

Section 2(2) of the Bail Act 1976 (c. 63).

## APPENDIX B TO SCHEDULE 2

### REPEALS TAKING EFFECT ON 1ST JANUARY 1978

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of repeal</i>
42 & 43 Vict. c. 22.	Prosecution of Offences Act 1879.	In section 5, the words "or coroner" (wherever occurring) and the words "and coroner" and "inquisition" and the word "coroner" where it occurs before the words "or officer".
50 & 51 Vict. c. 71.	Coroners Act 1887.	In section 4, subsection (2) and, in subsection (3), the words from "and if" onwards.  Section 5.  Sections 9, 10, 16 and 20.  In section 18, paragraphs (4) and (5).
51 & 52 Vict. c.xxxviii.	City of London Fire Inquests Act 1888.	The whole Act.

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<i>Chapter</i>	<i>Short Title</i>	<i>Extent of repeal</i>
52 & 53 Vict. c. 63.	Interpretation Act 1889.	In section 27, the word “coroner”.
5 & 6 Geo. 5. c. 90.	Indictments Act 1915.	In section 8(3), the words “inquisitions, and also to”.
16 & 17 Geo. 5. c. 59.	Coroners (Amendment) Act 1926.	Section 13(2)(a) and (d). Section 25.
9 & 10 Eliz. 2. c. 60.	Suicide Act 1961.	In Schedule 1, the entry relating to the Coroners (Amendment) Act 1926.
1967 c.80.	Criminal Justice Act 1967.	In section 22(4), the words “‘inferior court’ means a magistrates’ court or a coroner and”.
1970 c.31.	Administration of Justice Act 1970.	In paragraph 4 of Part I of Schedule 9, the words “or inquisition”.
1971, c. 23.	Courts Act 1971.	Section 57(2).
1976 c.63.	Bail Act 1976.	In section 2(2), the definition of “coroner's rules”. Section 10. In Schedule 2, paragraph 4, in paragraph 37(4) the word “and” where it first occurs.

#### EXPLANATORY NOTE

This Order brings into force on 1st December 1977 and 1st January 1978 respectively the provisions of the Criminal Law Act 1977 set out in Schedules 1 and 2 to the Order. The Order does not affect Scotland.