

2006 No.168 (C.17)

CRIMINAL LAW

**The Criminal Justice (Scotland) Act 2003 (Commencement
No. 8) Order 2006**

Made - - - -

22nd March 2006

The Scottish Ministers, in exercise of the powers conferred by section 89(2) and (3) of the Criminal Justice (Scotland) Act 2003(a), hereby make the following Order:

Citation

1. This Order may be cited as the Criminal Justice (Scotland) Act 2003 (Commencement No. 8) Order 2006.

Commencement

2. Section 70(2), (5) and (6) and (8) (but only for the purpose of inserting section 124A into the Police Act 1997(b)) of the Criminal Justice (Scotland) Act 2003 shall come into force on 1st April 2006.

CATHY JAMIESON
A member of the Scottish Executive

St Andrew's House,
Edinburgh
22nd March 2006

(a) 2003 asp 7.
(b) 1997 c.50.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st April 2006 section 70(2), (5) and (6) and (8) (partially) of the Criminal Justice (Scotland) Act 2003.

The provisions commenced amend Part 5 of the Police Act 1997 (c.50) (“the 1997 Act”) in connection with the provision of criminal record and enhanced criminal record certificates.

Section 70(2) inserts a new section 120A into the 1997 Act. The new section 120A falls to be amended by sections 165(2) and 166(1) of the Serious Organised Crime and Police Act 2005 (c.15) and by paragraph 9 of Schedule 14 to that Act. These provisions will also be brought into force on 1st April 2006, by virtue of the Serious Organised Crime and Police Act 2005 (Commencement No. 2) (Scotland) Order 2006(a).

Section 70(5) inserts a new section 119A into the 1997 Act, which similarly falls to be amended by the Serious Organised Crime and Police Act 2005, section 163(3) and paragraph 5 of Schedule 14. These amending provisions will be brought into force on 1st April 2006, by virtue of the Serious Organised Crime and Police Act 2005 (Commencement No. 2) (Scotland) Order 2006.

Section 70(6) amends section 120 of the 1997 Act.

Section 70(8) is brought into force for the limited purpose of inserting section 124A into the 1997 Act.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the 2003 Act have been, or are to be, brought into force by commencement order made before the date of this Order:–

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Sections 2(b), 3, 19, 20, 22 to 25, 27 to 29, 31, 33 to 38, 39, 42, 43 to 50, 52 to 59, 61 to 69, 70(1), (3), (4) and (7), 71 to 74, 76, 78 to 82, 85 (partially) and 86, schedule 2, schedule 4, paragraphs 1, 2, 3(1), (3) and 5, and schedule 5	27th June 2003	2003/288
Sections 51 and 60	27th October 2003	2003/475
Section 21(1) to (8) and (11) (partially)	3rd November 2003	2003/475
Sections 14, 15 and 18, section 85 (partially), Schedule 4, paragraph 3	25th November 2003	2003/475
Sections 26 and 30	1st December 2003	2003/475
Sections 4 to 6 and 11 to 13	1st January 2004	2003/475

(a) S.S.I. 2006/166 (C.15).

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 40	12th January 2004	2003/475
Section 21(9) and (10)	10th June 2004	2004/240
Section 75	25th June 2004	2004/240
Sections 16 and 17	1st November 2004	2004/451
Sections 2(a), 7 to 10, 41 and schedule 1, paragraph 1(3)(b)	4th October 2005	2005/433
Section 32	2nd April 2006	2006/85

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