



# Criminal Justice Act 1972

## 1972 CHAPTER 71

### PART V

#### SUPPLEMENTARY

##### **63 Powers of Parliament of Northern Ireland**

- (1) Subject to subsection (2) of this section, the Parliament of Northern Ireland shall have power, notwithstanding anything in the Government of Ireland Act 1920, to enact laws for purposes corresponding to any of the purposes of this Act.
- (2) Subsection (1) of this section shall not extend to the enactment of laws corresponding to so much of this Act as relates to appeals and references to the House of Lords, but Her Majesty may by Order in Council make provision in relation to Northern Ireland for corresponding purposes; and any Order under this section may be varied or revoked by a further Order.
- (3) Without prejudice to the foregoing provisions of this section, there shall be inserted at the beginning of Part IV of the Criminal Appeal (Northern Ireland) Act 1968, as a new section 48A, the section set out in Schedule 4 to this Act (being a provision corresponding to section 36 of this Act).

##### **64 Minor and consequential amendments and repeals**

- (1) The enactments specified in Schedule 5 to this Act shall have effect subject to the amendments there specified, being minor amendments and amendments consequential on the provisions of this Act.
- (2) The enactments specified in Schedule 6 to this Act (which include certain spent provisions) are hereby repealed to the extent specified in the third column of that Schedule.

## **65 Expenses and receipts**

There shall be defrayed out of moneys provided by Parliament any expenses of the Secretary of State under this Act and any increase attributable to this Act in the sums payable out of such moneys under any other Act; and any sums received by the Secretary of State in consequence of this Act shall be paid into the Consolidated Fund.

## **66 Citation, interpretation, commencement and extent**

- (1) This Act may be cited as the Criminal Justice Act 1972.
- (2) In this Act " court" does not include a court-martial; " sentence of imprisonment" does not include a committal in default of payment of any sum of money, or for want of sufficient distress to satisfy any sum of money, or for failure to do or abstain from doing anything required to be done or left undone or a committal or attachment for contempt of court, and " sentence to imprisonment" shall be construed accordingly.
- (3) References in this Act to an offence punishable with imprisonment, or so punishable on indictment, shall be construed without regard to any prohibition or restriction imposed by or under any other Act on the imprisonment of young offenders.
- (4) For the purposes of this Act a compensation order, supervision order or community service order made on appeal from a decision of a magistrates' court or the Crown Court shall be treated as if it had been made by a magistrates' court or the Crown Court, as the case may be.
- (5) Except where the context otherwise requires, any reference in this Act to any enactment shall be construed as a reference to that enactment as amended, and as including a reference thereto as extended or applied, by or under any other enactment, including this Act.
- (6) This Act shall come into force on such day as the Secretary of State may appoint by order made by statutory instrument, and different days may be so appointed for different provisions:

Provided that—

- (a) sections 28, 30, 31 and 32 shall not affect the punishment for an offence completed before those sections come into force; and
- (b) neither section 36 nor the corresponding section referred to in section 63(3) shall come into force until provision has been made by rules of court with a view to preventing or restricting the disclosure of the identity of the acquitted person in references under that section.

### **(7) In this Act—**

- (a) sections 23, 24, 28, 29, 30, 33, 35, 51 and this section, section 31 so far as it relates to section 67(5) of the Shops Act 1950, section 64(1) and Schedule 5 so far as they relate to the Road Traffic Act 1972 and section 64(2) and Schedule 6 so far as they relate to the Summary Jurisdiction (Scotland) Act 1908 and the Firearms Act 1968, extend to Scotland;
- (b) section 63 and this section extend to Northern Ireland;
- (c) section 64(1) and Schedule 5 so far as they relate to the Petty Sessions (Ireland) Act 1851 extend to Scotland, Northern Ireland, the Channel Islands and the Isle of Man;

but, save as aforesaid, this Act extends to England and Wales only.