



Criminal Justice Act 1988

1988 CHAPTER 33

PART XII

GENERAL AND SUPPLEMENTARY

168 Northern Ireland

- (1) An Order in Council under paragraph 1(1)(b) of Schedule 1 to the Northern Ireland Act 1974 (legislation for Northern Ireland in the interim period) which contains a statement that it is made only for purposes corresponding to those of any provision of this Act to which this section applies—
 - (a) shall not be subject to paragraph 1(4) and (5) of that Schedule (affirmative resolution of both Houses of Parliament); but
 - (b) shall be subject to annulment in pursuance of a resolution of either House.
- (2) The provisions of this Act to which this section applies are—
 - sections 23 to 27;
 - section 28;
 - sections 29 to 34;
 - section 44(4) and (5);
 - section 47;
 - section 144;
 - section 160.

169 Financial provision

There shall be paid out of money provided by Parliament—

- (a) any expenses incurred under this Act by a Minister of the Crown; and
- (b) any increase attributable to the provisions of this Act in the sums payable out of such money under any other Act.

Status: This is the original version (as it was originally enacted).

170 Minor and consequential amendments and repeals

- (1) The enactments mentioned in Schedule 15 to this Act shall have effect with the amendments there specified (being minor amendments and amendments consequential on the foregoing provisions of this Act).
- (2) The enactments mentioned in Schedule 16 to this Act (which include enactments already obsolete or unnecessary) are repealed to the extent specified in the third column of that Schedule but subject to the Notes at the end of the Schedule.

171 Commencement

- (1) Subject to the following provisions of this section, this Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint and different days may be appointed in pursuance of this subsection for different provisions or different purposes of the same provision.
- (2) An order under this section may make such transitional provision as appears to the Secretary of State to be necessary or expedient in connection with any provision thereby brought into force other than a provision contained in sections 108 to 117 above or in Schedule 6 or 7 to this Act.
- (3) The Secretary of State may by regulations made by statutory instrument make such provision as he considers necessary or expedient in preparation for or in connection with the coming into force of any provision contained in those sections or Schedules.
- (4) A statutory instrument containing any such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) The following provisions shall come into force on the day this Act is passed—
 - section 66;
 - section 67;
 - section 103(1), so far as it relates—
 - (a) to the addition of two subsections at the end of section 8 of the Drug Trafficking Offences Act 1986;
 - (b) to the insertion of a new subsection in section 24 of that Act; and
 - (c) to the substitution of two new sections for section 26 of that Act;
 - section 129;
 - section 132, so far as it relates to the Local Government Finance Act 1982;
 - section 141;
 - section 142;
 - section 143;
 - section 144;
 - section 149;
 - section 166;
 - section 167;
 - section 168;
 - section 169;
 - subsection (1) of section 170, so far as relating to the following—
 - section 112A(1) of the Land Registration Act 1925;

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the extension of references in the Children and Young Persons Act 1933 to the offences mentioned in Schedule 1 to that Act so as to include offences under Part I of the Child Abduction Act 1984;
the Visiting Forces Act 1952;
section 67(6) of the Criminal Justice Act 1967;
section 29 of the Children and Young Persons Act 1969;
section 6(1) of the Juries Act 1974;
sections 171 and 368 of and Schedule 1 to the Criminal Procedure (Scotland) Act 1975;
the Child Care Act 1980;
sections 37 and 133 of the Magistrates' Courts Act 1980;
section 52(7) of the Civic Government (Scotland) Act 1982;
the Criminal Justice Act 1982;
the Police and Criminal Evidence Act 1984;
the Prosecution of Offences Act 1985;
the Criminal Justice Act 1987;
the Criminal Justice (Scotland) Act 1987;
subsection (2) of that section, so far as relating to the following—
section 49 of the Criminal Justice Act 1967;
section 29 of the Children and Young Persons Act 1969;
the Criminal Justice Act 1987;
this section;
sections 172 and 173.

(6) The following provisions—

section 44;
section 45;
section 46;
section 47;
section 48;
section 58;
section 64;
section 68;
section 69;
section 134;
section 135;
section 136;
section 137;
section 138;
section 139;
section 140;
section 158;
sections 160 and 161;
subsection (1) of section 170, so far as relating to the Sexual Offences (Amendment) Act 1976, the Protection of Children Act 1978 and section 6(5) of the Magistrates' Courts Act 1980;

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subsection (2) of that section, so far as relating to the following—

the Prevention of Corruption Act 1916;
 Schedule 3 to the Criminal Justice Act 1967;
 section 28(3) of the Criminal Justice Act 1972;
 the Sexual Offences (Amendment) Act 1976;
 the Protection of Children Act 1978;
 the Cable and Broadcasting Act 1984;
 section 24(2)(e) of the Police and Criminal Evidence Act 1984,

shall come into force at the end of the period of two months beginning with the day this Act is passed.

(7) Section 162 above shall come into force—

- (a) on the day appointed under section 23(2) of the Video Recordings Act 1984 for the coming into force of the provisions of that Act not in force at the passing of this Act; or
- (b) on the passing of this Act,

whichever is the later.

172 Extent

(1) Subject to the following provisions of this section, and to sections 19, 20 and 21 above, this Act extends to England and Wales only.

(2) The following provisions extend also to Scotland—

Part I;
 sections 44 to 48;
 section 50;
 section 57;
 section 63;
 section 68;
 section 76(3);
 section 77(10) and (11);
 section 82;
 sections 84 to 88;
 section 94;
 section 102, so far as relating to other provisions of this Act extending to Scotland;
 sections 108 to 115 and 117;
 section 133;
 section 134;
 section 136;
 section 137;
 sections 141 and 142;
 section 143;
 section 145(a) and (b);
 section 162;
 section 170;

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section 171;
this section; and
section 173.

(3) The following provisions extend also to Northern Ireland—

Part I;
Part IV;
section 50;
section 133;
section 134;
section 135;
section 136;
section 137;
section 139;
section 141;
section 142;
section 143;
section 152;
section 159;
section 162;
section 166(5);
section 170;
section 171;
this section; and
section 173;

(4) The following provisions—

section 56;
sections 90 to 93;
section 103(2);
section 116;
section 124;
section 161;

extend to Scotland only.

(5) Section 95 above extends only to Scotland and Northern Ireland.

(6) Sections 145(c), 149 and 168 above extend to Northern Ireland only.

(7) So far as any provision of this Act to which this subsection applies relates to an Act specified in subsection (9) below, it extends to any place to which that Act extends.

(8) Subsection (7) above applies—

- (a) to section 50 above;
- (b) to section 146 above; and
- (c) to any other provision of this Act so far as it has effect in relation to courts-martial, the Courts-Martial Appeal Court or Standing Civilian Courts.

(9) The Acts mentioned in subsection (7) above are—

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- (a) the Army Act 1955;
 - (b) the Air Force Act 1955;
 - (c) the Naval Discipline Act 1957;
 - (d) the Courts-Martial (Appeals) Act 1968; and
 - (e) the Armed Forces Act 1976.
- (10) Section 158 above extends—
- (a) to Scotland, so far as it relates to courts-martial; and
 - (b) to Northern Ireland, so far as it relates to courts-martial and to such a publication or broadcast or inclusion in a cable programme in Northern Ireland as is mentioned in section 4(1) of the Sexual Offences (Amendment) Act 1976 as adapted by section 5(1)(b) of that Act.
- (11) The extent of any amendment of an enactment in Schedule 15 to this Act is the same as that of the enactment amended, except that the amendments of the Offences against the Person Act 1861 do not extend to Northern Ireland.
- (12) The extent of any repeal of an enactment in Schedule 16 to this Act is the same as that of the enactment repealed, subject to the Notes at the end of the Schedule.

173 Citation

This Act may be cited as the Criminal Justice Act 1988.