



# Criminal Procedure and Investigations Act 1996

## 1996 CHAPTER 25

### PART VII

#### MISCELLANEOUS AND GENERAL

##### *Derogatory assertions [F<sup>1</sup>(Northern Ireland)]*

#### **61 Reporting of assertions: commencement and supplementary.**

- (1) [F<sup>1</sup>Section 58 applies where the offence mentioned in subsection (1) or (2) of that section is committed on or after the appointed day.]
- (2) [F<sup>1</sup>The reference in subsection (1) to the appointed day is to such day as is appointed for the purposes of this section by the Secretary of State by order.]
- (3) [F<sup>1</sup>Nothing in section 58 or 59 affects any prohibition or restriction imposed by virtue of any other enactment on a publication or on matter included in a programme.]

F<sup>2</sup>(4) .....

F<sup>2</sup>(5) .....

- (6) In section 159 of the M<sup>1</sup>Criminal Justice Act 1988 (appeal to Court of Appeal against orders restricting reports etc.) in subsection (1) the following paragraph shall be inserted after paragraph (a)—

“(aa) an order made by the Crown Court under section 58(7) or (8) of the M<sup>2</sup>Criminal Procedure and Investigations Act 1996 in a case where the Court has convicted a person on a trial on indictment;”.

**Changes to legislation:** *Criminal Procedure and Investigations Act 1996, Section 61 is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

#### **Subordinate Legislation Made**

- P1** S. 61(2) power wholly exercised (8.3.1997 and 9.6.1997): 1.4.1997 appointed day (E.W.S) by [S.I. 1997/682](#); 30.6.1997 appointed day (N.I.) by [S.I. 1997/1504](#).

#### **Textual Amendments**

- F1** S. 61(1)-(3) omitted (E.W.S.) (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 139](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); [S.I. 2020/1236](#), [reg. 2](#)
- F2** S. 61(4)(5) repealed (12.1.2010) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(2)(e)(ix), [Sch. 23 Pt. 2](#) (with s. 180)

#### **Modifications etc. (not altering text)**

- C1** S. 61 modified in part (1.12.2020 immediately before the consolidation date (see 2020 c. 9, ss. 3, 5(2) (3) and 2020 c. 17, ss. 2, 416)) by [Sentencing \(Pre-consolidation Amendments\) Act 2020 \(c. 9\)](#), [ss. 1, 5\(2\)\(3\)](#); [S.I. 2012/1236](#), [reg. 2](#)

#### **Marginal Citations**

- M1** [1988 c.33](#).
- M2** [1996 c. 00](#).

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(6) added by [1997 c. 39 s. 9\(4\)](#)
- s. 5(1A) amendment to earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8 by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- s. 5(1A) inserted by [2015 c. 9 \(N.I.\) Sch. 2 para. 8](#)
- s. 5(1A) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)
- s. 13(1)(ba)(b) substituted for s. 13(1)(b) by 2015 c. 9 (N.I.), Sch. 2 para. 8(2) (as inserted) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 4 para. 4(f) and word added by [S.I. 2003/1247 \(N.I.\) Sch. 1 para. 16](#)