

OFFENDER REHABILITATION ACT 2014

EXPLANATORY NOTES

COMMENTARY

General

Section 23: Extent

139. **Section 23** sets out the territorial extent of the Act. Subsection (1) provides that, except for armed forces amendments or repeals, a provision that amends or repeals another Act has the same extent as the amended or repealed provision. Subject to that, the Act extends to England and Wales, Scotland and Northern Ireland (see subsection (2)).
140. Subsection (3) provides that so far as sections 20, 21 or 22 of the Act confer powers relating to Schedule 1 to the Crime (Sentences) Act 1997, those powers also extend to the Channel Islands.
141. Subsection (4) provides that section 385 of the Armed Forces Act 2006 (the 2006 Act) does not apply to armed forces amendments or repeals. The 2006 Act extends to the whole of the United Kingdom, the Isle of Man and the British Overseas Territories. Where a provision of an Act is applied by or under the 2006 Act, section 385 of the 2006 Act ensures that the provision as thus applied has the same extent as the 2006 Act itself.
142. Subsection (5) of section 23, in conjunction with section 23(8), confers power to make an Order in Council in relation to the amendments of the 2006 Act made by Schedule 6, or, in the case of amendments or repeals of provisions applied by or under that Act, in relation to the provisions as so applied. Such an Order in Council can extend the provisions in question, with or without modifications, to any of the Channel Islands, the Isle of Man, or any of the British Overseas Territories.
143. Subsection (6) provides that the power in paragraph 19 of Schedule 1 to the Crime (Sentences) Act 1997, to extend the cross-border transfer provision in that Schedule to the Isle of Man, is exercisable in relation to any amendment of the Crime (Sentences) Act 1997 made by this Act.
144. Subsection (7) provides that the power in section 338 of the 2003 Act to extend provisions of that Act to the Channel Islands and the Isle of Man is exercisable in relation to any amendments of that Act made by this Act.