

1968 No. 325 (C.5)

**CRIMINAL PROCEDURE, ENGLAND AND WALES
CRIMINAL PROCEDURE, SCOTLAND
CRIMINAL PROCEDURE, NORTHERN IRELAND**

**The Criminal Justice Act 1967 (Commencement No. 3)
Order 1968**

Made - - - - *5th March 1968*

In exercise of the powers conferred on me by sections 100(3) and 106(5) and (6) of the Criminal Justice Act 1967(a), I hereby make the following Order :—

1. The provisions of the Criminal Justice Act 1967 specified in the Schedule to this Order shall come into force on 1st September 1968 and accordingly so much of the Criminal Justice Act 1967 (Commencement No. 1) Order 1967(b), as amended(c), and the Criminal Justice Act 1967 (Commencement) (Scotland) Order 1967(d) as provided for these provisions to come into force on 1st April 1968 is hereby revoked.

2. This Order may be cited as the Criminal Justice Act 1967 (Commencement No. 3) Order 1968.

James Callaghan,
One of Her Majesty's Principal
Secretaries of State.

Home Office,
Whitehall.
5th March 1968.

SCHEDULE

Provisions of the Act	Subject matter of provisions
Section 98	Amendment of enactments relating to criminal appeals.
Schedule 4 except paragraph 20(3)	Miscellaneous amendments of enactments relating to criminal appeal.
Paragraphs 2, 22 and 23 of Schedule 6	Amendment of section 2 of the Prosecution of Offences Act 1879(e), section 4(1) of the Geneva Conventions Act 1957(f) and section 105 of the Road Traffic Act 1960(g).
So much of Parts I and III of Schedule 7 as is set out in the Appendix hereto	Repeals.

(a) 1967 c.80.

(b) S.I. 1967/1234 (1967 II, p.3598).

(c) The amending Order is not relevant to the subject matter of this Order.

(d) S.I. 1967/1289 (1967 II, p. 3728).

(e) 1879 c.22.

(f) 1957 c.52.

(g) 1960 c.16.

APPENDIX

Chapter	Short Title	Extent of Repeal
7 Edw. 7. c. 23.	The Criminal Appeal Act 1907.	<p>In section 4(2), the words "and direct a judgment and verdict of acquittal to be entered".</p> <p>Section 8.</p> <p>In section 9, paragraphs (d) and (e) and the words from "and exercise" to the end of the section.</p> <p>In section 11(1), the words "rules of court provide that he shall have the right to be present, or where".</p> <p>Section 12.</p> <p>In section 15, in subsection (1), the words "relating to the proceedings in the court before which the appellant or applicant was tried".</p> <p>Section 18.</p>
15 & 16 Geo. 5. c.49.	The Supreme Court of Judicature (Consolidation) Act 1925.	Section 29.
20 & 21 Geo. 5. c.45.	The Criminal Appeal (Northern Ireland) Act 1930.	In section 7(1), the word "convicted".
11 & 12 Geo. 6. c.58.	The Criminal Justice Act 1948.	Section 38(4).
15 & 16 Geo. 6. & 1 Eliz. 2. c.48.	The Costs in Criminal Cases Act 1952.	Section 16(3). Section 17(6).
4 & 5 Eliz. 2. c.34.	The Criminal Justice Administration Act 1956.	In section 19(1), the words "rules of court under the Criminal Appeal Act 1907 and"; and section 19(2), except as it applies to rules under the Indictments Act 1915.
8 & 9 Eliz. 2. c.65.	The Administration of Justice Act 1960.	Section 5(2). Section 6(2). Section 9(1). In Part I of Schedule 2, the modification of section 6.
1964 c.43.	The Criminal Appeal Act 1964.	In paragraph 6 of Schedule 1, the words "or any enactment of the Parliament of Northern Ireland amending or replacing the said Part III".
1964 c.84.	The Criminal Procedure (Insanity) Act 1964.	<p>In section 2, in subsection (4)(a), the words "8" and "18(1)".</p> <p>In section 3, the proviso to subsection (1); and in subsection (2) the words from "In relation to" to the end of the subsection.</p>

APPENDIX (Cont.)

Chapter	Short Title	Extent of Repeal
1966 c.31.	The Criminal Appeal Act 1966.	In section 7(1), the words "at assizes or quarter sessions".
1966 c.20. (N.I.).	The Criminal Justice Act (Northern Ireland) 1966.	In section 16(3), the words from "In relation to" onwards.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order revokes so much of the Criminal Justice Act 1967 (Commencement No. 1) Order 1967 and the Criminal Justice Act 1967 (Commencement) (Scotland) Order 1967 as provides for the provisions of the Criminal Justice Act 1967 relating to criminal appeals to come into force on 1st April 1968 and brings those provisions into force on 1st September 1968.