
STATUTORY INSTRUMENTS

1982 No. 1857 (C.58)

**CRIMINAL LAW, ENGLAND AND WALES
CRIMINAL LAW, NORTHERN IRELAND**

The Criminal Justice Act 1982 (Commencement No. 1) Order 1982

Made - - - 22nd December 1982

In exercise of the powers conferred on me by section 80(2) of the Criminal Justice Act 1982 (a), I hereby make the following Order:—

1.—(1) This Order may be cited as the Criminal Justice Act 1982 (Commencement No. 1) Order 1982.

(2) In the case of any provision specified in a Schedule to this Order which, by virtue of section 81 of the Criminal Justice Act 1982, extends to Scotland nothing in this Order shall bring the provision into force in its application to Scotland.

2. The provisions of the Criminal Justice Act 1982 specified in the Schedules to this Order shall come into operation on the dates mentioned in the headings of those Schedules.

W. S. I. Whitelaw,
One of Her Majesty's Principal
Secretaries of State.

Home Office.
22nd December 1982.

SCHEDULE 1

PROVISIONS OF THE CRIMINAL JUSTICE ACT 1982 COMING INTO OPERATION ON
31ST JANUARY 1983

Provisions of the Act	Subject matter of provisions
Sections 26 to 28.	Sanctions against parents and guardians.
Section 30.	Prison sentence partly served and partly suspended.
Section 31.	Activation of suspended sentence.
Section 34.	Reduction of sentence of imprisonment by periods spent in custody.
Section 52.	Reciprocal execution in England and Wales and Northern Ireland of warrants of commitment for non-payment of sum adjudged to be paid by conviction.
Section 63.	Deferment of sentence.
Section 64.	Persons recommended by courts for deportation.
Section 65(1), and section 65(2) to the extent necessary to bring into operation the provisions of Schedule 11 other than paragraph 6(a)(iii) and (v).	Probation and after-care.
Section 66.	Right of appeal of probationer etc.
Section 67.	Compensation orders.
Section 70.	Vagrancy offences.
Section 71.	Abolition of imprisonment for loitering and soliciting for purposes of prostitution.
Section 77 to the extent necessary to bring into operation the provisions of Schedules 14 and 15 specified in Appendix A hereto.	Minor and consequential amendments.
Section 78 to the extent necessary to bring into operation the provisions of Schedule 16 specified in Appendix B hereto.	Repeals.
Section 79 to the extent necessary to bring into operation paragraphs 16 and 17 of Schedule 17.	Transitional.
Schedule 10.	Amendments of Schedule 3 to the Immigration Act 1971.
Schedule 11 except paragraph 6(a)(iii) and (v).	Probation and after-care.
So much of Schedules 14 and 15 as is specified in Appendix A hereto.	Minor and consequential amendments.
So much of Schedule 16 as is specified in Appendix B hereto.	Repeals.
Paragraphs 16 and 17 of Schedule 17.	Transitional.

APPENDIX A

PROVISIONS OF SCHEDULES 14 AND 15 COMING INTO OPERATION ON 31ST JANUARY
1983.

So much of Schedule 14 as amends the following enactments:—

The Vagrancy Act 1824 (c.83).

The Customs and Excise Act 1952 (c.44).

Section 22 of the Prison Act 1952 (c.52).

Section 23(3) of the Criminal Justice Act 1961 (c.39).

Sections 60 (other than subsections (1) and (5A)), 64 and 67 of the Criminal Justice Act 1967 (c.80).

Section 13 of the Powers of Criminal Courts Act 1973 (c.62).

Schedule 9 to the Criminal Law Act 1977 (c.45).

The Customs and Excise Management Act 1979 (c.2).

So much of Schedule 15 as amends the following enactments:—

Section 680 of the Merchant Shipping Act 1894 (c.60).

The Immigration Act 1971 (c.77).

APPENDIX B

REPEALS TAKING EFFECT ON 31ST JANUARY 1983

Chapter	Short Title	Extent of repeal
57 and 58 Vict. c.60.	Merchant Shipping Act 1894.	In section 680(1), the words "and to the provisions hereinafter contained with respect to Scotland".
15 and 16 Geo. 6. & Eliz. 2. c.52.	Prison Act 1952.	In section 55(3), the words "Subsection (2) of section twenty-two, and".
1967 c.80. 1971 c.77.	Criminal Justice Act 1967. Immigration Act 1971.	Section 95(1). In section 6(5) the words "except in Scotland", and paragraph (b) and the word "and" preceding it.
1973 c.62.	Powers of Criminal Courts Act 1973.	In section 2, in subsection (6), the words from "under", in the first place where it occurs, to "Act", and subsection (8). Section 4. In section 23, in subsection (1), the words " which have arisen since the suspended sentence was passed". In section 47(d), the words "day training centres and other". Section 48(3) and (4). In section 49, in subsection (2), the words from "and" to the end, and subsection (3). Section 50. Section 51(2). In section 57(1), the definition of "day training centre". In Schedule 1, paragraph 7. In Schedule 3, in paragraph 3, in sub-paragraph (1)(a) the words from "and to ensure" to the end and in sub-paragraph (3) the words "with the approval of the Secretary of State", paragraph 10(2), in paragraph 11, the words "day training centres", paragraph 13(2), paragraph 14(2) and (3), in paragraph 18(1), in paragraph (a), the words "community service committees" and in paragraph (b), the words "and staff appointed under paragraph 10 above" and in paragraph 18A, the words "and staff appointed under paragraph 10 above".
1977 c.45.	The Criminal Law Act 1977.	In Schedule 9, in paragraph 10, the words from "and at" onwards. In Schedule 12, in the entry relating to the Powers of Criminal Courts Act 1973, paragraph 1(6) and in paragraph 11(6) the words "or staff appointed under paragraph 10 of Schedule 3".
1979 c.2.	Customs and Excise Management Act 1979.	Section 147(5). In section 156(3), the words "This subsection does not apply to Scotland."
1980 c.43.	Magistrates' Courts Act 1980.	Section 108(3)(a).
1981 c.22.	Animal Health Act 1981.	Section 70.

SCHEDULE 2

PROVISIONS OF THE CRIMINAL JUSTICE ACT 1982 COMING INTO OPERATION ON
11TH APRIL 1983

Provisions of the Act	Subject matter of provisions
Part III (other than sections 51 and 52).	Fines etc.
Section 77 to the extent necessary to bring into operation the provisions of Schedule 14 which relate to the Merchant Shipping Act 1894.	Minor and consequential amendments.
Section 78 to the extent necessary to bring into operation the provisions of Schedule 16 specified in the Appendix to this Schedule.	Repeals.
Schedule 2.	Fines to remain at their present level.
Schedule 3.	Special increases.
Schedule 4.	Fines imposed otherwise than on conviction.
Schedule 5.	Schedule to be inserted after Schedule 6 to the Magistrates' Courts Act 1980.
Paragraph 2 of Schedule 14.	Minor and consequential amendments.
So much of Schedule 16 as is specified in the Appendix to this Schedule.	Repeals.

APPENDIX

REPEALS TAKING EFFECT ON 11TH APRIL 1983

Chapter	Short Title	Extent of repeal
1977 c.45.	Criminal Law Act 1977.	In section 31 subsection (4)(c) and the word "and" immediately preceding it and subsection (7).
1979 c.39.	Merchant Shipping Act 1979.	In section 43, subsections (4) and (5), and in subsection (6), the words "or an order under subsection (4) of this section".

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into force on 31st January 1983 and 11th April 1983 respectively the provisions of the Criminal Justice Act 1982 set out in Schedules 1 and 2 to the Order. The Order does not affect Scotland.

SI 1982/1857
ISBN 0-11-027857-7

