
STATUTORY INSTRUMENTS

1991 No. 2706 (C. 81) (S. 211)

CRIMINAL LAW, SCOTLAND

**The Criminal Justice Act 1991 (Commencement
No. 2 and Transitional Provisions) Order 1991**

Made - - - - 27th November 1991

The Secretary of State, in exercise of the powers conferred on him by section 102(2) and (3) of the Criminal Justice Act 1991(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

1. This Order may be cited as the Criminal Justice Act 1991 (Commencement No. 2 and Transitional Provisions) Order 1991 and shall extend to Scotland only.

2. –

(1) Subject to paragraph (2) below, section 26(3) of the Criminal Justice Act 1991 (“the 1991 Act”) shall come into force on 9th December 1991.

(2) Section 26(3) of the 1991 Act shall not come into force insofar as it would, apart from this paragraph, have effect with respect to the penalty provided by section 10(2)(b) of the Badgers Act 1973(2), immediately before 9th December 1991, for an offence under section 9(3) of that Act (contravention of, or failure to comply with, terms of licence).

St Andrew’s House,
Edinburgh
27th November 1991

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

(1) 1991 c. 53.

(2) 1973 c. 57; section 9 is as amended by section 4 of the Badgers Act 1991 (c. 36).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force, for Scotland, on 9th December 1991 section 26(3) of the Criminal Justice Act 1991 (c. 53), which substitutes increased penalties for offences under the Badgers Act 1973 (c. 57). It preserves the existing penalty for an offence under section 9(3) of the Badgers Act 1973, for which no provision would otherwise exist after the coming into force of section 26(3) of the Act of 1991.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

This Order has been preceded by the Criminal Justice Act 1991 (Commencement No.1) Order 1991 (SI 1991/2208). It brought into force at various dates, certain provisions of that Act, some for the United Kingdom, some for England, Wales and Scotland, and others for England and Wales only.

Table A of this Note sets out in chronological order the provisions of the Act brought into force by that Order for the whole of the United Kingdom and the dates of coming into force of those provisions. Table B of the Note sets out in chronological order the provisions of the Act brought into force by the Order for England, Wales and Scotland and the dates of coming into force of those provisions. Table C of the Note sets out in chronological order the provisions of the Act brought into force by the Order for England and Wales and the dates of coming into force of those provisions.

TABLE A

PROVISIONS OF THE ACT BROUGHT INTO FORCE FOR THE UNITED KINGDOM BY SI 1991/2208

Column 1 Provision of the Act	Column 2 Date of coming into force
Section 99 (partially)	14th October 1991
Section 102	14th October 1991

TABLE B

PROVISIONS OF THE ACT BROUGHT INTO FORCE FOR ENGLAND, WALES AND SCOTLAND BY SI 1991/2208

Column 1 Provision of the Act	Column 2 Date of coming into force
Section 26(4)	31st October 1991

TABLE C

PROVISIONS OF THE ACT BROUGHT INTO FORCE FOR ENGLAND AND WALES ONLY BY [SI 1991/2208](#)

Column 1 Provision of the Act	Column 2 Date of coming into force
Section 60(3)	14th October 1991
Section 100 (partially)	14th October 1991
Section 101(1) (partially)	14th October 1991
Schedule 11, paragraph 36	14th October 1991
Schedule 12, paragraph 23	14th October 1991
Section 26(3) (partially)	25th October 1991
Section 101(1) (partially)	25th October 1991
Schedule 12, paragraph 7	25th October 1991
Section 26(5)	31st October 1991
Section 73	31st October 1991
Section 74	31st October 1991
Section 80	31st October 1991
Section 81	31st October 1991
Section 82	31st October 1991
Section 83	31st October 1991
Section 84	31st October 1991
Section 85	31st October 1991
Section 86	31st October 1991
Section 87	31st October 1991
Section 88	31st October 1991
Section 89	31st October 1991
Section 90	31st October 1991
Section 91	31st October 1991
Section 92(1)	31st October 1991
Section 93	31st October 1991
Section 94(partially)	31st October 1991
Section 95	31st October 1991
Section 96	31st October 1991
Section 98	31st October 1991
Section 100 (partially)	31st October 1991

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Column 1 Provision of the Act	Column 2 Date of coming into force
Section 101(2) (partially)	31st October 1991
Schedule 10	31st October 1991
Schedule 11 (partially)	31st October 1991
Schedule 13 (partially)	31st October 1991