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STATUTORY INSTRUMENTS

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**1997 No. 882 (C.31)**

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

**The Criminal Justice and Public Order Act 1994  
(Commencement No. 11 and Transitional Provision) Order 1997**

*Made - - - - 15th March 1997*

In exercise of the power conferred upon him by section 172(2) and (3) of the Criminal Justice and Public Order Act 1994(1), the Secretary of State hereby makes the following Order:

**1.** This Order may be cited as the Criminal Justice and Public Order Act 1994 (Commencement No. 11 and Transitional Provision) Order 1997.

**2.** Section 158(2), (6) and (7) (extradition procedures) and section 159(5) (backing of warrants: Republic of Ireland) shall come into force on 1st April 1997.

**3.—(1)** Subject to paragraph (2) below, section 158(5) and (8) shall come into force on 1st April 1997.

(2) In relation to a case where, before 1st April 1997, the Secretary of State has received either an extradition request under section 7 of the Extradition Act 1989, or, as the case may be, a requisition for the surrender of a fugitive criminal under paragraph 4(1) of Schedule 1 to that Act, section 9 of and Schedule 1 to the Extradition Act 1989 shall continue to apply on and after that date as if this Order had not been made.

Home Office  
15th March 1997

*Michael Howard*  
One of Her Majesty's Principal Secretaries of  
State

**Status:** This is the original version (as it was originally made).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

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 1st April 1997 section 158(2), (5), (6), (7) and (8) and section 159(5) of the Criminal Justice and Public Order Act 1994. These make amendments to the procedures to be followed at committal hearings under the Extradition Act 1989 and before a magistrates' court under the Backing of Warrants (Republic of Ireland) Act 1965. By virtue of article 3(2) of this Order, the amendments to section 9 of the 1989 Act and to paragraphs 6 and 7 of Schedule 1 to that Act will only apply when the extradition request or, as the case may be, requisition, is received by the Secretary of State after 1st April 1997.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Act have been brought into force by commencement orders before the date of this Order.

<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 159(1), (2) and (4)	19.12.1994	1994/2935
Sections 16, 151 and 168 (partially); and Schedules 9, 10 and 11 (all partially only)	9.1.1995	1994/3192
Section 52	11.1.1995	1994/3258
Section 53	2.2.1995	1995/24
Sections 17, 18, 23, 24, 31 to 33, 40 to 43, 46 to 51, 64(1) to (3) (partially), 66(6) and (10) to (13), 67(3) to (5), (8) and (9), 72 to 74, 84 to 87, 88, 91, 92, 102 to 117 and Schedule 6, sections 129 to 133, 134 (partially), 135 to 141, 152 to 155, 157 and Schedule 8, sections 160 to 164, 168 (partially), 169, 170 and Schedules 9, 10 and 11 (all partially only)	3.2.1995	1995/127
Section 134	1.6.1995	1995/127
Sections 25 to 30 and Schedule 3, sections 34 to 39, 54 to 59, 60, 62, 64(4), (5) and (6), 66(1) to (5) and (7) to (9), 67(1), (2), (6) and (7),	10.4.1995	1995/721

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<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
118 to 125 and Schedule 7, section 156 and section 168 (partially) and Schedules 9, 10 and 11 (all partially only)		
Section 19	30.5.1995	1995/1378
Sections 75 and 76 and Schedule 10 (partially)	24.8.1995	1995/1957
Section 45, section 168 (partially), Schedule 5 and Schedules 10 and 11 (both partially)	4.9.1995	1995/1957
Section 89	1.11.1995	1995/1957
Section 22	8.3.1996	1996/625
Section 149 and Schedule 10 (partially)	1.7.1996	1996/1608