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STATUTORY INSTRUMENTS

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**2005 No. 950 (C.42)**

**CRIMINAL LAW**

**The Criminal Justice Act 2003 (Commencement No.8  
and Transitional and Saving Provisions) Order 2005**

Made - - - - 24th March 2005

**THE CRIMINAL JUSTICE ACT 2003 (COMMENCEMENT NO.8  
AND TRANSITIONAL AND SAVING PROVISIONS) ORDER 2005**

1. (1) This Order may be cited as the Criminal Justice...
2. (1) Subject to paragraph (2) and Schedule 2, the provisions...
3. (1) The provisions of the 2003 Act specified in paragraph...
4. (1) Subject to Schedule 2, the provisions of the 2003...  
Signature

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**SCHEDULE 1 — PROVISIONS OF THE CRIMINAL JUSTICE ACT 2003  
COMING INTO FORCE ON 4TH APRIL 2005**

1. Section 18 (bail: appeal by prosecution).
2. In relation to England and Wales, sections 32, 33(2), 36...
3. Section 41 (allocation of offences triable either way) in so...
4. Sections 57 to 61, 67 to 72 and 74 (prosecution...
5. Sections 75 to 92, 94 and 95 (retrial for serious...
6. Sections 114 to 131 and 133 to 136 (hearsay evidence)....
7. Sections 142 to 150, 152, 153, 156 to 160, 162...
8. Sections 177, 179 and 180 (community orders).
9. Sections 189 to 194 (suspended sentences).
10. Section 195 (interpretation) in so far as it is not...
11. Section 196(1)(a) and (c) (meaning of relevant order).
12. Sections 197 and 198 (responsible officers) in so far as...
13. Sections 199 to 204(1) to (3) and (6), and 205...
14. Section 214 (requirements available only in case of offenders aged...
15. Section 215 (electronic monitoring) in so far as it is...
16. Sections 216(1) and 217 to 220 (provisions applying to relevant...
17. Section 221 (provision of attendance centres) in so far as...
18. Sections 224 to 236 (dangerous offenders).
19. Sections 237 to 244(1), (2) and (3)(a) and (d), 246...
20. Section 278 and Schedule 23 (deferment of sentence).
21. Section 302 (execution of process between England and Wales and...

22. Section 303(a), (c) and (d) (sentencing: repeals).
23. Section 304 (amendments relating to sentencing) in so far as...
24. Section 305 (interpretation of Part 12) in so far as...
25. Sections 308 to 312, 315 and 319 (miscellaneous provisions about...
26. Section 331 (further minor and consequential amendments) in so far...
27. Section 332 (repeals) in so far as it relates to...
28. Section 333(6) (supplementary and consequential provision) in so far as...
29. In Schedule 3 (allocation of cases triable either way)—
30. Parts 1 and 3 of Schedule 5 (qualifying offences for...
31. Schedule 7 (hearsay evidence: armed forces).
32. Schedule 8 (breach, revocation or amendment of community order).
33. Schedule 9 (transfer of community orders to Scotland or Northern...
34. Schedule 12 (breach or amendment of suspended sentence order, and...
35. Schedule 13 (transfer of suspended sentence orders to Scotland or...
36. Schedule 14 (persons to whom copies of requirements to be...
37. Schedule 15 (specified offences for purposes of Chapter 5 of...
38. Schedule 16 (Scottish offences specified for the purposes of section...
39. Schedule 17 (Northern Ireland offences specified for the purposes of...
40. Schedule 18 (release of prisoners serving sentences of imprisonment or...
41. Schedule 19 (parole board: supplementary provisions) in so far as...
42. (1) The following paragraphs of Schedule 32 (amendments relating to...
43. In Schedule 36 (further minor and consequential amendments)—
44. (1) The following entries in Schedule 37 (repeals).
45. Paragraph 7 of Schedule 38 (transitory, transitional and saving provisions)....

## SCHEDULE 2 — TRANSITIONAL AND SAVING PROVISIONS

### 1. Interpretation

#### *Pre commencement offences*

2. Savings relating to Parts 2, 5 and 9 of the 2003 Act
3. (1) In the case of any criminal proceedings falling under...
4. Transitional Provisions relating to Chapter 1 of Part 12
5. Saving Provisions relating to Chapters 1 to 5 of Part 12
6. The coming into force of— (a) paragraphs 37, 38, 46,...

#### *Community sentences*

7. Transitional provisions
8. Sections 41 to 58 of and Schedules 2 and 4...
9. Notwithstanding the substitution of section 33 (community orders) and the...
10. Notwithstanding sections 147 (meaning of community sentence), 177 (community orders)...
11. Until the coming into force of paragraph 125 (substitution of...
12. Savings
13. The provisions referred to paragraph 12 are—

#### *Saving and Transitional Provisions relating to Chapter 6 of Part 12*

14. Saving for prisoners serving sentences of imprisonment of less than 12 months
15. Power of court to recommend licence conditions for certain prisoners

16. The Parole Board
17. Remand Time
18. The coming into force of paragraph 10 of Schedule 32...
19. Savings for prisoners convicted of offences committed before 4<sup>th</sup> April 2005
20. The coming into force of the repeal of sections 49...
21. The coming into force of the repeal of section 38...
22. Until the repeal of section 34A of the 1991 Act...
23. Transitional arrangements for recall after release
24. Fine defaulters and contemnors
25. Consecutive or concurrent terms
26. Repatriation of Prisoners Act 1984
27. Crime (Sentences) Act 1997
28. The coming into force of paragraph 86 of Schedule 32...
29. Powers of Criminal Courts (Sentencing) Act 2000
30. The coming into force of the repeal of section 84...
31. The Criminal Justice and Court Services Act 2000
32. The International Criminal Court Act 2001
33. Persons liable to removal from the United Kingdom
34. Saving for service prisoners

Explanatory Note