
STATUTORY INSTRUMENTS

2008 No. 2712

**The Criminal Justice and Immigration Act 2008
(Commencement No. 3 and Transitional Provisions) Order 2008**

Citation and interpretation

1.—(1) This Order may be cited as the Criminal Justice and Immigration Act 2008 (Commencement No. 3 and Transitional Provisions) Order 2008.

(2) In this Order, “the 2008 Act” means the Criminal Justice and Immigration Act 2008.

Appointed Dates

2. Subject to articles 3 and 4, the date appointed for the coming into force of the provisions of the 2008 Act specified in the Schedule is 3rd November 2008.

Transitional and saving provisions

3. The coming into force of section 60 of the 2008 Act is of no effect—

- (a) in relation to offences into which a criminal investigation within the meaning of section 1(4) of the Criminal Procedure and Investigations Act 1996(1), has begun, in England and Wales, before 4th April 2005 or, in Northern Ireland, before 15th July 2005; and
- (b) in relation to a case to which Part 1 of the Criminal Procedure and Investigations Act 1996 applies by virtue of section 1(1) or (2) of that Act before 3rd November 2008.

4.—(1) The Police Act 1996(2) and the Police Reform Act 2002(3) shall continue to apply in relation to specified matters as if the amendments in paragraphs 3, 4, 7 and 8 of Schedule 22 and in paragraphs 5, 12(4) and 19 of Schedule 23 to the 2008 Act had not been made.

(2) In this article, “specified matters” means—

- (a) conduct by a police officer which may be or is being dealt with under the Police (Conduct) Regulations 2004(4);
- (b) conduct by a police officer which may be or is being dealt with under the Police (Complaints and Misconduct) Regulations 2004(5) as they are in force on the date this Order is made;
- (c) performance or attendance by a member of a police force which may be or is being dealt with under the Police (Efficiency) Regulations 1999(6); or

(1) 1996 c. 25.

(2) 1996 c. 16.

(3) 2002 c. 30.

(4) S.I. 2004/645, as amended by S.I. 2006/594.

(5) S.I. 2004/643, as amended by S.I. 2005/3311, 2005/3389, 2006/594 and 2006/1406.

(6) S.I. 1999/732, as amended by S.I. 2003/528 and S.I. 2003/2600.

Status: This is the original version (as it was originally made).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

- (d) anything which may be or is being dealt with under the Police Appeals Tribunals Rules 1999(7).

Signed by the authority of the Lord Chancellor and Secretary of State.

13th October 2008

Maria Eagle
Parliamentary Under Secretary of State
Ministry of Justice