
STATUTORY INSTRUMENTS

2012 No. 2905

**The Criminal Justice Act 2003 (Commencement
No. 30 and Consequential Amendment) Order 2012**

Commencement of certain provisions which repeal sentencing provisions

3.—(1) The entry in Part 7 of Schedule 37 to the Act relating to section 65 of the Criminal Justice Act 1991⁽¹⁾ (supervision of young offenders after release) comes into force—

- (a) on 3rd December 2012 in so far as it relates to section 65(1); and
- (b) on 1st May 2013 for remaining purposes.

(2) Subject to paragraph (3), the entry in Part 7 of Schedule 37 to the Act relating to section 85 of the Sentencing Act⁽²⁾ (sexual and violent offences: extension of certain custodial sentences for licence purposes)⁽³⁾ comes into force on 3rd December 2012 for remaining purposes.

(3) The coming into force of the entry mentioned in article 3(2) is of no effect in relation to a person convicted before 3rd December 2012.

(4) The entry in Part 7 of Schedule 37 to the Act relating to sections 116 and 117 of the Sentencing Act (return to prison etc. where offence committed during original sentence)⁽⁴⁾ comes into force on 3rd December 2012 for remaining purposes.

⁽¹⁾ [1991 c.53](#).

⁽²⁾ The Sentencing Act is defined in section 305(1) of the Criminal Justice Act 2003 as the Powers of Criminal Courts (Sentencing) Act [2000 \(c.6\)](#).

⁽³⁾ Part 7 of Schedule 37 to the Criminal Justice Act 2003 makes provision for repealing (among other things) section 85 of the Sentencing Act. The repealing provision was commenced, in so far as it relates to that section, by paragraph 44(4)(r) of Schedule 1 to the Criminal Justice Act 2003 (Commencement No. 8 and Transitional and Saving Provisions) Order 2005 ([S.I. 2005/950](#)). However, paragraph 5(2)(c)(xii) of Schedule 2 to that Order provides that the coming into force of the repeal is of no effect in relation to an offence committed before 4th April 2005.

⁽⁴⁾ Part 7 of Schedule 37 to the 2003 Act makes provision for repealing (among other things) sections 116 and 117 of the Sentencing Act. The repealing provision was commenced, in so far as it relates to those sections, by paragraph 44(4)(r) of Schedule 1 to the Criminal Justice Act 2003 (Commencement No. 8 and Transitional and Saving Provisions) Order 2005 ([S.I. 2005/950](#)). However, paragraph 29 of Schedule 2 to that Order provides that the coming into force of the repeal is of no effect in relation to an offence committed before 4th April 2005 or for sentences of under 12 months.