



Criminal Law Act 1967

1967 CHAPTER 58

PART I

FELONY AND MISDEMEANOUR

12 Commencement, savings, and other general provisions.

- (1) This Part of this Act, except in so far as it enlarges the powers of the Parliament of Northern Ireland, shall not come into force until the 1st January 1968; and, in so far as it affects any matter of procedure or evidence or the jurisdiction or powers of any court in relation to offences, it shall have effect in relation to proceedings on indictment for an offence (except as provided by the following subsections) if, but only if, the person charged with the offence is arraigned on or after that day.
- (2) Where a person is arraigned after the commencement of this Part of this Act on an indictment for a felony committed before that commencement, then for purposes of his trial on that indictment the offence shall be deemed always to have been a misdemeanour and, notwithstanding that the indictment is framed as an indictment for felony, shall be deemed to be charged as a misdemeanour in the indictment.
- (3) On an indictment signed before the commencement of this Part of this Act, a person may be found guilty of any offence of which he could have been found guilty on that indictment if this Part of this Act had not been passed, but not of any other offence; and a person tried by a court-martial ordered or convened before that commencement may be found guilty of any offence of which he could have been found guilty if this Part of this Act had not been passed, but not of any other offence.
- (4) Where a person has been tried for or convicted of felony before the commencement of this Part of this Act, the trial or conviction may be proved in any manner in which it could have been proved if this Part of this Act had not been passed.
- (5) Subject to any express amendment or repeal made by this Act, the following provisions shall have effect in relation to any Act passed before this Act:—
 - (a) any enactment creating an offence by directing it to be felony shall be read as directing it to be an offence, and nothing in this Part of this Act shall

Changes to legislation: *There are currently no known outstanding effects for the Criminal Law Act 1967, Section 12. (See end of Document for details)*

- affect the operation of any reference to an offence in the enactments specially relating to that offence by reason only of the reference being in terms no longer applicable after the commencement of this Part of this Act;
- (b) any enactment referring to felonious stealing shall be read as referring merely to stealing;
 - (c) nothing in this Part of this Act shall affect the punishment provided for an offence by the enactments specially relating to that offence.
- (6) In this Part of this Act references to felony shall not be taken as including treason; but the procedure on trials for treason or misprision of treason shall be the same as the procedure as altered by this Act on trials for murder.
- (7) Any provision of this Part of this Act relating to proceedings on indictment shall, so far as applicable, apply also to proceedings on an inquisition.

Changes to legislation:

There are currently no known outstanding effects for the Criminal Law Act 1967, Section 12.