



# Criminal Justice Act 1993

## 1993 CHAPTER 36

### PART VII

#### SUPPLEMENTARY

#### 78 Commencement etc.

- (1) Sections 70 and 71 shall come into force at the end of the period of two months beginning with the day on which this Act is passed.
- (2) Sections 68, 69, 75, 76 and 79(1) to (12), paragraph 2 of Schedule 5 and, in so far as relating to the <sup>M1</sup>Criminal Procedure (Scotland) Act 1975 and the <sup>M2</sup>Prisoners and Criminal Proceedings (Scotland) Act 1993, Schedule 6, shall come into force on the passing of this Act.
- (3) The other provisions of this Act shall come into force on such day as may be appointed by the Secretary of State by an order made by statutory instrument.
- (4) Different days may be appointed under subsection (3) for different provisions and different purposes.
- (5) Nothing in any provision in Part I applies to any act, omission or other event occurring before the coming into force of that provision.
- (6) Where a person is charged with a relevant offence which was committed before the coming into force of a provision of Part II, Part III, or (as the case may be) Part IV, that provision shall not affect the question whether or not that person is guilty of the offence [<sup>F1</sup>and, where it confers a power on the court, shall not apply in proceedings instituted before the coming into force of that provision].

<sup>F2</sup>(7) .....

<sup>F3</sup>(8) .....

- (9) In subsection (6) “relevant offence” means an offence in relation to which provision is made by Part II, Part III or Part IV, other than an offence created by that Part.

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- (10) An order under subsection (3) may contain such transitional provisions and savings as the Secretary of State considers appropriate.
- (11) For the purposes of section 27 of the <sup>M3</sup>Prevention of Terrorism (Temporary Provisions) Act 1989 (temporary provisions), any amendment made in that Act by a provision of Part IV of, or paragraph 15 of Schedule 5 to, this Act shall be treated, as from the time when that provision comes into force, as having been continued in force by the order under subsection (6) of that section which has effect at that time.

<sup>F3</sup>(12) . . . . .

**Subordinate Legislation Made**

- P1** S. 78(3) power partly exercised (14.1.1994): 15.2.1994 appointed for specified provisions by S.I. 1994/71, arts. 2, 3, **Sch.**, Appendix
- S. 78(3) power partly exercised (4.2.1994): 1.3.1994 appointed for specified provisions by S.I. 1994/242, arts. 2, 3, **Sch.**, Appendix
- S. 78(3) power partly exercised (10.3.1994): 1.4.1994 appointed for specified provisions by S.I. 1994/242, arts. 2, 3, **Sch.**
- S. 78(3) power partly exercised (22.7.1995): 14.8.1995 appointed for specified provisions by S.I. 1995/1958, arts. 2, 3
- S. 78(3) power partly exercised (20.7.1994): 22.8.1994 appointed for specified provisions by S.I. 1994/1951, **art. 2**
- S. 78(3) power partly exercised (11.1.1995): 3.2.1995 appointed for specified provisions by S.I. 1995/43, art. 2, 3, **Sch.**
- S. 78(3)(4) power partly exercised (19.4.1999): 1.6.1999 appointed for specified provisions by S.I. 1999/1189, **art. 2**
- S. 78(3)(4) power partly exercised (26.5.1999): 1.6.1999 appointed for specified provisions by S.I.1999/1499, **art. 2**

**Textual Amendments**

- F1** Words in s. 78(6) substituted (*retrospective* to 27.7.1993) by 1994 c. 33, s. 168(1), **Sch. 9 para. 53**
- F2** S. 78(7) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**
- F3** S. 78(8)(12) repealed (25.8.1996) by 1996 c. 22, ss. 62(1), 63(7), **Sch. 7 Pt. I**

**Marginal Citations**

- M1** 1975 c. 21.
- M2** 1993 c. 9.
- M3** 1989 c. 4.

**79 Short title, extent etc.**

- (1) This Act may be cited as the Criminal Justice Act 1993.
- (2) The following provisions of this Act extend to the United Kingdom—  
Part V;  
sections 21(1) and (3)(h), 23, 24, 45 to 51, 70 to 72, 77, 78 and this section;  
Schedules 1 and 2; and  
paragraphs 4 <sup>F4</sup> . . . and 6 of Schedule 4.

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- (3) The following provisions of this Act extend only to Great Britain—  
sections <sup>F5</sup> . . . 21(3)(e), <sup>F5</sup> . . . 29 to 32, 34(1), 35, 67(1) and 73; and  
paragraph 3 of Schedule 4.
- (4) The following provisions of this Act extend only to Scotland—  
sections 17, 19, 20(2), 21(3)(c) and (d), 22(2), 24(12) to (15), 26(2), 33, 68, 69, 75  
and 76; and  
paragraph 2 of Schedule 4.
- (5) Sections 21(3)(f) and 34(2) [<sup>F6</sup>and paragraph 5 of Schedule 4] extend to Scotland and  
Northern Ireland only.
- <sup>F7</sup>(6) . . . . .
- (7) Section 72 also extends to the Channel Islands and the Isle of Man.
- (8) The provisions of Schedules 5 and 6 have the same extent as the provisions on which  
they operate.
- (9) Otherwise, this Act extends to England and Wales only.
- (10) Her Majesty may by Order in Council direct that such provisions of this Act as may be  
specified in the Order shall extend, with such exceptions and modifications as appear  
to Her Majesty to be appropriate, to any colony.
- <sup>F8</sup>(11) . . . . .
- (12) An Order in Council under paragraph 1(1)(b) of Schedule 1 to the <sup>M4</sup>Northern Ireland  
Act 1974 (legislation for Northern Ireland in the interim period) which contains a  
statement that it is made only for purposes corresponding to purposes of any of sections  
16, 18 and 29 to 32—  
(a) shall not be subject to paragraph 1(4) and (5) of that Schedule (affirmative  
resolution of both Houses of Parliament); but  
(b) shall be subject to annulment in pursuance of a resolution of either House of  
Parliament.
- (13) Schedule 5 (consequential amendments) shall have effect.
- (14) The repeals and revocations set out in Schedule 6 (which include the repeal of two  
enactments which are spent) shall have effect.

**Textual Amendments**

- F4** It is provided that the references to s. 25 and Sch. 4 para. 5 in s. 79(2) are repealed (3.2.1995) by 1994  
c. 37, ss. 65, 69(2), Sch. 1 para. 30(2), Sch. 3
- F5** Words in s. 79(3) repealed (3.2.1995) by 1994 c. 37, ss. 65, 69(2), Sch. 1 para. 30(3), Sch. 3
- F6** Words in s. 79(5) inserted (3.2.1995) by 1994 c. 37, ss. 65, 69(2), Sch. 1 para. 30(4)
- F7** S. 79(6) repealed (25.8.1996) by 1996 c. 22, ss. 62(1), 63(7), Sch. 7 Pt. 1
- F8** S. 79(11) repealed (2.12.1999) by 1998 c. 47, ss. 100(2), Sch. 15; S.I. 1999/3209, art. 2

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#### **Commencement Information**

- II** S. 79 partly in force; s. 79(1)-(12) in force at Royal Assent see s. 78(2); s. 79(14) in force at 20.9.1993 in relation to specified provisions of Sch. 6 by S.I. 1993/1968, art. 2(2), **Sch. 2**, Appendix; s. 79(13) (14) in force at 15.2.1994 for specified purposes by S.I. 1994/71, arts. 2, 3, **Sch.**, Appendix; s. 79(13) (14) in force at 1.3.1994 for further specified purposes by S.I. 1994/242, arts. 2, 3, **Sch.**, Appendix; S. 79(13) in force at 1.4.1994 for further specified purposes by S.I. 1994/700, arts. 2, 3, **Sch.**

#### **Marginal Citations**

- M4** 1974 c. 28.

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice Act 1993, PART VII.