



Criminal Justice and Courts Act 2015

2015 CHAPTER 2

PART 5

FINAL PROVISIONS

93 Power to make consequential and supplementary provision etc

- (1) The Lord Chancellor or the Secretary of State may by regulations make consequential, supplementary, incidental, transitional, transitory or saving provision in relation to any provision of this Act.
- (2) The regulations may, in particular, amend, repeal or revoke legislation.
- (3) Regulations under this section are to be made by statutory instrument.
- (4) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament, subject to subsection (5).
- (5) A statutory instrument containing regulations under this section that amend or repeal a provision of an Act (whether alone or with other provision) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (6) In this section—
 - “Act” includes an Act or Measure of the National Assembly for Wales;
 - “legislation”, in relation to regulations made under this section, means—
 - (a) an Act passed before or in the same Session as this Act, or
 - (b) an instrument made under an Act before the regulations come into force.

94 Financial provision

There is to be paid out of money provided by Parliament—

- (a) any expenditure incurred by a Minister of the Crown under or by virtue of this Act, and

- (b) any increase attributable to this Act in the sums payable under any other Act out of money so provided.

95 Commencement

- (1) The provisions of this Act come into force on such day as the Lord Chancellor or the Secretary of State may appoint by order, subject to subsections (2) to (4).
- (2) Section 52 (low value shoplifting: mode of trial) comes into force at the end of the period of two months beginning with the day on which this Act is passed.
- (3) Section 62 (appeals from the Court of Protection) and this Part come into force on the day on which this Act is passed.
- (4) Paragraphs 23 to 25 of Schedule 7 (transition from EU Convention on driving disqualification to new agreement), and section 31(6)(b) so far as it relates to those paragraphs, come into force on the day on which this Act is passed.
- (5) An order under this section is to be made by statutory instrument.
- (6) An order under this section may—
 - (a) appoint different days for different purposes, and
 - (b) make transitional, transitory or saving provision.
- (7) An order under this section bringing into force section 16 (drugs for which prisoners etc may be tested) may appoint different days for different areas.
- (8) Subsection (9) applies to an order under this section the effect of which is to bring into force the Secretary of State's power to provide secure colleges for the detention of any or all of the following—
 - (a) persons who are male and aged under 15;
 - (b) persons who are female.
- (9) A statutory instrument containing the order may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (10) The reference in subsection (8) to the Secretary of State's power to provide secure colleges is to the power under section 43(1)(c) of the Prison Act 1952 (as inserted by section 38 of this Act).

96 Extent

- (1) An amendment or repeal made by this Act has the same extent as the provision amended or repealed (ignoring extent by virtue of an Order in Council), subject to subsections (2) to (4).
- (2) An amendment or repeal of a provision of the Armed Forces Act 2006 extends to England and Wales, Scotland and Northern Ireland.
- (3) An amendment or repeal of any other provision, so far as it is applied by the Armed Forces Act 2006, extends to England and Wales, Scotland and Northern Ireland (and section 385 of that Act does not apply in relation to the amendment or repeal).

- (4) Section 79(9) and paragraph 1 of Schedule 15 (operation of section 39 of the Children and Young Persons Act 1933 in relation to providers of information society services) extend to England and Wales only.
- (5) A provision of this Act, other than an amendment or repeal, extends to England and Wales, Scotland and Northern Ireland, subject to subsection (6).
- (6) The following provisions extend to England and Wales only—
 - (a) sections 17 and 18(1) to (4) (restrictions on use of cautions);
 - (b) sections 20 to 25 (offences involving ill-treatment or wilful neglect);
 - (c) sections 33 to 35 (disclosing private sexual photographs and films with intent to cause distress);
 - (d) sections 57 to 61 (personal injury claims: fundamental dishonesty and rules against inducements);
 - (e) sections 86 to 90 (judicial review: information about financial resources, interveners and capping of costs);
 - (f) Schedule 4 (ill-treatment or wilful neglect: excluded health care);
 - (g) Schedule 8 (disclosing private sexual photographs or films: providers of information society services);
 - (h) Parts 1 to 4 of Schedule 10 (contracting out secure colleges).

97 Channel Islands, Isle of Man and British overseas territories

- (1) The power conferred by paragraph 19 of Schedule 1 to the Crime (Sentences) Act 1997 (power to extend to Isle of Man) is exercisable in relation to any amendment of that Schedule that is made by or under this Act.
- (2) The power conferred by section 9(3) of the Special Immigration Appeals Commission Act 1997 (power to extend to Channel Islands and Isle of Man) is exercisable in relation to any amendment of that Act that is made by or under this Act.
- (3) The power conferred by section 338 of the Criminal Justice Act 2003 (power to extend to Channel Islands etc) is exercisable in relation to any amendment of that Act that is made by or under this Act.
- (4) The power conferred by section 39(6) of the Terrorism Act 2006 (power to extend to Channel Islands and Isle of Man) is exercisable in relation to any amendment of that Act that is made by or under this Act.
- (5) Her Majesty may by Order in Council provide for an armed forces provision to extend, with or without modifications, to—
 - (a) any of the Channel Islands,
 - (b) the Isle of Man, or
 - (c) any of the British overseas territories.
- (6) “Armed forces provision” means—
 - (a) an amendment or repeal made by or under this Act of a provision of the Armed Forces Act 2006;
 - (b) an amendment or repeal made by or under this Act of any other provision, so far as the provision is applied by the Armed Forces Act 2006.

Status: This is the original version (as it was originally enacted).

98 Short title

This Act may be cited as the Criminal Justice and Courts Act 2015.