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STATUTORY INSTRUMENTS

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**1992 No. 2118 (C.75) (S.215)**

**CRIMINAL LAW, SCOTLAND**

**The Criminal Justice Act 1991 (Commencement  
No. 3 (Amendment) and Transitional  
Provisions and Savings) (Scotland) Order 1992**

*Made - - - - 1st September 1992*

The Secretary of State, in exercise of the powers conferred on him by section 102(2) and (3) of the Criminal Justice Act 1991(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

1. This Order may be cited as the Criminal Justice Act 1991 (Commencement No. 3 (Amendment) and Transitional Provisions and Savings) (Scotland) Order 1992 and shall extend to Scotland only.

2. In this Order—

“the 1991 Act” means the Criminal Justice Act 1991;

“the principal Order” means the Criminal Justice Act 1991 (Commencement No.3) Order 1992(2).

3. In paragraph (2) of Article 2(2) of the principal Order, for the words “Subject to paragraphs (3) and (4) below”, there shall be substituted the words “Subject to paragraphs (3), (4) and (4A) below”.

4. After paragraph (4) of Article 2 of the principal Order, there shall be inserted the following paragraph:—

“(4A) The amendments made to sections 289G(2) and 289B(6) of the Criminal Procedure (Scotland) Act 1975(3) by section 17(1) and (2) of the 1991 Act shall not apply in relation to any offence committed before 1st October 1992.”.

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(1) 1991 c. 53.  
(2) S.I. 1992 No.333.  
(3) 1975 c. 21.

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**Status:** This is the original version (as it was originally made).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

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St Andrew's House,  
Edinburgh  
1st September 1992

*Fraser of Carmyllie*  
Minister of State, Scottish Office

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Criminal Justice Act 1991 (Commencement No. 3) Order 1992 (S.I.1992/333) (“the principal Order”).

The principal Order provides for the commencement on 1st October 1992 of inter alia section 17(1) and (2) of the Criminal Justice Act 1991 which increases the fines for certain offences by amending inter alia sections 289G(2) and 289B(6) of the Criminal Procedure (Scotland) Act 1975.

This Order amends the principal Order by providing that the amendments made to sections 289G(2) and 289B(6) of the Criminal Procedure (Scotland) Act 1975 shall not apply in relation to any offence committed before 1st October 1992. This corresponds to the transitional and savings provision made for England and Wales in paragraph 6 of Schedule 12 to the 1991 Act.