
STATUTORY INSTRUMENTS

1997 No. 2694 (C.101) (S.170)

CRIMINAL LAW, SCOTLAND

**The Crime and Punishment (Scotland) Act
1997 (Commencement No. 3) Order 1997**

Made - - - - 10th November 1997

The Secretary of State, in exercise of the powers conferred upon him by section 65(2) of the Crime and Punishment (Scotland) Act 1997⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Crime and Punishment (Scotland) Act 1997 (Commencement No. 3) Order 1997.

(2) In this Order “the Act” means the Crime and Punishment (Scotland) Act 1997.

Commencement

2.—(1) The provisions of the Act which are listed in paragraph (2) below shall come into force on 17th November 1997.

(2) The provisions referred to in paragraph (1) above are—

- (a) section 47 (record of evidence taken from external parts of body) insofar as not already in force;
- (b) section 48 (samples etc. from persons convicted of sexual and violent offences);
- (c) section 62(2) (repeals) so far as it relates to the entry referred to in sub-paragraph (d) below; and
- (d) in Schedule 3 (repeals) the entry in respect of section 18(7) of the Criminal Procedure (Scotland) Act 1995⁽²⁾.

(1) 1997 c. 48.
(2) 1995 c. 46.

Status: This is the original version (as it was originally made).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

St Andrew's House,
Edinburgh
10th November 1997

Henry B McLeish
Minister of State, Scottish Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints 17th November 1997 for the coming into force of sections 47 (insofar as not already in force) and 48 of, and a related repeal specified in Schedule 3 to, the Crime and Punishment (Scotland) Act 1997, which make provision for the taking of prints and samples from persons convicted of certain sexual and violent offences.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act insofar as these are not already in force have been brought into force by commencement orders made before the date of this Order.

| <i>Provisions</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|---|-----------------------------|---------------------------|
| Sections 12, 14, 17, 20 (partially), 21, 23, 24 (partially), 26 to 32, 47 (partially), 55 to 61, 62 (partially), 63 (partially), 64, 65 (partially) and Schedules 1 (partially) and 3 (partially) | 1st August 1997 | 1997/1712 |
| Sections 49 (partially), 50 to 54, 62(1) (partially), 63(1)(b) and Schedule 1 (partially) | 1st October 1997 | 1997/2323 |
| Sections 2 and 3 (partially) 5 (partially) 15 (partially) 16 (partially) 18 (partially) 19 (partially) 62 (partially) 63(1)(a)(i) and Schedules 1 (partially) and 3 (partially) | 20th October 1997 | 1997/2323 |

The following provisions of the Act are to be brought into force after the date of this Order by virtue of a commencement order made before the date of this Order.

| <i>Provisions</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--|-----------------------------|---------------------------|
| Sections 6 to 11, 15 (partially), 22, 42 to 44, 62 (partially) and Schedules 1 (partially) and 3 (partially) | 1st January 1998 | 1997/2323 |
| Section 49 (partially) | 1st April 1998 | 1997/2323 |
| Section 5 (partially), 24 (partially), 62 (partially) and Schedule 1 (partially) | 1st July 1998 | 1997/2323 |

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| <i>Provisions</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|------------------------|-----------------------------|---------------------------|
| Section 49 (partially) | 1st October 1998 | 1997/2323 |