
STATUTORY INSTRUMENTS

1997 No. 3004 (C.110) (S.190)

CRIMINAL LAW, SCOTLAND

**The Crime and Punishment (Scotland) Act
1997 (Commencement No. 4) Order 1997**

Made - - - - 12th December 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. 4) Order 1997.

(2) In this Order—

“the Act” means the Crime and Punishment (Scotland) Act 1997; and

“the 1995 Act” means the Criminal Procedure (Scotland) Act 1995(2).

Commencement of provisions

2. The provisions of the Act which are specified in column 1 of the Schedule to this Order and whose subject matter is specified in column 2 of that Schedule shall, insofar as they are not then in force, come into force on 1st January 1998, but where a particular purpose is specified in relation to any provision in column 3 of that Schedule that provision shall come into force on that day only for that purpose.

St Andrew’s House,
Edinburgh
12th December 1997

Henry McLeish
Minister of State, Scottish Office

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Status: This is the original version (as it was originally made).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

SCHEDULE

Article 2

THE PROVISIONS OF THE ACT WHICH COME INTO FORCE ON 1ST JANUARY 1998

<i>Column 1</i> <i>Provision of Act</i>	<i>Column 2</i> <i>Subject Matter</i>	<i>Column 3</i> <i>Purpose</i>
Section 25	Scottish Criminal Cases	Only for the purpose of Review Commission inserting sections 194A, 194E and 194G and Schedule 9A into the 1995 Act
Section 62(1)	Amendments	Only for the purpose of bringing into force the provisions of Schedule 1 to the Act specified or referred to in this Schedule
Section 63(1)(a)(ii)	Financial provisions	
In Schedule 1, paragraphs 4, 5 and 7	Amendment of enactments	

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of and the Schedule to this Order appoints 1st January 1998 for the coming into force of section 25 of the Crime and Punishment (Scotland) Act 1997 (“the Act”), for the purpose of inserting certain provisions into the Criminal Procedure (Scotland) Act 1995 which relate to the setting up of the Scottish Criminal Cases Review Commission. The Order also brings into force on 1st January 1998 section 63(1)(a)(ii) of the Act which relates to the finance of the Commission, together with consequential amendments. The Commission will begin to exercise its statutory powers to review cases only when section 25 of the Act is brought into force for all purposes.

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	1st August 1997	1997/1712

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

<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
(partially), 63 (partially), 64, 65 (partially) and Schedules 1 (partially) and 3 (partially)		
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
Sections 47 (partially), 48, 62(2) (partially) and Schedule 3 (partially)	17th November 1997	1997/2694

The following provisions of the Act insofar as these are not already in force 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
Sections 5 (partially), 24 (partially), 62 (partially) and Schedule 1 (partially)	1st July 1998	1997/2323
Section 49 (partially)	1st October 1998	1997/2323