

## SCHEDULE 2

### TRANSITIONAL AND SAVING PROVISIONS

#### *Pre commencement offences*

#### **Saving Provisions relating to Chapters 1 to 5 of Part 12**

5.—(1) The coming into force of the provisions mentioned in paragraph (2) is of no effect in relation to an offence committed before 4<sup>th</sup> April 2005.

(2) The provisions to which this paragraph applies are—

- (a) sections 146 to 150, 152, 153, 166, 177, 179, 180, and 189 to 194 of and Schedules 8, 9, 12, 13 and 14 to the 2003 Act;
- (b) in Schedule 32 (amendments relating to sentencing), paragraphs 2, 5 and 6(a), 8 and 9, 12(4) and (5), 13 to 15, 18(1) and (3), 20 to 23, 26, 31, 32, 35, 36, 38, 47, 54, 59 to 61, 64, 67, 68(1), (3) and (4), 69 to 81, 88, 89, 91, 92, 94 to 97(2) and (3), 98, 99, 100(2) and (3), 101, 102(1) and (2)(a), 103, 104(2) and (3), 105, 106(2), 107, 110, 122, 123, and 125 to 129, 130 to 132, 134, 135, 138, 141, and 144;
- (c) in Part 7 of Schedule 37 (repeals)—
  - (i) the entry relating to section 18 of the Crime and Disorder Act 1998**(1)**;
  - (ii) the entry relating to section 104(1) of the Criminal Justice Act 1967**(2)**;
  - (iii) the entry relating to section 11(4) of the Criminal Appeal Act 1968**(3)**;
  - (iv) the entry relating to the Social Work (Scotland) Act 1968**(4)**;
  - (v) the entry relating to the Bail Act 1976**(5)**;
  - (vi) the entry relating to Schedule 6A of the Magistrates' Courts Act 1980**(6)**;
  - (vii) the entry relating to the Road Traffic Offenders Act 1988**(7)**;
  - (viii) the entry relating to section 7(9) of the Football Spectators Act 1989**(8)**;
  - (ix) the entry relating to the Children Act 1989**(9)**;
  - (x) the entry relating to the Criminal Justice and Public Order Act 1994**(10)**;
  - (xi) the entry relating to the Criminal Procedure (Scotland) Act 1995**(11)**;
  - (xii) the entry relating to sections 34 to 36A, 36B, 37(9), 40A(4) and (9), 41 to 59, 62, 79 and 80, 85, 109, 118 to 125, 151 to 153, 158 to 161(2) to (4) and 163 of and Schedules 2, 4, 7 and 8 to the Sentencing Act;
  - (xiii) the entry relating to section 47 to 51, 53 to 55, 63 and 78(1) of and Schedule 7 to the Criminal Justice and Court Services Act 2000**(12)**.

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(1) 1998 c. 37.  
(2) 1967 c. 80.  
(3) 1968 c. 19.  
(4) 1968 c. 49.  
(5) 1976 c. 63.  
(6) 1980 c. 43.  
(7) 1988 c. 53.  
(8) 1989 c. 37.  
(9) 1989 c. 41.  
(10) 1994 c. 33.  
(11) 1995 c. 46.  
(12) 2000 c. 43

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

(3) Where an offence is found to have been committed over a period of two or more days, or at some time during a period of two or more days, it shall be taken for the purposes of paragraph (1) to have been committed on the last of those days.