

**2009 No. 860 (C. 56)**

**CRIMINAL LAW, ENGLAND AND WALES**  
**ANTI-SOCIAL BEHAVIOUR, ENGLAND AND WALES**  
**CHILDREN AND YOUNG PERSONS, ENGLAND AND WALES**  
**PUBLIC HEALTH, ENGLAND AND WALES**  
**IMMIGRATION**

**The Criminal Justice and Immigration Act 2008**  
**(Commencement No. 7) Order 2009**

*Made* - - - -

*28th March 2009*

The Secretary of State, in exercise of the powers conferred by section 153(7) of the Criminal Justice and Immigration Act 2008(a), makes the following Order:

**Citation and interpretation**

**1.**—(1) This Order may be cited as the Criminal Justice and Immigration Act 2008 (Commencement No. 7) Order 2009.

(2) In this Order, “the 2008 Act” means the Criminal Justice and Immigration Act 2008.

**Appointed Dates**

**2.**—(1) The date appointed for the coming into force of the following provisions of the 2008 Act is 1<sup>st</sup> April 2009 —

- (a) section 1(5) (Youth rehabilitation orders) in so far as it relates to the provisions specified in sub-paragraph (g);
- (b) section 125 (Parenting contracts and parenting orders: local authorities);
- (c) section 143 (Persistent sales of tobacco to persons under 18);
- (d) section 146 (Convention against human trafficking);
- (e) section 148(2) (Consequential etc. amendments and transitional and saving provision) in so far as it relates to the provision specified in sub-paragraph (i);

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(a) 2008 c.4.

- (f) section 149 (Repeals and revocations) in so far as it relates to the provision specified in sub-paragraph (j) ;
- (g) paragraphs 26(5) and 35 of Schedule 1 (Further provision about youth rehabilitation orders);
- (h) paragraph 3 of Schedule 9 (Alternatives to prosecution for offenders under 18) but only to the extent that it inserts section 66C (Financial penalties) of the Crime and Disorder Act 1998(a);
- (i) paragraph 37 of Schedule 27 (Transitory, transitional and saving provisions); and
- (j) Part 7 of Schedule 28 (Repeals and revocations).

(2) The date appointed for the coming into force of the following provisions of the 2008 Act is 27<sup>th</sup> April 2009—

- (a) section 35 (Referral conditions);
- (b) section 36 (Power to revoke a referral order);
- (c) section 37 (Extension of period for which young offender contract has effect);
- (d) section 148(1) (Consequential etc. amendments and transitional and saving provision) in so far as it relates to the provision specified in sub-paragraph (f);
- (e) section 149 (Repeals and revocations) in so far as it relates to the provision specified in sub-paragraph (g);
- (f) paragraphs 40, 42, 43 and 49 of Schedule 26 (Minor and consequential amendments); and
- (g) in Part 2 (Sentencing) of Schedule 28 (Repeals and revocations), the entry relating to section 17 of the Powers of Criminal Courts (Sentencing) Act 2000(b).

Signed by the authority of the Secretary of State

28th March 2009

*David Hanson*  
Minister of State  
Ministry of Justice

### **EXPLANATORY NOTE**

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

This Order brings into force the provisions of the Criminal Justice and Immigration Act 2008 (c.4) set out in article 2(1) and (2) on 1<sup>st</sup> April 2009 and 27<sup>th</sup> April 2009 respectively.

### **NOTE AS TO EARLIER COMMENCEMENT ORDERS**

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

The following provisions of the Criminal Justice and Immigration Act 2008 have been brought into force by a commencement order made before the date of this Order.

| <i>Provision</i>       | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|------------------------|-----------------------------|-----------------|
| Section 10             | 14 July 2008                | 2008/1586       |
| Section 11 (partially) | 14 July 2008                | 2008/1586       |
| Section 12             | 14 July 2008                | 2008/1586       |

(a) 1998 c.37  
(b) 2000 c.6

|                        |                  |           |
|------------------------|------------------|-----------|
| Section 13             | 14 July 2008     | 2008/1586 |
| Section 14             | 14 July 2008     | 2008/1586 |
| Section 15             | 14 July 2008     | 2008/1586 |
| Section 16             | 14 July 2008     | 2008/1586 |
| Section 17             | 14 July 2008     | 2008/1586 |
| Section 18             | 14 July 2008     | 2008/1586 |
| Section 20             | 14 July 2008     | 2008/1586 |
| Section 21 (partially) | 3 November 2008  | 2008/2712 |
| Section 22             | 3 November 2008  | 2008/2712 |
| Section 23             | 3 November 2008  | 2008/2712 |
| Section 24             | 14 July 2008     | 2008/1586 |
| Section 25             | 14 July 2008     | 2008/1586 |
| Section 26 (partially) | 9 June 2008      | 2008/1466 |
| Section 27             | 14 July 2008     | 2008/1586 |
| Section 28             | 14 July 2008     | 2008/1586 |
| Section 29 (partially) | 14 July 2008     | 2008/1586 |
| Section 30             | 14 July 2008     | 2008/1586 |
| Section 31             | 14 July 2008     | 2008/1586 |
| Section 32             | 14 July 2008     | 2008/1586 |
| Section 33 (partially) | 3 November 2008  | 2008/2712 |
| Section 34 (partially) | 3 November 2008  | 2008/2712 |
| Section 38             | 14 July 2008     | 2008/1586 |
| Section 40             | 14 July 2008     | 2008/1586 |
| Section 41             | 3 November 2008  | 2008/2712 |
| Section 42             | 14 July 2008     | 2008/1586 |
| Section 43             | 14 July 2008     | 2008/1586 |
| Section 44             | 14 July 2008     | 2008/1586 |
| Section 45             | 14 July 2008     | 2008/1586 |
| Section 46 (partially) | 14 July 2008     | 2008/1586 |
| Section 47             | 14 July 2008     | 2008/1586 |
| Section 48 (partially) | 1 February 2009  | 2009/140  |
| Section 49             | 19 December 2008 | 2008/3260 |
| Section 50             | 19 December 2008 | 2008/3260 |
| Section 51             | 3 November 2008  | 2008/2712 |
| Section 52             | 14 July 2008     | 2008/1586 |
| Section 54             | 14 July 2008     | 2008/1586 |
| Section 55             | 14 July 2008     | 2008/1586 |
| Section 56             | 14 July 2008     | 2008/1586 |
| Section 57             | 14 July 2008     | 2008/1586 |
| Section 58             | 14 July 2008     | 2008/1586 |
| Section 59             | 14 July 2008     | 2008/1586 |
| Section 60             | 3 November 2008  | 2008/2712 |
| Section 61             | 1 December 2008  | 2008/2993 |
| Section 63             | 26 January 2009  | 2008/2993 |
| Section 64             | 26 January 2009  | 2008/2993 |
| Section 65             | 26 January 2009  | 2008/2993 |
| Section 66             | 26 January 2009  | 2008/2993 |
| Section 67             | 26 January 2009  | 2008/2993 |
| Section 68             | 26 January 2009  | 2008/2993 |
| Section 71             | 26 January 2009  | 2008/2993 |
| Section 72             | 14 July 2008     | 2008/1586 |
| Section 73             | 14 July 2008     | 2008/1586 |
| Section 76             | 14 July 2008     | 2008/1586 |

|                         |                  |           |
|-------------------------|------------------|-----------|
| Section 93              | 14 July 2008     | 2008/1586 |
| Section 94              | 14 July 2008     | 2008/1586 |
| Section 95              | 14 July 2008     | 2008/1586 |
| Section 96              | 14 July 2008     | 2008/1586 |
| Section 97              | 14 July 2008     | 2008/1586 |
| Section 118             | 1 December 2008  | 2008/2993 |
| Section 119 (partially) | 1 January 2009   | 2008/3260 |
| Section 120 (partially) | 1 January 2009   | 2008/3260 |
| Section 121 (partially) | 1 January 2009   | 2008/3260 |
| Section 123             | 1 February 2009  | 2009/140  |
| Section 124             | 1 February 2009  | 2009/140  |
| Section 126 (partially) | 14 July 2008     | 2008/1586 |
| (partially)             | 3 November 2008  | 2008/2712 |
| (partially)             | 1 December 2008  | 2008/2993 |
| Section 127 (partially) | 3 November 2008  | 2008/2712 |
| (partially)             | 1 December 2008  | 2008/2993 |
| Section 129             | 3 November 2008  | 2008/2712 |
| Section 140             | 14 July 2008     | 2008/1586 |
| Section 141             | 14 July 2008     | 2008/1586 |
| Section 142             | 14 July 2008     | 2008/1586 |
| Section 148 (partially) | 9 June 2008      | 2008/1466 |
| (partially)             | 14 July 2008     | 2008/1586 |
| (partially)             | 15 July 2008     | 2008/1586 |
| (partially)             | 3 November 2008  | 2008/2712 |
| (partially)             | 1 December 2008  | 2008/2993 |
| (partially)             | 19 December 2008 | 2008/3260 |
| (partially)             | 26 January 2009  | 2008/2993 |
| (partially)             | 1 February 2009  | 2009/140  |
| Section 149 (partially) | 14 July 2008     | 2008/1586 |
| (partially)             | 3 November 2008  | 2008/2712 |
| (partially)             | 1 December 2008  | 2008/2993 |
| Schedule 5              | 14 July 2008     | 2008/1586 |
| Schedule 6              | 3 November 2008  | 2008/2712 |
| Schedule 8              | 14 July 2008     | 2008/1586 |
| Schedule 9 (partially)  | 1 February 2009  | 2009/140  |
| Schedule 10             | 19 December 2008 | 2008/3260 |
| Schedule 11             | 3 November 2008  | 2008/2712 |
| Schedule 14             | 26 January 2009  | 2008/2993 |
| Schedule 15             | 14 July 2008     | 2008/1586 |
| Schedule 20             | 1 December 2008  | 2008/2993 |
| Schedule 22 (partially) | 14 July 2008     | 2008/1586 |
| (partially)             | 3 November 2008  | 2008/2712 |
| (partially)             | 1 December 2008  | 2008/2993 |
| Schedule 23 (partially) | 3 November 2008  | 2008/2712 |
| (partially)             | 1 December 2008  | 2008/2993 |
| Schedule 24             | 14 July 2008     | 2008/1586 |
| Schedule 26 (partially) | 9 June 2008      | 2008/1466 |
| (partially)             | 14 July 2008     | 2008/1586 |
| (partially)             | 15 July 2008     | 2008/1586 |
| (partially)             | 3 November 2008  | 2008/2712 |
| (partially)             | 26 January 2009  | 2008/2993 |
| Schedule 27 (partially) | 9 June 2008      | 2008/1466 |
| (partially)             | 14 July 2008     | 2008/1586 |

|                         |                  |           |
|-------------------------|------------------|-----------|
| (partially)             | 1 December 2008  | 2008/2993 |
| (partially)             | 19 December 2008 | 2008/3260 |
| (partially)             | 26 January 2009  | 2008/2993 |
| (partially)             | 1 February 2009  | 2009/140  |
| Schedule 28 (partially) | 14 July 2008     | 2008/1586 |
| (partially)             | 3 November 2008  | 2008/2712 |
| (partially)             | 1 December 2008  | 2008/2993 |

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