
STATUTORY INSTRUMENTS

2011 No. 2298

**The Criminal Justice and Licensing (Scotland) Act 2010
(Consequential Provisions and Modifications) Order 2011**

Citation and commencement

1.—(1) This Order may be cited as the Criminal Justice and Licensing (Scotland) Act 2010 (Consequential Provisions and Modifications) Order 2011.

(2) Except as provided in paragraph (3) below, this Order comes into force on the day after the day on which it is made.

(3) Part 1 of the Schedule, article 3 (so far as it gives effect to Part 1 of the Schedule) and article 4(1) come into force on whichever is the later of—

- (a) 1st August 2011, and
- (b) the day after the day on which this Order is made.

Extent

2.—(1) Except as provided in paragraphs (2) to (6) below this Order extends to Scotland, England and Wales and Northern Ireland.

(2) Article 4(1) and Part 1 of the Schedule extend to Scotland only.

(3) Article 4(3) and paragraph 15 of the Schedule extend to Northern Ireland only.

(4) Paragraphs 7(a), 16 and 17 of the Schedule extend to England and Wales only.

(5) Paragraphs 10 and 12 of the Schedule extend to Scotland and to England and Wales only.

(6) Part 2 and paragraphs 7(b) and 13 of the Schedule extend to England and Wales and Northern Ireland only.

Modifications of enactments

3. The Schedule to this Order has effect.

Savings and transitional provisions

4.—(1) The modifications made by Part 1 of the Schedule have effect in relation to relevant physical data, samples and information derived from samples whenever taken or provided.

(2) The repeal of sections 234(4) to (11) and 244 of the Criminal Procedure (Scotland) Act 1995⁽¹⁾ made by paragraph 7 of the Schedule and the modifications made by Part 4 of the Schedule are of no effect in respect of an offence committed before this Order comes into force or in relation to any probation order or community service order made under that Act.

(1) 1995 c.46 (“the 1995 Act”).

Status: This is the original version (as it was originally made).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

(3) The amendments to the Juries (Northern Ireland) Order 1996⁽²⁾ made by paragraph 15 of the Schedule are of no effect in respect of a person given notice under Article 4(3) of that Order before the commencement of that paragraph.

(4) 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 (2) to have been committed on the first of those days.

Signed by authority of the Secretary of State

Dover House
London
15th September 2011

David Mundell
Parliamentary Under Secretary of State
Scotland Office

(2) S.I. 1996/1141 (N.I. 6).