
EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the fourth commencement order made under the Crime and Courts Act 2013 (c. 22) (“the Act”).

This Order commences a number of provisions of the Act on 4th September 2013, on 1st October 2013 and on 1st November 2013.

The provisions which are commenced on 4th September 2013 are—

- section 17(4) (which provides for the repeal of Part 2 of the Children Schools and Families Act 2010 and related provisions);
- section 20 (which provides for Schedule 13, concerning judicial appointments, to have effect), for the purpose of bringing Part 3 of Schedule 13 into force;
- Part 3 of Schedule 13 (Judicial Appointments Commission).

The provisions which are commenced on 1st October 2013 are—

- section 20 for the purpose of bringing Parts 1 and 4 of Schedule 13 into force;
- section 21 which makes provision about deployment of the judiciary;
- section 30 which amends Part 3 of the Constitutional Reform Act 2005 to insert sections 51A to 51E. These provisions provide for Supreme Court security officers with specified powers;
- Part 1 (judges of the Supreme Court: number and selection) of Schedule 13;
- Part 4 (judicial appointments: selection, and transfer of powers of Lord Chancellor) of Schedule 13;
- Schedule 14 (deployment of the judiciary).

The entry relating to Justices of the Peace (who are not District Judges (Magistrates’ Courts)) in paragraph 41 of Schedule 13 to the Act in so far as it relates to sections 85 to 97 and 99 of the Act (which relate to appointment) does not come into force on 1st October 2013 but it does come into force for all other purposes on 1st October 2013.

Paragraph 49(6) of Schedule 13 to the Act amends paragraph 51 of Schedule 21 to the Coroners and Justice Act 2009 (c.25) (“the 2009 Act”). As paragraph 51 of Schedule 21 to the 2009 Act has already been partially commenced, the amendment made by paragraph 49(6)(a) is commenced on 1st October 2013 only in so far as it applies to the Coroner for Treasure as paragraph 51 of Schedule 21 to the 2009 Act has yet to be commenced in so far as it applies to the Coroner for Treasure.

The provision which is commenced on 1st November 2013 is—

- section 22, which makes provision about the transfer of immigration, asylum and nationality judicial review applications to the Upper Tribunal.

Article 6 amends the Crime and Courts Act 2013 (Commencement No. 3) Order 2013 (S.I. 2013/1725) to remove the reference to section 22 which, in accordance with article 5, will now commence on 1st November 2013.