# Crime and Courts Act 2013

**2013 CHAPTER 22**

## PART 3

MISCELLANEOUS AND GENERAL

*Border control*

### 51 Immigration cases: appeal rights; and facilitating combined appeals

[F1](1) . . . . . .

(2) In section 99 of that Act (pending appeals lapse on issue of certificates)—

(a) in subsection (1) (list of provisions under which certificates may be issued) omit "96(1) or (2),", and

(b) in the title, for "96 to" substitute " 97 and ".

[F2](3) . . . . . .

**Textual Amendments**

**F1** S. 51(1) repealed (20.10.2014) by Immigration Act 2014 (c. 22), s. 75(3), **Sch. 9 para. 60** table; S.I. 2014/2771, art. 2(e) (with arts. 9-11) (as amended (2.3.2015 and 6.4.2015) by S.I. 2015/371, arts. 1(2)(3), 7, 8; and with transitional provisions and savings in S.I. 2014/2928, art. 2 (which S.I. is revoked (6.4.2015) by S.I. 2015/371, arts. 1(3), 9))

**F2** S. 51(3) repealed (20.10.2014) by Immigration Act 2014 (c. 22), s. 75(3), **Sch. 9 para. 7** table; S.I. 2014/2771, art. 2(e) (with arts. 9-11) (as amended (2.3.2015 and 6.4.2015) by S.I. 2015/371, arts. 1(2)(3), 7, 8; and with transitional provisions and savings in S.I. 2014/2928, art. 2 (which S.I. is revoked (6.4.2015) by S.I. 2015/371, arts. 1(3), 9))

**Commencement Information**

**I1** S. 51 in force at 8.5.2013 by S.I. 2013/1042, **art. 2(i)**

## [F3]52 Appeals against refusal of entry clearance to visit the

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**Textual Amendments**

**F3** S. 52 repealed (20.10.2014) by Immigration Act 2014 (c. 22), s. 75(3), **Sch. 9 para. 60** table; S.I. 2014/2771, art. 2(e) (with arts. 9-11) (as amended (2.3.2015 and 6.4.2015) by S.I. 2015/371, arts. 1(2)(3), 7, 8; and with transitional provisions and savings in S.I. 2014/2928, art. 2 (which S.I. is revoked (6.4.2015) by S.I. 2015/371, arts. 1(3), 9))

## [F4]53 Restriction on right of appeal from within the United Kingdom

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**Textual Amendments**

**F4** S. 53 repealed (20.10.2014) by Immigration Act 2014 (c. 22), s. 75(3), **Sch. 9 para. 60** table; S.I. 2014/2771, art. 2(e) (with arts. 9-11) (as amended (2.3.2015 and 6.4.2015) by S.I. 2015/371, arts. 1(2)(3), 7, 8; and with transitional provisions and savings in S.I. 2014/2928, art. 2 (which S.I. is revoked (6.4.2015) by S.I. 2015/371, arts. 1(3), 9))

## 54 Deportation on national security grounds: appeals

(1) Section 97A of the Nationality, Immigration and Asylum Act 2002 (deportation on national security grounds: appeal rights) is amended as follows.

(2) After subsection (1) insert—

"(1A) This section also applies where the Secretary of State certifies, in the case of a person in respect of whom a deportation order has been made which states that it is made in accordance with section 32(5) of the UK Borders Act 2007, that the person's removal from the United Kingdom would be in the interests of national security."

(3) For subsection (2)(c) substitute—

"(c) section 2(5) of the Special Immigration Appeals Commission Act 1997 (whether appeals brought against decisions certified under section 97 may be brought from within the United Kingdom) does not apply, but see instead the following provisions of this section."

(4) After subsection (2) insert—

"(2A) The person while in the United Kingdom may not bring or continue an appeal under section 2 of the Special Immigration Appeals Commission Act 1997—

(a) against the decision to make the deportation order, or

(b) against any refusal to revoke the deportation order,

unless the person has made a human rights claim while in the United Kingdom.

(2B) Subsection (2A) does not allow the person while in the United Kingdom to bring or continue an appeal if the Secretary of State certifies that removal of the person—

(a) to the country or territory to which the person is proposed to be removed, and

(b) despite the appeals process not having been begun or not having been exhausted,

would not breach the United Kingdom's obligations under the Human Rights Convention.

(2C) The grounds upon which a certificate may be given under subsection (2B) include (in particular)—

(a) that the person would not, before the appeals process is exhausted, face a real risk of serious irreversible harm if removed to the country or territory to which the person is proposed to be removed;

(b) that the whole or part of any human rights claim made by the person is clearly unfounded.

(2D) Subsection (2A) does not allow the person while in the United Kingdom to bring an appeal on a non-human-rights ground, or to continue an appeal so far as brought on non-human-rights grounds, if the Secretary of State certifies that removal of the person—

(a) to the country or territory to which the person is proposed to be removed, and

(b) despite the appeals process, so far as relating to appeal on non-human-rights grounds, not having been begun or not having been exhausted,

would not breach the United Kingdom's obligations under the Human Rights Convention.

(2E) In subsection (2D) “non-human-rights ground” means any ground other than the ground that removal of the person from the United Kingdom in consequence of the decision to make the deportation order would be unlawful under section 6 of the Human Rights Act 1998 as being incompatible with a person's Convention rights.

(2F) If a certificate in respect of a person is given under subsection (2B), the person may apply to the Special Immigration Appeals Commission to set aside the certificate.

(2G) If a person makes an application under subsection (2F) then the Commission, in determining whether the certificate should be set aside, must apply the principles that would be applied in judicial review proceedings.

(2H) The Commission's determination of a review under subsection (2F) is final.

(2J) The Commission may direct that a person who has made and not withdrawn an application under subsection (2F) is not to be removed from the United Kingdom at a time when the review has not been finally determined by the Commission.

(2K) Sections 5 and 6 of the Special Immigration Appeals Commission Act 1997 apply in relation to reviews under subsection (2F) (and to applicants for such

reviews) as they apply in relation to appeals under section 2 or 2B of that Act (and to persons bringing such appeals).

(2L) Any exercise of power to make rules under section 5 of that Act in relation to reviews under subsection (2F) is to be with a view to securing that proceedings on such reviews are handled expeditiously."

(5) In subsection (3) (appeal against certificate under subsection (2)(c)(iii)) for "(2)(c)(iii)" substitute " (2D) ".

**Commencement Information**

**I2** S. 54 in force at 25.6.2013 by S.I. 2013/1042, **art. 4(c)**

## 55 Powers of immigration officers

(1) In the Police Act 1997, in section 93 (authorisations to interfere with property etc: authorising officers), in subsection (5), after paragraph (h) insert—

"(ha) an immigration officer who is a senior official within the meaning of the Regulation of Investigatory Powers Act 2000 and who is designated for the purposes of this paragraph by the Secretary of State;".

(2) In the Regulation of Investigatory Powers Act 2000, in section 32(6) (authorisation of intrusive surveillance: senior authorising officers), after paragraph (m) insert—

"(ma) a senior official in the department of the Secretary of State by whom functions relating to immigration are exercisable who is designated for the purposes of this paragraph by the Secretary of State; and".

(3) The Proceeds of Crime Act 2002 is amended in accordance with subsections (4) and (5).

(4) In the 2002 Act—

(a) in section 47A (search and seizure powers under sections 47B to 47S: meaning of "appropriate officer"), in subsection (1), after paragraph (a) insert—

"(aa) an immigration officer;";

(b) in section 127A (search and seizure powers in Scotland under sections 127B to 127R: meaning of "appropriate officer"), in subsection (1), after paragraph (a) insert—

"(aa) an immigration officer, or";

(c) in section 195A (search and seizure powers in Northern Ireland under sections 195B to 195S: meaning of "appropriate officer"), in subsection (1), after paragraph (a) insert—

"(aa) an immigration officer, or".

(5) In section 378 of the 2002 Act (appropriate officers and senior appropriate officers for the purposes of investigations under Part 8 of that Act)—

(a) in subsection (1) (appropriate officers for confiscation investigations), after paragraph (d) insert—

"(e) an immigration officer.";

(b) in subsection (2) (senior appropriate officers for confiscation investigations), after paragraph (c) insert—

"(ca) an immigration officer who is not below such grade as is designated by the Secretary of State as equivalent to that rank;";

(c) in subsection (3A) (appropriate officers for detained cash investigations), after paragraph (b) insert—

"(c) an immigration officer.";

(d) in subsection (4) (appropriate officers for money laundering investigations), after paragraph (c) insert—

"(d) an immigration officer.";

(e) in subsection (6) (senior appropriate officers in relation to money laundering investigations), after paragraph (b) insert—

"(ba) an immigration officer who is not below such grade as is designated by the Secretary of State as equivalent to that rank;".

(6) In the UK Borders Act 2007, in section 24 (seizure of cash by immigration officers under Proceeds of Crime Act 2002)—

(a) in subsection (2), for paragraphs (a) and (b) substitute—

"(a) unlawful conduct", in or in relation to section 289, means conduct which—

(i) relates to the entitlement of one or more persons who are not nationals of the United Kingdom to enter, transit across, or be in, the United Kingdom (including conduct which relates to conditions or other controls on any such entitlement), or

(ii) is undertaken for the purposes of, or otherwise in relation to, a relevant nationality enactment,

and (in either case) constitutes an offence,";

(b) after subsection (2) insert—

"(2A) In subsection (2)(a)(ii) "relevant nationality enactment" means any enactment in—

(a) the British Nationality Act 1981,

(b) the Hong Kong Act 1985,

(c) the Hong Kong (War Wives and Widows) Act 1996,

(d) the British Nationality (Hong Kong) Act 1997,

(e) the British Overseas Territories Act 2002, or

(f) an instrument made under any of those Acts.".

(7) Sections 136 to 139 of the Criminal Justice and Public Order Act 1994 (execution of warrants and powers of arrest and search) apply to an immigration officer as they apply to a constable (but subject to subsection (8) below and paragraphs 41 to 43 of Schedule 21).

(8) An immigration officer may exercise a power under sections 136 to 139 of the 1994 Act only—

(a) in the exercise of a function which relates to the entitlement of one or more persons who are not nationals of the United Kingdom to enter, transit across, or be in, the United Kingdom (including a function which relates to conditions or other controls on any such entitlement),

(b) in exercising a function under, or for the purposes of—

(i) the British Nationality Act 1981,

(ii) the Hong Kong Act 1985,

(iii) the Hong Kong (War Wives and Widows) Act 1996,

(iv) the British Nationality (Hong Kong) Act 1997,

(v) the British Overseas Territories Act 2002,

(vi) an instrument made under any of those Acts, or

(c) in connection with the prevention, investigation or prosecution of any of the following offences (insofar as that does not involve the exercise of a function which falls within paragraph (a) or (b))—

(i) an offence under section 26(1)(a), (b) or (g) of the Immigration Act 1971 (refusal or failure to submit to examination or to furnish information etc, or obstruction of immigration officer);

(ii) an offence under section 22 of the UK Borders Act 2007 (assaulting an immigration officer).

[F5](9) . . . . . .

[F5](10) . . . . . .

[F5](11) . . . . . .

[F5](12) . . . . . .

(13) In the Criminal Procedure (Scotland) Act 1995, in section 307 (interpretation)—

(a) in subsection (1), in the definition of "officer of law", after paragraph (ba) insert—

"(bb) subject to subsection (1AA) below, an immigration officer acting with the authority (which may be general or specific) of the Secretary of State;";

(b) after subsection (1A) insert—

"(1AA) The inclusion of immigration officers as "officers of law" shall have effect only in relation to immigration offences and nationality offences (within the meaning of Part 3 of the Criminal Law (Consolidation) (Scotland) Act 1995).";

(c) in subsection (1B), for the words from "this Act" to "had the authority" substitute "this Act—

(a) a certificate of the Commissioners for Her Majesty's Revenue and Customs that an officer of Revenue of Customs, or

(b) a certificate of the Secretary of State that an immigration officer,

had the authority".

(14) Schedule 21 (powers of immigration officers: further provision) has effect.

**Textual Amendments**

**F5** S. 55(9)-(12) repealed (25.1.2018) by The Criminal Justice (Scotland) Act 2016 (Consequential Provisions) Order 2018 (S.I. 2018/46), arts. 2(2)(d), **22(3)** (with art. 22(2))

**Commencement Information**

**I3** S. 55(1)(2) in force at 25.6.2013 by S.I. 2013/1042, **art. 4(d)**

**I4** S. 55(3) in force at 25.6.2013 for specified purposes by S.I. 2013/1042, **art. 4(e)**
**I5** S. 55(3) in force at 22.11.2014 for specified purposes by S.I. 2014/3098, **art. 2(a)**
**I6** S. 55(4) in force at 22.11.2014 by S.I. 2014/3098, **art. 2(b)**
**I7** S. 55(5) in force at 25.6.2013 by S.I. 2013/1042, **art. 4(f)**
**I8** S. 55(6)-(13) in force at 25.6.2013 by S.I. 2013/1042, **art. 4(g)**
**I9** S. 55(14) in force at 25.6.2013 for specified purposes by S.I. 2013/1042, **art. 4(h)**
**I10** S. 55(14) in force at 22.11.2014 for specified purposes by S.I. 2014/3098, **art. 2(c)**

*Drugs and driving*

## 56 Drugs and driving

(1) After section 5 of the Road Traffic Act 1988 ("the 1988 Act") insert—

### "5A Driving or being in charge of a motor vehicle with concentration of specified controlled drug above specified limit

(1) This section applies where a person ("D")—
  (a) drives or attempts to drive a motor vehicle on a road or other public place, or
  (b) is in charge of a motor vehicle on a road or other public place,

  and there is in D's body a specified controlled drug.

(2) D is guilty of an offence if the proportion of the drug in D's blood or urine exceeds the specified limit for that drug.

(3) It is a defence for a person ("D") charged with an offence under this section to show that—
  (a) the specified controlled drug had been prescribed or supplied to D for medical or dental purposes,
  (b) D took the drug in accordance with any directions given by the person by whom the drug was prescribed or supplied, and with any accompanying instructions (so far as consistent with any such directions) given by the manufacturer or distributor of the drug, and
  (c) D's possession of the drug immediately before taking it was not unlawful under section 5(1) of the Misuse of Drugs Act 1971 (restriction of possession of controlled drugs) because of an exemption in regulations made under section 7 of that Act (authorisation of activities otherwise unlawful under foregoing provisions).

(4) The defence in subsection (3) is not available if D's actions were—
  (a) contrary to any advice, given by the person by whom the drug was prescribed or supplied, about the amount of time that should elapse between taking the drug and driving a motor vehicle, or
  (b) contrary to any accompanying instructions about that matter (so far as consistent with any such advice) given by the manufacturer or distributor of the drug.

(5) If evidence is adduced that is sufficient to raise an issue with respect to the defence in subsection (3), the court must assume that the defence is satisfied unless the prosecution proves beyond reasonable doubt that it is not.

(6) It is a defence for a person ("D") charged with an offence by virtue of subsection (1)(b) to prove that at the time D is alleged to have committed the offence the circumstances were such that there was no likelihood of D driving the vehicle whilst the proportion of the specified controlled drug in D's blood or urine remained likely to exceed the specified limit for that drug.

(7) The court may, in determining whether there was such a likelihood, disregard any injury to D and any damage to the vehicle.

(8) In this section, and in sections 3A, 6C(1), 6D and 10, "specified" means specified in regulations made—

(a) by the Secretary of State, in relation to driving or attempting to drive, or being in charge of a vehicle, in England and Wales;

(b) by the Scottish Ministers, in relation to driving or attempting to drive, or being in charge of a vehicle, in Scotland.

(9) A limit specified under subsection (2) may be zero."

(2) In section 11 of the 1988 Act (interpretation of sections 3A to 10), in subsection (2)—

(a) before the definition of "drug" insert—

""controlled drug" has the meaning given by section 2 of the Misuse of Drugs Act 1971,";

(b) at the end insert—

""specified", in relation to a controlled drug, has the meaning given by section 5A(8)".

(3) In section 195 of the 1988 Act (provisions as to regulations), in subsection (3), and in subsections (4) and (4A) (regulations subject to affirmative resolution procedure), before "8(3)" insert " 5A, ".

(4) In Part 1 of Schedule 2 to the Road Traffic Offenders Act 1988 (prosecution and punishment of offences under the Traffic Acts), after the entry beginning "RTA section 5(1)(b)" insert—

| | | | | | | |
|---|---|---|---|---|---|---|
| "RTA section 5A(1)(a) and (2) | Driving or attempting to drive with concentration of specified controlled drug above specified limit. | Summarily | On conviction in England and Wales: 51 weeks or level 5 on the standard scale or both. On conviction in Scotland: 6 months or level 5 on the standard scale or both. | Obligatory. | Obligatory | 3-11 |
| RTA section 5A(1)(b) and (2) | Being in charge of a motor vehicle with concen-tration of specified controlled drug | Summarily | On conviction in England and Wales: 51 weeks or level 4 on the standard scale or both. On conviction in Scotland: 3 months or | Discretionary | Obligatory | 10". |

| | | |
|---|---|---|
| | above specified limit. | level 4 on the standard scale or both. |

(5) In the entry inserted by subsection (4) beginning "RTA section 5A(1)(a) and (2)", in relation to an offence committed before the commencement of section 281(5) of the Criminal Justice Act 2003 the reference to 51 weeks (on conviction in England and Wales) is to be read as a reference to 6 months.

(6) In the entry inserted by subsection (4) beginning "RTA section 5A(1)(b) and (2)", in relation to an offence committed before the commencement of section 280(2) of the Criminal Justice Act 2003 the reference to 51 weeks (on conviction in England and Wales) is to be read as a reference to 3 months.

(7) Schedule 22 (drugs and driving: minor and consequential amendments) has effect.

**Commencement Information**

**I11** S. 56 in force at 2.3.2015 for E.W. by S.I. 2014/3268, **art. 2**

**I12** S. 56 in force at 1.3.2018 for N.I. by S.I. 2018/162, **art. 2**

**I13** S. 56 in force at 1.3.2018 for S. by S.I. 2018/161, **art. 2**

*Public order*

## 57 Public order offences

(1) The Public Order Act 1986 is amended as follows.

(2) In section 5(1) (harassment, alarm or distress) for ", abusive or insulting" in the two places where it occurs substitute " or abusive ".

(3) In section 6(4) (mental element: miscellaneous) for ", abusive or insulting" in the two places where it occurs substitute " or abusive ".

**Commencement Information**

**I14** S. 57 in force at 1.2.2014 by S.I. 2013/2981, **art. 3**

*General*

## 58 Orders and regulations

(1) Orders and regulations made by the Secretary of State or Lord Chancellor under this Act are to be made by statutory instrument.

(2) An order made by the Secretary of State under section 2 is subject to super-affirmative procedure.

(3) Schedule 23 (super-affirmative procedure) has effect.

(4) The Secretary of State or Lord Chancellor may not make a statutory instrument containing any of the following (whether or not also containing other provisions)

unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament—

(a) an order under paragraph 33 or 34 of Schedule 3;

(b) regulations under paragraph 5 of Schedule 5;

(c) an order under paragraph 27 or 28 of Schedule 5 which amends or repeals any provision of primary legislation;

(d) an order under section 13;

(e) an order under paragraph (p) of the definition of "permitted purpose" in section 16(1);

(f) an order under paragraph 87 of Schedule 13;

(g) an order under section 32(1);

(h) an order under paragraph 3(1)(c) or 31 of Schedule 17;

(i) regulations under section 47;

(j) an order under section 59 which amends or repeals any provision of primary legislation;

(k) an order under section 61 bringing anything in Part 4 of Schedule 16 into force or bringing section 44 into force so far as relating to anything in that Part of that Schedule, other than an order which makes the provision permitted by section 61(8) or (9);

(l) an order under paragraph 5 of Schedule 24.

(5) A statutory instrument made by the Secretary of State or Lord Chancellor containing any of the following is subject to annulment in pursuance of a resolution of either House of Parliament—

(a) regulations under paragraph 1 of Schedule 4;

(b) an order under paragraph 27 or 28 of Schedule 5 which does not amend or repeal any provision of primary legislation;

(c) regulations under paragraph 5 of Schedule 6;

(d) regulations under section 14;

(e) an order under section 59 which does not amend or repeal any provision of primary legislation;

(f) an order under paragraph 1, 2, 3 or 4 of Schedule 24;

(g) an order under Schedule 25.

(6) Subsection (5) does not apply to a statutory instrument that is subject to a requirement that a draft of the instrument be laid before, and approved by a resolution of, each House of Parliament.

(7) Any provision that may be made by the Secretary of State by order under this Act may be made by the Secretary of State by regulations (and where, in reliance on this subsection, provision is made by regulations instead of by order, this Act applies in relation to the regulations as it would otherwise apply in relation to the order).

(8) Any provision that may be made by the Secretary of State by regulations under this Act may be made by the Secretary of State by order (and where, in reliance on this subsection, provision is made by order instead of by regulations, this Act applies in relation to the order as it would otherwise apply in relation to the regulations).

(9) An order made by the Scottish Ministers under paragraph 27 or 28 of Schedule 5 is subject to the negative procedure unless it amends or repeals any provision of primary legislation, in which case it is subject to the affirmative procedure.

(10) An order made by the Department of Justice in Northern Ireland under paragraph 27 or 28 of Schedule 5 is to be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979.

(11) A statutory rule containing such an order is subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954) unless it amends or repeals any provision of primary legislation, in which case it may not be made unless a draft has been laid before, and approved by a resolution of, the Northern Ireland Assembly.

(12) An order or regulations made under this Act by the Secretary of State, the Lord Chancellor, the Scottish Ministers or the Department of Justice in Northern Ireland may—

(a) make different provision for different purposes or areas,

(b) include supplementary, incidental or consequential provision, or

(c) make transitional, transitory or saving provision.

(13) In this section—

"primary legislation" means—

(a) an Act of Parliament,

(b) an Act of the Scottish Parliament,

(c) a Measure or Act of the National Assembly for Wales, or

(d) Northern Ireland legislation;

"super-affirmative procedure" means the procedure provided for by Schedule 23.

## 59 Consequential amendments

(1) The Secretary of State or Lord Chancellor may by order make such provision as the Secretary of State or Lord Chancellor (as the case may be) considers appropriate in consequence of this Act.

(2) The power to make an order under this section may, in particular, be exercised by amending, repealing, revoking or otherwise modifying any provision made by or under an enactment.

(3) In this section "enactment" means an enactment whenever passed or made, and includes an Act of the Scottish Parliament, a Measure or Act of the National Assembly for Wales and Northern Ireland legislation.

## 60 Transitional, transitory or saving provision

The Secretary of State or Lord Chancellor may by order make such transitional, transitory or saving provision as the Secretary of State or Lord Chancellor (as the case may be) considers appropriate—

(a) in connection with the coming into force of any provision of this Act, or

(b) where Part 4 of Schedule 16 and section 44 so far as relating to that Part of that Schedule are brought into force in relation to a specified area for a specified period, in connection with those provisions ceasing to be in force at the end of that period or at the end of that period as continued under section 61(9).

## 61 Short title, commencement and extent

(1) This Act may be cited as the Crime and Courts Act 2013.

(2) Subject as follows, this Act comes into force on such day as the Secretary of State may by order appoint; and different days may be appointed for different purposes and, in the case of Part 4 of Schedule 16 and section 44 so far as relating to that Part of that Schedule, for different areas.

(3) Sections 17, 20 to 30 and 32 and Schedules 9 to 11, 13 and 14 come into force on such day as the Lord Chancellor may by order appoint; and different days may be appointed for different purposes.

(4) Subsection (3) does not apply to—
- (a) Part 5 of Schedule 13, or section 20 so far as relating to that Part;
- (b) section 26(2).

(5) Section 19 comes into force on the day after the day on which this Act is passed.

(6) Sections 26(2), 31 and 33 come into force at the end of the period of two months beginning with the day on which this Act is passed.

(7) Sections 34 to 39 come into force at the end of the period of one year beginning with the day on which a body is established by Royal Charter with the purpose of carrying on activities relating to the recognition of independent regulators of relevant publishers (as defined by section 41).

(8) An order which brings the monitoring provisions into force only in relation to a specified area may provide that they are to be in force in relation to that area for a specified period; and in this subsection and subsection (9) "the monitoring provisions" means Part 4 of Schedule 16, and section 44 so far as relating to that Part of that Schedule.

(9) An order containing the provision permitted by subsection (8) may be amended by a subsequent order under subsection (2) so as to continue the monitoring provisions in force in relation to the area concerned for a further period.

(10) An order which includes provision for the commencement of section 49 or Schedule 19 may not be made unless the Secretary of State has consulted the Scottish Ministers.

(11) The following come into force on the day on which this Act is passed—
- (a) Part 5 of Schedule 13, and section 20 so far as relating to that Part;
- (b) section 43;
- (c) section 48 (except subsection (6)(a));
- (d) Part 2 of Schedule 18;
- (e) sections 58 to 60 and this section;
- (f) Schedules 24 and 25.

(12) Subject as follows, this Act extends to England and Wales, Scotland and Northern Ireland.

(13) The following extend to England and Wales only—
- (a) section 24;
- (b) section 32;
- (c) section 33;

(d) sections 34 to 42;

(e) paragraph 30 of Schedule 16 and section 44 so far as relating to that paragraph, but only so far as relating to disclosure or use of information by a person appointed under section 2(1) of the Courts Act 2003 or provided under a contract made by virtue of section 2(4) of that Act;

(f) the amendments and repeals made by this Act in sections 4(5A) to (6A) and 6(2) of the Maintenance Orders (Facilities for Enforcement) Act 1920, in sections 8(4) and 33(3) of the Maintenance Orders (Reciprocal Enforcement) Act 1972 and in section 14 of the Contempt of Court Act 1981;

(g) paragraphs 1 to 31 and 39 of Schedule 17, and section 45 so far as relating to those paragraphs.

[F6](14) . . . . . .

(15) Except as provided by subsections (13) [F7]..., an amendment, repeal or revocation has the same extent as the provision amended, repealed or revoked (ignoring extent by virtue of an Order in Council).

(16) Subsection (15) applies to section 43 only so far as the provisions amended extend to England and Wales or apply in relation to service offences.

(17) Subsection (15) does not apply to amendments made by section 27(13) and (14) or to the amendments made by this Act in the Government Annuities Act 1929 or the Friendly Societies Act 1974 (which amendments, accordingly, extend to England and Wales, Scotland and Northern Ireland only).

(18) This section is subject to Schedule 24 (the NCA: Northern Ireland).

(19) This section is subject to Schedule 25 (proceeds of crime provisions: Northern Ireland).

(20) Her Majesty may by Order in Council provide for any provision of section 51, 52, 53 or 54 to extend, with or without modifications, to—

(a) any of the Channel Islands, or

(b) the Isle of Man.

(21) Her Majesty may by Order in Council provide for provisions of Part 8 of Schedule 16 (amendments of Armed Forces Act 2006) to extend, with or without modifications, to—

(a) any of the Channel Islands,

(b) the Isle of Man, or

(c) any of the British overseas territories.

(22) The power conferred by section 338 of the Criminal Justice Act 2003 (power to extend to Channel Islands and Isle of Man) is exercisable in relation to any amendment of that Act that is made by or under this Act.

(23) The power conferred by section 52(2) of the Civil Jurisdiction and Judgments Act 1982 (power to extend to Channel Islands, Isle of Man and British overseas territories) is exercisable in relation to any amendment of that Act that is made by or under this Act.

### Textual Amendments

**F6** S. 61(14) repealed (1.8.2014) by Co-operative and Community Benefit Societies Act 2014 (c. 14), s. 154, **Sch. 7** (with Sch. 5)

**F7** Words in s. 61(15) repealed (1.8.2014) by Co-operative and Community Benefit Societies Act 2014 (c. 14), s. 154, **Sch. 7** (with Sch. 5)

### Modifications etc. (not altering text)

**C1** S. 61(21) restricted (12.5.2016) by Armed Forces Act 2016 (c. 21), s. 19(2)(b), **Sch. para. 4(b)** (with Sch. para. 5)

**Changes to legislation:**
There are currently no known outstanding effects for the Crime and Courts Act 2013, Part 3.