STATUTORY INSTRUMENTS

1989 No. 1085 (C. 29)

CRIMINAL LAW, ENGLAND AND WALES
CRIMINAL LAW, SCOTLAND
CRIMINAL LAW, NORTHERN IRELAND

The Criminal Justice Act 1988 (Commencement No. 8) Order 1989

Made - - - - 27th June 1989

In exercise of the powers conferred on me by section 171(1) and (2) of the Criminal Justice Act 1988(a), I hereby make the following Order:

1. This Order may be cited as the Criminal Justice Act 1988 (Commencement No. 8) Order 1989.

2.—(1) Subject to paragraph (2) below, the provisions of the Criminal Justice Act 1988 specified in the Schedule to this Order shall come into force on 31st July 1989.

(2) The amendment in Schedule 15 to that Act of section 3(1) of the Juries Act 1974(b) (electoral register as basis of jury selection) shall not have effect in relation to any register of electors or any part of any such register required to be used for elections in the twelve months ending on 15th February 1990.

3. Section 119 of the Criminal Justice Act 1988 (persons aged between 65 and 70 to be eligible as jurors) shall come into force on 15th February 1990.

Home Office
27th June 1989

Douglas Hurd
One of Her Majesty's Principal Secretaries of State

(a) 1988 c.33.
(b) 1974 c.23.

SCHEDULE

PROVISIONS OF THE CRIMINAL JUSTICE ACT 1988 COMING INTO FORCE ON 31st JULY 1989

Provisions of the Act	*Subject matter of provisions*
Section 43.	Power of Court of Appeal to order retrial.
Section 146 and Schedule 13.	Evidence before courts-martial etc.
Section 159.	Crown Court proceedings – orders restricting or preventing reports or restricting public access.
Section 170(1), to the extent necessary to bring into force the provisions of Schedule 15 specified in the Appendix hereto.	Minor and consequential amendments.
Section 170(2) and Schedule 16, to the extent necessary to bring into force the repeal in section 7(1) of the Criminal Appeal Act 1968(a) of the words "and do so only by reason of evidence received or available to be received by them under section 23 of this Act".	Repeals.

APPENDIX
PROVISIONS OF SCHEDULE 15 COMING INTO FORCE ON 31ST JULY 1989

So much of Schedule 15 as relates to the following enactments:
Sections 18A and 31(2B) of, and Schedule 2 to, the Criminal Appeal Act 1968 (c.19).
Section 3(1) of the Juries Act 1974 (c.23).
Section 16A and 45(3A) of the Criminal Appeal (Northern Ireland) Act 1980 (c.47).
Section 47(5) of the Supreme Court Act 1981 (c.54).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 31st July 1989 the provisions of the Criminal Justice Act 1988 which extend the power of the Court of Appeal to order a retrial and make provision for documentary and other evidence before courts-martial, appeals against orders restricting or preventing reports of or restricting public access to Crown Court proceedings, and for the giving of notice of appeal against orders relating to contempt of court, and associated amendments and repeals. It brings into force on 15th February 1990 (the date on which the next electoral register, from which jurors are summoned, will be published) the provision in the Criminal Justice Act 1988 raising from 65 to 70 the maximum age at which a person is qualified for jury service. An associated amendment to section 3(1) of the Juries Act 1974 (c.23) provides for the necessary information to be included on the electoral register as from that date.

(a) 1968 c.19.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act are brought into force by Commencement Order made before the date of this Order:

Provisions	*Date of Commencement*	*S.I. No.*
Section 123, Schedule 8, sections 125 to 128, Schedule 10, section 170(1) (partially), section 170(2) (partially), Schedule 15 (partially) and Schedule 16 (partially)	1.10.1988	1988/1408
Sections 33, 34, 37 to 39, 40 to 42, 49, 51 to 57, 59, 63, 70, 96, 97, 104 to 107, 121, 122, 131 to 133, 145, 147, 148, 155 to 157, 163 to 165, 170(1) (partially), 170(2) (partially), Schedule 11, Schedule 12, Schedule 15 (partially) and Schedule 16 (partially)	12.10.1988	1988/1676
Section 124 and Schedule 9, section 170(2) (partially), and Schedule 16 (partially)	1.11.1988	1988/1817 (S. 169)
Sections 32 (partially), 50, 60 to 62, 118, 120, 130, 152 to 154, 170(1) (partially), 170(2) (partially), Schedule 15 (partially), Schedule 16 (partially)	5.1.1989	1988/2073
Sections 35 and 36, section 170(1) (partially), Schedule 3, Schedule 15 (partially)	1.2.1989	1989/1
Section 103, Schedule 5 (partially), section 170(2) (partially), Schedule 16 (partially)	23.1.1989	1989/50
Part II and Schedule 2, Sections 30 and 31, Part VI (partially), section 151(5), Schedule 5 (partially), Schedule 15 (partially) and Schedule 16 (partially)	3.4.1989	1989/264