SCOTTISH STATUTORY INSTRUMENTS

2004 No. 408 (C. 29)

CRIMINAL LAW

The Youth Justice and Criminal Evidence Act 1999 (Commencement No. 11) (Scotland) Order 2004

Made - - - - 21st September 2004

The Scottish Ministers, in exercise of the powers conferred by section 68(3) of the Youth Justice and Criminal Evidence Act 1999(**1**), hereby make the following Order:

Citation and extent

1.—(1) This Order may be cited as the Youth Justice and Criminal Evidence Act 1999 (Commencement No. 11) (Scotland) Order 2004.

(2) This Order extends to Scotland only.

Interpretation

2. In this Order, "the 1999 Act" means the Youth Justice and Criminal Evidence Act 1999.

Appointed day

3. 7th October 2004 is the day appointed for the coming into force of the following provisions of the 1999 Act:–

(a) sections 46 (reports relating to adult witnesses) and 47 (reports relating to directions under Chapter I or II), in so far as is necessary for the purposes of the prosecution in Scotland of an offence under section 49 of the 1999 Act;

(b) sections 49(1) to (5) (offences), 50 (defences), 51 (offences committed by bodies corporate or Scottish partnerships) and 52 (decisions as to public interest for purposes of Chapter IV), in so far as they have effect for the purposes of sections 46 and 47 of the 1999 Act;

(c) paragraphs 6 to 13 of Schedule 2 (reporting restrictions: miscellaneous amendments) in so far as is necessary for the purposes of the prosecution in Scotland of an offence under section 5 of the Sexual Offences (Amendment) Act 1992(**2**) and section 48(d) of the 1999 Act in so far as it relates to those paragraphs;

(**1**) 1999 c. 23 ("the 1999 Act"). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 68(2) of the 1999 Act and section 53 of the Scotland Act 1998 (c. 46).
(**2**) 1992 c. 34.

(d) paragraph 14 of Schedule 2 and section 48(d) in so far as it relates to that paragraph;

(e) in Schedule 6 (repeals), the entry in relation to the Sexual Offences (Amendment) Act 1992 in so far as is necessary for the purposes of the prosecution in Scotland of an offence under section 5 of that Act, and section 67(3) of the 1999 Act in so far as it relates to that entry; and

(f) paragraph 6 of Schedule 7 (transitional provisions and savings) in so far as it relates to section 46 of the 1999 Act, paragraph 1 of Schedule 7 in so far as it relates to paragraph 6 of that Schedule and section 67(4) in so far as it relates to those paragraphs.

St Andrew's House, Edinburgh
21st September 2004

CATHY JAMIESON
A member of the Scottish Executive