

## SCHEDULE 2

Article 2(2)

### TRANSITIONAL PROVISIONS

1. Section 23 shall only have effect in relation to a person remanded as therein mentioned on or after 3rd February 1995.

2. Sections 31 and 50 and paragraph 33 of Schedule 9 shall not apply—

(i) to trials, or to proceedings before courts–martial under the Army Act 1955(1), or the Air Force Act 1955(2), or before courts–martial or disciplinary courts under the Naval Discipline Act 1957(3) or before Standing Civilian Courts established under the Armed Forces Act 1976(4); or

(ii) to applications to the Crown Court for the dismissal of charges contained in a notice of transfer given under section 4 of the Criminal Justice Act 1987(5) or section 53 of the Criminal Justice Act 1991(6); or

(iii) to proceedings before magistrates' courts acting as examining justices,

which began before 3rd February 1995.

3. Section 129 shall apply only in the case of a person who is arrested or is detained under section 2(1) of the Criminal Justice (Scotland) Act 1980(7) or section 48 of the Criminal Justice (Scotland) Act 1987(8) on or after 3rd February 1995.

4. Where a case has been referred to the Parole Board for Scotland before 1st June 1995, section 134(3) shall not apply for the purposes of any proceedings of that Board on or after that date in dealing with that case on that reference.

5. The amendments made by paragraph 15 of Schedule 9 shall apply in relation to offenders convicted (but not sentenced) before 3rd February 1995 as they apply in relation to offenders convicted after that date.

6. Paragraph 40 of Schedule 9 shall not apply in relation to any sentence passed before 3rd February 1995.

7. Without prejudice to any express provision in that behalf contained in the 1994 Act the increases in penalties brought into force by this Order (including the amendments made by section 17), and paragraph 50 of Schedule 9, do not apply to offences committed before 3rd February 1995.

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(1) 1955 c. 18.  
(2) 1955 c. 19.  
(3) 1957 c. 53.  
(4) 1976 c. 52.  
(5) 1987 c. 38.  
(6) 1991 c. 53.  
(7) 1980 c. 62.  
(8) 1987 c. 41.