
EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the third 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 15th July 2013, and a smaller number on 1st October 2013.

The provisions which are commenced on 15th July 2013 are—

- section 20 (which provides for Schedule 13, concerning judicial appointments, to have effect), for the purpose of bringing Parts 2, 6 and 7 of Schedule 13 into force;
- section 23, which makes provision about permission to appeal from the Upper Tribunal to the Court of Session;
- section 25, in part. Section 25 amends Schedule 12 to the Tribunals, Courts and Enforcement Act 2007⁽¹⁾ (“the 2007 Act”) to insert two new paragraphs (18A and 19A), to repeal provision which allows for regulations to prescribe circumstances where the use of force against the person may be authorised, and to make other minor and consequential amendments. Section 25(4) inserts new paragraph 19A, sub-paragraphs (2) and (4) of which require or enable various matters to be dealt with in regulations: it is commenced only to the extent that it provides for those matters to be in regulations, so that the regulations may be made in advance of the main provisions which they will support coming into force. Section 25(5) repeals provision in paragraphs 24(2) and 31(5) of Schedule 12 to the 2007 Act which allow for regulations to prescribe circumstances in which the use of force against the person in the process of taking control of goods may be authorised. The effect is that it will not be permissible to use force against the person in that process in any circumstances. Section 25(8) makes amendments which are consequential on the repeals in section 25(5), removing references to the repealed provision;
- section 29, which makes provision about the appointment and terms and conditions of the chief executive, officers and staff of the Supreme Court of the United Kingdom;
- section 32, which makes provision for the Lord Chancellor (with the concurrence of the Lord Chief Justice) to be able by order to enable the making, and use, of films and other recordings of proceedings in courts in England and Wales; and
- Parts 2 (diversity), 6 (appointment of a judge to perform functions of a Head of Division in case of incapacity or a vacancy, etc.) and 7 (abolition of the office of Assistant Recorder) of Schedule 13.

The provisions which are commenced on 1st October are—

- section 17(5) (which provides for Schedule 9, concerning the establishment of a single county court, to have effect), to the extent necessary to bring paragraphs 21 (except for sub-paragraph (3)), 27 and 30 of Schedule 9 into force;
- section 22, which makes provision about the transfer of immigration, asylum and nationality judicial review applications to the Upper Tribunal; and

(1) 2007 c. 15

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- paragraphs 21 (except for sub-paragraph (3)), 27 and 30 of Schedule 9 (which concern the abolition of patents county courts).