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STATUTORY INSTRUMENTS

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**2013 No. 903**

**CRIMINAL LAW, ENGLAND AND WALES**

**The Legal Aid, Sentencing and Punishment of Offenders  
Act 2012 (Consequential Amendments) Regulations 2013**

<i>Made</i>	- - - -	<i>15th April 2013</i>
<i>Laid before Parliament</i>		<i>22nd April 2013</i>
<i>Coming into force</i>	- -	<i>20th May 2013</i>

The Secretary of State makes the following Regulations in exercise of the power conferred by section 149(1) and (2) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(1).

**Citation and commencement**

1. These Regulations may be cited as the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Consequential Amendments) Regulations 2013 and come into force on 20th May 2013.

**Amendments to the Penalties for Disorderly Behaviour (Amount of Penalty) Order 2002**

2. In the Penalties for Disorderly Behaviour (Amount of Penalty) Order 2002(2)—
- (a) in Article 2 (amount of penalty payable in respect of a penalty offence) omit “by a person aged 16 or over at the time he committed the penalty offence”;
  - (b) omit Article 3 (amount of penalty payable in respect of a penalty offence by a person aged under 16);
  - (c) in Part I of the Schedule, in the heading, omit “for Persons Aged 16 or Over, and £40 for Persons under 16”; and
  - (d) in Part II of the Schedule, in the heading, omit “for Persons Aged 16 and Over, or £30 for Persons under 16”.

**Amendments to the Railway Safety Accreditation Scheme Regulations 2004**

3. In the Schedule to the Railway Safety Accreditation Scheme Regulations 2004(3)—
- (a) in paragraph 1(2)(b) omit “in uniform”; and

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(1) 2012 c.10.  
(2) S.I. 2002/1837. Article 2 was amended by S.I. 2004/2468 and 2004/3371. Article 3 was inserted by S.I. 2004/3371. Part I of the Schedule was substituted by S.I. 2009/83. Part II of the Schedule was substituted by S.I. 2009/83 and amended by 2012/1431.  
(3) S.I. 2004/915. Paragraphs 1 and 11 of the Schedule were amended by S.I. 2004/1573.

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(b) in paragraph 11 omit “in uniform and of an authorised constable”.

Signed by the authority of the Secretary of State

15th April 2013

*Jeremy Wright*  
Parliamentary Under Secretary of State  
Ministry of Justice

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made under section 149(1) and (2) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c.10) (“the Act”).

Regulations 2 and 3 make amendments which are consequential on Section 132 of, and Schedule 23 to, the Act (penalty notices for disorderly behaviour). The Act makes a number of amendments to provisions on penalty notices for disorderly behaviour. These include providing that a penalty notice can no longer be given to a person aged under 18, removing the requirement that a constable giving a penalty notice to a person other than at a police station no longer needs to be in uniform and removing the requirement for authorised constables to give a penalty notice at a police station.

Regulation 2 of these regulations amends the provisions in the Penalties for Disorderly Behaviour (Amount of Penalty) Order 2002 by removing references to persons aged below 18. Regulation 3 amends the provisions in the Schedule to the Railway Safety Accreditation Scheme Regulations 2004 to omit references to a constable being in uniform and a reference to authorised constables.