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STATUTORY INSTRUMENTS

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**2016 No. 962 (C. 68)**

**CRIMINAL LAW, ENGLAND AND WALES**

**The Crime and Courts Act 2013 (Commencement No. 15, Transitional and Savings Provisions) Order 2016**

Made - - - - 28th September 2016

The Secretary of State makes the following Order in exercise of the powers conferred by sections 60(b), 61(2) and 61(8) of the Crime and Courts Act 2013<sup>(1)</sup>.

**Citation and interpretation**

1.—(1) This Order may be cited as the Crime and Courts Act 2013 (Commencement No. 15, Transitional and Savings Provisions) Order 2016.

(2) In this Order “the Act” means the Crime and Courts Act 2013.

**Provisions coming into force on 17th October 2016**

2.—(1) Subject to articles 3 and 4, the following provisions of the Act come into force on 17th October 2016 in relation to the local justice areas<sup>(2)</sup> specified in paragraph (2)—

(a) section 44 (dealing non-custodially with offenders), so far as relating to Part 4 of Schedule 16 to the Act, and

(b) Part 4 of Schedule 16 (electronic monitoring of offenders).

(2) The specified local justice areas are—

(a) Birmingham and Solihull;

(b) Black Country;

(c) Central and South West Staffordshire;

(d) Coventry and Warwickshire;

(e) Leicestershire and Rutland;

(f) North Staffordshire;

(g) Nottinghamshire, and

(h) South East Staffordshire.

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<sup>(1)</sup> 2013 c. 22. There are amendments to section 61, but none are relevant to this Order.

<sup>(2)</sup> Local justice areas were established by S.I. 2005/554, which was amended by S.I. 2011/1168, 2013/1777 and 2013/1878; there are other amending instruments but none are relevant.

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### **Period for which the provisions of the Act remain in force**

3. Subject to article 4, the provisions of the Act brought into force by article 2 cease to be in force at the end of 13th October 2017.

### **Transitional and savings provisions**

4.—(1) The provisions of the Act brought into force by article 2 do not apply in relation to electronic monitoring requirements imposed by a court in accordance with section 215 of the Criminal Justice Act 2003<sup>(3)</sup> in the areas specified in article 2(2) before 17th October 2016.

(2) Article 3 does not affect the continued application after 13th October 2017 of an electronic monitoring requirement imposed by a court in the areas specified in article 2(2) on or after 17th October 2016 and before or on 13th October 2017 and the provisions brought into force by article 2 shall continue to have effect after 13th October 2017 in relation to any such requirements imposed during that period.

28th September 2016

*Sam Gyimah*  
Parliamentary Under Secretary of State  
Ministry of Justice

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(3) 2013 c. 44; section 215 was amended by section 76(6) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) solely for the purposes of a pilot in relation to the local justice areas specified in S.I. 2016/286 with respect to alcohol abstinence monitoring requirements.

## EXPLANATORY NOTE

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

Part 4 of Schedule 16 to the Crime and Courts Act 2013 (c.22) (“the 2013 Act”) amends the framework for the electronic monitoring of offenders set out in the Criminal Justice Act 2003 (c. 44) (“the 2003 Act”). In particular, it amends the definition of “electronic monitoring requirements” (as contained in the 2003 Act) which can be imposed as part of a community order or suspended sentence order. Section 61 of the 2013 Act provides that section 44 of, and Part 4 of Schedule 16 to, the 2013 Act can be brought into force for specified periods in specified areas. This Order commences Part 4 of Schedule 16 to the Act in the specified local justice areas set out in article 2. Article 3 provides those provisions will remain in force until 13th October 2017, subject to the saving and transitional provisions in article 4.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of the Crime and Courts Act 2013 have been brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1(1) and (2)	27th May 2013	2013/1042
Section 1(3) to (11)	7th October 2013	2013/1682
Section 1(12) (partially)	27th May 2013	2013/1042
Section 1(12), so far as not already in force	7th October 2013	2013/1682
Section 2	7th October 2013	2013/1682
Section 3	27th May 2013	2013/1042
Section 4(1)	7th October 2013	2013/1682
Section 4(2) to (9)	27th May 2013	2013/1042
Section 4(10) (partially)	27th May 2013	2013/1042
Section 4(10), so far as not already in force	7th October 2013	2013/1682
Section 5(1) to (9), (11) and (12)	7th October 2013	2013/1682
Section 5(10) (partially)	8th May 2013	2013/1042

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 5(10), so far as not already in force	7th October 2013	2013/1682
Section 6(1), (3) and (4)	7th October 2013	2013/1682
Section 6(2)	27th May 2013	2013/1042
Section 7	7th October 2013	2013/1682
Section 8(1) to (5)	7th October 2013	2013/1682
Section 8(6) (partially)	8th May 2013	2013/1042
Section 8(6), so far as not already in force	7th October 2013	2013/1682
Section 9(1) to (3) and (5) to (8)	7th October 2013	2013/1682
Section 9(4) (partially)	8th May 2013	2013/1042
Section 9(4) (partially)	27th May 2013	2013/1042
Section 9(4), so far as not already in force	7th October 2013	2013/1682
Section 10	7th October 2013	2013/1682
Section 11(1) to (5), (7) and (8)	7th October 2013	2013/1682
Section 11(6) (partially)	8th May 2013	2013/1042
Section 11(6), so far as not already in force	7th October 2013	2013/1682
Section 11(9) (partially)	8th May 2013	2013/1042
Section 11(9), so far as not already in force	7th October 2013	2013/1682
Section 12	7th October 2013	2013/1682
Section 13	7th October 2013	2013/1682
Section 14	8th May 2013	2013/1042
Section 15(1) and (2)	7th October 2013	2013/1682
Section 15(3) (partially)	8th May 2013	2013/1042
Section 15(3) (partially)	27th May 2013	2013/1042
Section 15(3) (partially)	7th October 2013	2013/1682
Section 16	8th May 2013	2013/1042
Section 17(4)	4th September 2013	2013/2200

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 17(5) (partially)	1st October 2013	2013/1725
Section 17, so far as not already in force	22nd April 2014	2014/954
Section 18	1st June 2015	2015/813
Section 20 (partially)	15th July 2013	2013/1725
Section 20 (partially)	4th September 2013	2013/2200
Section 20 (partially)	1st October 2013	2013/2200
Section 21	1st October 2013	2013/2200
Section 22	1st November 2013	2013/2200
Section 23	15th July 2013	2013/1725
Section 24	7th January 2014	2013/3176
Section 25(4) (partially)	15th July 2013	2013/1725
Section 25(5) and (8)	15th July 2013	2013/1725
Section 25, so far as not already in force	6th April 2014	2014/830
Section 27	11th December 2013	2013/2981
Section 28	22nd April 2014	2014/954
Section 29	15th July 2013	2013/1725
Section 30	1st October 2013	2013/2200
Section 32	15th July 2013	2013/1725
Section 41 (partially)	3rd November 2015	2015/1837
Section 42 (partially)	3rd November 2015	2015/1837
Section 44 (partially)	11th December 2013	2013/2981
Section 45	24th February 2014	2014/258
Section 46(1) and (5) (partially)	20th March 2015	2015/813
Section 46(6) and (7)	20th March 2015	2015/813
Section 46, so far as not already in force	1st June 2015	2015/813
Section 47	20th March 2015	2015/813

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 48(6) (partially)	1st June 2015	<a href="#">2015/964</a>
Section 49 (partially)	22nd November 2014	<a href="#">2014/3098</a>
Section 49, so far as not already in force	1st June 2015	<a href="#">2015/964</a>
Section 50 (partially)	29th July 2013	<a href="#">2013/1682</a>
Section 50 (partially) as to England and Wales)	29th July 2013	<a href="#">2013/1682</a>
	18th September 2013	<a href="#">2013/2349</a>
Section 50 (partially)	14th October 2013	<a href="#">2013/2349</a>
Section 50 (partially) as to England and Wales and Northern Ireland	14th October 2013	<a href="#">2013/2349</a>
	8th May 2013	<a href="#">2013/1042</a>
Section 50 (partially) as to Northern Ireland	25th June 2013	<a href="#">2013/1042</a>
Section 51	25th June 2013	<a href="#">2013/1042</a>
Section 52	25th June 2013	<a href="#">2013/1042</a>
Section 53	25th June 2013	<a href="#">2013/1042</a>
Section 54	25th June 2013	<a href="#">2013/1042</a>
Section 55(1) and (2)	22nd November 2014	<a href="#">2014/3098</a>
Section 55(3) (partially)	22nd November 2014	<a href="#">2014/3098</a>
Section 55(3) (partially)	25th June 2013	<a href="#">2013/1042</a>
Section 55(4)	25th June 2013	<a href="#">2013/1042</a>
Section 55(5)	25th June 2013	<a href="#">2013/1042</a>
Section 55(6) to (13)	22nd November 2014	<a href="#">2014/3098</a>
Section 55(14) (partially)	2nd March 2015	<a href="#">2014/3268</a>
Section 55(14) (partially)	1st February 2014	<a href="#">2013/2981</a>
Section 56 as to England and Wales	27th May 2013	<a href="#">2013/1042</a>
Section 57	7th October 2013	<a href="#">2013/1682</a>
Schedule 1, paragraph 7	27th May 2013	<a href="#">2013/1042</a>
Schedule 1, so far as not already in force	7th October 2013	<a href="#">2013/1682</a>

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 2, paragraphs 1, 4 and 5	8th May 2013	2013/1042
Schedule 2, so far as not already in force	7th October 2013	2013/1682
Schedule 3, paragraph 34	8th May 2013	2013/1042
Schedule 3, so far as not already in force	7th October 2013	2013/1682
Schedule 4, paragraph 1	8th May 2013	2013/1042
Schedule 4, so far as not already in force	27th May 2013	2013/1042
Schedule 5, paragraphs 5, 27, 28, 29 and 30	7th October 2013	2013/1682
Schedule 5, paragraph 4	8th May 2013	2013/1042
Schedule 5, so far as not already in force	7th October 2013	2013/1682
Schedule 6, paragraphs 5(5) and (6)	7th October 2013	2013/1682
Schedule 6, so far as not already in force	8th May 2013	2013/1042
Schedule 7	27th May 2013	2013/1042
Schedule 8, paragraphs 1 to 5 and 13	7th October 2013	2013/1682
Schedule 8, paragraphs 101 to 103	1st October 2013	2013/1725
Schedule 8, paragraphs 6 to 10, 12 to 100 and 104 to 190	22nd April 2014	2014/954
Schedule 9, paragraphs 21 (except for subparagraph (3)), 27 and 30	22nd April 2014	2014/954
Schedule 9, so far as not already in force	1st June 2015	2015/813
Schedule 9, so far as not already in force	1st October 2013	2013/2200
Schedule 10	15th July 2013	2013/1725
Schedule 11	4th September 2013	2013/2200
Schedule 12	1st October 2013	2013/2200
Schedule 13, Part 1	1st October 2013	2013/2200
Schedule 13, Parts 2, 6 and 7	3rd November 2015	2015/1837
Schedule 13, Part 3	11th December 2013	2013/2981
Schedule 13, Part 4 (partially)	24th February 2014	2014/258

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 14	1st June 2015	2015/964
Schedule 15 (partially)	22nd November 2014	2014/3098
Schedule 16, Parts 1 to 3 and 5 to 7, and so far as extending to the United Kingdom, Part 8 (except paragraph 37)	1st June 2015	2015/964
	18th September 2013	2013/2349
	29th July 2013	2013/1682
Schedule 17	29th July 2013	2013/1682
Schedule 18, Part 1	14th October 2013	2013/2349
Schedule 19, paragraphs 24, 26 and 28 (all partially)	14th October 2013	2013/2349
	25th June 2013	2013/1042
Schedule 19 Part 1 (partially) and Parts 2 and 3	25th June 2013	2013/1042
	22nd November 2014	2014/3098
Schedule 20, paragraphs 3 and 6 (partially)	22nd November 2014	2014/3098
Schedule 20, paragraphs 10 to 15 as to England and Wales	25th June 2013	2013/1042
	22nd November 2014	2014/3098
Schedule 20, paragraphs 16 to 29	25th June 2013	2013/1042
Schedule 20, Part 1, so far as not already in force as to England and Wales and Northern Ireland	25th June 2013	2013/1042
	2nd March 2015	2014/3268
Schedule 20, Part 2, as to Northern Ireland		
Schedule 21, paragraphs 1 to 13		
Schedule 21, paragraph 14 (partially)		
Schedule 21, paragraph 14 (partially)		
Schedule 21, paragraphs 15 to 18		
Schedule 21, paragraph 19		
Schedule 21, paragraphs 20 to 29		
Schedule 21, paragraphs 30 to 38		
Schedule 21, paragraphs 39 to 50		



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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 22 as to England and Wales		

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