



Violent Crime Reduction Act 2006

2006 CHAPTER 38

PART 1

ALCOHOL-RELATED VIOLENCE AND DISORDER

CHAPTER 1

DRINKING BANNING ORDERS

Supplemental provisions about drinking banning orders

13 Certificates of completion of approved courses

- (1) For the purposes of section 2—
 - (a) the subject of a drinking banning order is to be regarded as having completed an approved course satisfactorily if, and only if, the person providing the course has given a certificate that the subject has done so; and
 - (b) the time at which the subject is to be regarded as having satisfactorily completed the course is the time when that certificate is received by the proper officer of the court that made the order.
- (2) For the purposes of this section a certificate that a person has satisfactorily completed a course—
 - (a) has to be in such form, and
 - (b) has to contain such particulars,as may be specified in, or determined under, regulations made by the Secretary of State.
- (3) The person providing an approved course must give the subject of a drinking banning order in which that course is specified a certificate for the purposes of this section unless that subject—
 - (a) has failed to make due payment of fees for the course;

Status: This is the original version (as it was originally enacted).

- (b) has failed to attend the course in accordance with the reasonable instructions of the person providing the course; or
 - (c) has failed to comply with any other reasonable requirement of that person.
- (4) Where a person providing an approved course decides not to give the subject of a drinking banning order a certificate under subsection (1), he must give the subject written notice of the decision, setting out the grounds of the decision.
- (5) The obligation of the person providing an approved course to give, in the case of the subject of a drinking banning order in which that course is specified, either—
 - (a) a certificate for the purposes of this section, or
 - (b) a notice under subsection (4),must be discharged before the end of 14 days beginning with the day on which any request to do so is made by that subject.
- (6) The subject of a drinking banning order who is given a notice under subsection (4) or who claims that a request for the purposes of subsection (5) has not been complied with may, within such period as may be prescribed by rules of court, apply to—
 - (a) the court which made the order, or
 - (b) if that court is not the Crown Court or a relevant local court, to either the court which made the order or a relevant local court,for a declaration that there has been a contravention of subsection (3).
- (7) If the court grants the application, the applicant is to be treated for the purposes of section 2 as having satisfactorily completed the course at the time of the making of the declaration.
- (8) The Secretary of State may by regulations make provision as to—
 - (a) the form of a notice under subsection (4); and
 - (b) the manner in which such a notice is given and the time to be taken as the time of the giving of such a notice.