



Violent Crime Reduction Act 2006

2006 CHAPTER 38

PART 1

ALCOHOL-RELATED VIOLENCE AND DISORDER

CHAPTER 1

DRINKING BANNING ORDERS

Orders made on conviction

8 Variation or discharge of orders under s. 6

- (1) The following persons may apply to the court which made a drinking banning order under section 6 for the order to be varied or discharged by a further order—
 - (a) the subject;
 - (b) the Director of Public Prosecutions; or
 - (c) a relevant authority.
- (2) If the subject makes an application under subsection (1), he must also send notice of his application to the Director of Public Prosecutions.
- (3) If the Director of Public Prosecutions or a relevant authority makes an application under subsection (1), he or it must also send notice of the application to the subject.
- (4) In the case of an order under section 6 made by a magistrates' court, the reference in subsection (1) to the court which made the order includes a reference to a relevant local court.
- (5) An order under section 6 may not be varied so as to extend the specified period to more than two years.
- (6) No order under section 6 is to be discharged on an application under subsection (1)
 - (a) unless—

Status: This is the original version (as it was originally enacted).

- (a) it is discharged from a time after the end of the period that is half the duration of the specified period; or
 - (b) the Director of Public Prosecutions has consented to its earlier discharge.
- (7) In section 3 of the Prosecution of Offences Act 1985 (c. 23) (functions of the Director of Public Prosecutions), in subsection (2) after paragraph (fc) insert—
- “(fd) where it appears to him appropriate to do so, to have the conduct of applications under section 8(1)(b) of the Violent Crime Reduction Act 2006 for the variation or discharge of orders made under section 6 of that Act;
 - (fe) where it appears to him appropriate to do so, to appear on any application under section 8(1)(a) of that Act by a person subject to an order under section 6 of that Act for the variation or discharge of the order.”