

2004 No. 1683

CRIMINAL LAW, ENGLAND AND WALES

The Criminal Justice Act 2003 (Conditional Cautions: Code of Practice) Order 2004

Made - - - - - *2nd July 2004*

Coming into force - - - - - *3rd July 2004*

Whereas—

(1) in pursuance of section 25(1) of the Criminal Justice Act 2003^(a) (“the 2003 Act”), the Secretary of State is required to prepare a code of practice in relation to conditional cautions;

(2) in pursuance of section 25(3) of the 2003 Act, the Secretary of State has published a draft of the code of practice, has considered representations made to him about the draft, has amended the draft accordingly and has obtained the consent of the Attorney General to the publication and amendment of the draft;

(3) in pursuance of section 25(4) of the 2003 Act, the Secretary of State has laid the code of practice before each House of Parliament;

(4) a draft of this Order has been laid before each House of Parliament and approved by a resolution of each House, in accordance with section 330(5) of the Act;

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 25(5) of the 2003 Act hereby makes the following Order:

1. This Order may be cited as the Criminal Justice Act 2003 (Conditional Cautions: Code of Practice) Order 2004 and shall come into force on the day after the day on which this Order is made.

2. The code of practice entitled “Conditional Cautions” laid before Parliament on 19th April 2004 shall come into force on the day after the day on which this Order is made.

Home Office
2nd July 2004

Paul Goggins
Parliamentary Under-Secretary of State

^(a) 2003 c.44.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the code of practice made pursuant to section 25(1) of the Criminal Justice Act 2003 (“the 2003 Act”) in relation to conditional cautions.

Section 22 of the 2003 Act permits an authorised person to give a conditional caution to a person aged 18 or over if the conditions set out in section 23 of that Act are met.

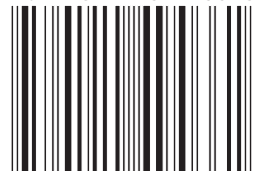
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