

2004 No. 3169

CRIMINAL LAW, ENGLAND AND WALES

The Penalties for Disorderly Behaviour (Form of Penalty Notice) (Amendment) Regulations 2004

Made - - - - - 2nd December 2004

Laid before Parliament 3rd December 2004

Coming into force - - 26th December 2004

The Secretary of State, in exercise of the powers conferred upon him by section 3(3) (having regard to the definition of “prescribed” in section 3(4)) of the Criminal Justice and Police Act 2001(a), and section 26(3)(b) of the Welsh Language Act 1993(b), hereby makes the following Regulations:

1. These Regulations may be cited as the Penalties for Disorderly Behaviour (Form of Penalty Notice) (Amendment) Regulations 2004 and shall come into force on the twenty fourth day after the day on which they are made.

2.—(1) The Penalties for Disorderly Behaviour (Form of Penalty Notice) Regulations 2002(c) are amended as follows.

(2) In regulation 2, after “the form of penalty notice” there is inserted “to be given to a person, aged 16 or over,”.

(3) After regulation 2, there is inserted—

“3. The form of penalty notice to be given to a person, aged under 16, prescribed for the purposes of section 3(3) of the Criminal Justice and Police Act 2001 is—

- (a) in the case of a penalty notice issued in England, that set out in Part I of Schedule 2 to these Regulations; and
- (b) in the case of a penalty notice issued in Wales, that set out in Part II of that Schedule.”.

(4) For the heading to the Schedule there is substituted “FORM OF PENALTY NOTICE TO BE GIVEN TO A PERSON AGED 16 OR OVER”.

(5) After that Schedule there shall be inserted, as Schedule 2, the Schedule set out in the Schedule to these Regulations.

Home Office
2nd December 2004

Scotland of Asthal Q.C.
Minister of State

(a) 2001 c. 16.
(b) 1993 c. 38.
(c) S.I. 2002/1838.

SCHEDULE
 Schedule to be inserted in the Penalties for Disorderly Behaviour
 (Form of Penalty Notice) Regulations 2002

“SCHEDULE 2

Regulation 3

FORM OF PENALTY NOTICE GIVEN TO A PERSON AGED UNDER 16

PART 1

XXXXXXXXXX POLICE
JUVENILE PENALTY NOTICE
PENALTY AMOUNT £
 IMPORTANT - READ THE NOTES ON THIS FORM

PART 1 RECIPIENT COPY PN No.

DETAILS OF JUVENILE: SURNAME

FORENAMES

DATE OF BIRTH (ddmm/yyyy) **ADDRESS**

POST CODE

OFFENCE TIME HRS **OFFENCE DATE**

AT (LOCATION)

OFFENCE CODE

YOU (offence particulars)

.....

.....

CONTRARY TO (Act containing offence)

PLACE OF ISSUE: Street Custody

I acknowledge receipt of this Penalty Notice

Signature

ISSUED BY: Surname Signature

Warrant No. Division

Rank

PART 2 **XXXXXXXXXX POLICE**

PLEASE NOTE: COMPLETE THIS (PART 2) IF YOU WISH TO REQUEST A COURT HEARING. ONCE COMPLETE SEND THIS SLIP TO THE ADDRESS SHOWN BELOW.

I wish to be dealt with by a court for the alleged offence described in part 1 of this notice:

NAME (BLOCK LETTERS)

ADDRESS (BLOCK LETTERS)

..... **POST CODE**

Signed

Date

Send to: The Officer in Charge, Central Ticket Office (Disorder Offences Section), PO Box 510, London, SW1V 2JP.

PART 3A **IMPORTANT**

INFORMATION FOR THE IMMEDIATE ATTENTION OF THE JUVENILE RECEIVING THIS NOTICE

REQUESTING A COURT HEARING

If you wish to contest the issue of this notice and have your case heard in a court of law you must:

1. Write your name and address in BLOCK LETTERS in the space provided in part 2 of this penalty notice (the other side of the slip at the bottom of this notice).
2. Detach the slip along the perforation and send it to the address shown on the slip.

If you choose to request a court hearing you must do so either by returning part 2 of this penalty notice or by writing giving your details and an address at which a summons may be served on you. The summons will tell you where and when to attend court. Only the recipient of this Penalty Notice (the person named in part 1) may request a hearing.

IF YOU HAVE ANY OTHER ENQUIRIES ABOUT THIS NOTICE PLEASE CONTACT THE OFFICE SHOWN AT PART 3

PART 3B **IMPORTANT**

Information for the attention of the parent/guardian of the juvenile to whom this notice has been issued.

Full details of how to pay this penalty notice will be sent to you shortly.

XXXXXXXXXX POLICE
JUVENILE PENALTY NOTICE
PENALTY AMOUNT £

PART 4 CTO COPY PN No.

DETAILS OF JUVENILE: SURNAME

FORENAMES

DATE OF BIRTH (ddmm/yyyy) **ADDRESS**

POST CODE

OFFENCE TIME HRS **OFFENCE DATE**

AT (LOCATION)

OFFENCE CODE

YOU (offence particulars)

.....

.....

CONTRARY TO (Act containing offence)

PLACE OF ISSUE: Street Custody

I acknowledge receipt of this Penalty Notice

Signature

ISSUED BY: Surname Signature

Warrant No. Division

Rank

PART 2

HEDDLU XXXXXXXXXX HYSBYSIAD COSB (HC) POBL IFANC SWM Y GOSB £

PWYSIG - DARLLENWCH Y NODIADAU AR Y FFURFLEN HON

RHAN 1 COPI'R DERBYNNYDD Rhif HC

MANYLION YR UNIGOLYN IFANC: CYFENW

ENWAU CYNTAF

DYDDIAD GENI (ddmmyyyy) CYFEIRIAD

CÔD POST

AMSER Y TROSEDD DYDDIAD Y TROSEDD
AWR.

YN (LLEOLIAD)

CÔD Y TROSEDD

GWNAETHOCH CHI (manylion y trosedd).....

YN GROES I (Deddf sy'n cynnwys y trosedd)

MAN CYFLWYNO: Stryd Dalfa

Rwy'n cydnabod derbyn yr Hysbysiad Cosb hwn
Llofnod.....

RHODDWDYD GAN: Cyfenw Llofnod

Rhif Gwarant Rhanbarth

Rheng

RHAN 2 GWASANAETH HEDDLU XXXXX
NODER: LLENWCH HWN (RHAN 2) OS YDYCH YN DYMUNO GWARANDAWIAD LLYS.
AR ÔL EI LENNWI ANFONNICH Y BONYR HWN YR CYFEIRIAD A RODDIR ISOD.
 Rwy'n dymuno i hys ddiolô a fi am y trosedd honedig a ddsgrifwyd yn rhan 1 o'r hysbysiad hwn;
 mae'r rhif yr Hysbysiad Cosb i'w weld trosedd

ENW (LLYTHRENNAU BRAS)

CYFEIRIAD (LLYTHRENNAU BRAS)

CÔD POST

Llofnod.....

Dyddiad

Anfon at: Y Swyddog â Gofal, Swyddfa Docynneu Ganolog (Adren Troseddau
Anhrefn) XXXXXXXXXXXXXXX

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PART 3a RHAN 3A PWYSIG

GWYBODAETH I'W DWYN AT UNWAITH I SYLW'R UNIGOLYN SY'N DERBYN YR HYSBYSIAD HWN

GOFYN AM WRANDAWIAD LLYS

Os ydych yn dymuno herio'r hysbysiad hwn ac am i'ch achos chi gael gwrandawriad mewn llys cyfraith, mae'n rhaid i chi:

- Ysgrifennu eich enw a'ch cyfeiriad mewn LLYTHRENNAU BRAS yn y lle pwrsapol yn Rhan 2 o'r hysbysiad cosb (ochr yma'r slip ar waelod yr hysbysiad).
- Torwch y slip ar hyd y llinell doredig a'i anfon i'r cyfeiriad sydd ar y slip.

Os ydych yn dewis gwrandawriad llys mae'n rhaid un ai ddychwelyd rhan 2 o'r hysbysiad cosb hwn neu ysgrifennu gan roi eich manylion a chyfeiriad ar gyfer anfon gw_s atoch chi. Bydd y gw_s yn dweud ymhle mae'r llys, yn ogystal â phryd ddylech chi fod yno. Dim ond y sawl sy'n derbyn yr Hysbysiad Cosb (yr unigolyn sydd a'i enw yn rhan 1) all ofyn am wrandawriad.

OS OES GENNYCH UNRHYW GWESTIYNAU ERAILL YNGHYLCH YR HYSBYSIAD HWN, CYSYLLTWCH 'R SWYDDFA A ENWYD YN RHAN 3

RHAN 3B PWYSIG

Gwybodaeth er sylw rhiant / gwarcheidwad yr unigolyn ifanc y rhoddwyd yr hysbysiad hwn iddo.

Bydd manylion llawn ynghylch sut i dalu'r hysbysiad cosb hwn yn cael eu hanfon atoch yn fuan.

HEDDLU XXXXXXXXXX HYSBYSIAD COSB (HC) POBL IFANC SWM Y GOSB £

PWYSIG - DARLLENWCH Y NODIADAU AR Y FFURFLEN HON

RHAN 1 COPI'R DERBYNNYDD Rhif HC

MANYLION YR UNIGOLYN IFANC: CYFENW

ENWAU CYNTAF

DYDDIAD GENI (ddmmyyyy) CYFEIRIAD

CÔD POST

AMSER Y TROSEDD DYDDIAD Y TROSEDD
AWR.

YN (LLEOLIAD)

CÔD Y TROSEDD

GWNAETHOCH CHI (manylion y trosedd).....

YN GROES I (Deddf sy'n cynnwys y trosedd)

MAN CYFLWYNO: Stryd Dalfa

Rwy'n cydnabod derbyn yr Hysbysiad Cosb hwn
Llofnod.....

RHODDWDYD GAN: Cyfenw Llofnod

Rhif Gwarant Rhanbarth

Rheng

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Penalties for Disorderly Behaviour (Form of Penalty) Notice Regulations 2002 (S.I. 2002/1838) to prescribe the form of penalty notice that must be issued by a constable in dealing with a penalty offence committed by a person who was aged under 16 at the time he committed the offence giving rise to the penalty notice. The minimum age at which a penalty notice for disorderly behaviour can be given under Chapter 1 of Part 1 of the Criminal Justice and Police Act 2001 is changed from 16 to 10 by the Penalties for Disorderly Behaviour (Amendment of Minimum Age) Order 2004 (S.I. 2004/3166).

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**The Penalties for Disorderly Behaviour (Form of Penalty
Notice) (Amendment) Regulations 2004**

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