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 $2001(\mathbf{a})$, and section $26(3)(\mathbf{b})$ of the Welsh Language Act $1993(\mathbf{b})$, 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

XXXXXXXXX POLICE	PART 3A IMPORTANT
PENALTY AMOUNT £ IMPORTANT – READ THE NOTES ON THIS FORM	INFORMATION FOR THE IMMEDIATE ATTENTION OF THE JUVENILE RECEIVING THIS NOTICE
PART 1 RECIPIENT COPY PN No.	REQUESTING A COURT HEARING
DETAILS OF JUVENILE: SURNAME	If you wish to contest the issue of this notice and have <u>your</u> case heard in a court of law you must:
	 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]. Detach the sing along the perforation and send it to the address shown on the slip.
FORENAMES	If you choose to request a court hearing you <u>must</u> 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
DATE OF BIRTH (ddmmyyvy) ADDRESS	penalty induce of by writing giving your becaus and an address of writing the recipient served on you. The summons will field you where and when to attend court. Only the recipient of this Penalty Notice (the person namedin part 1) may request a hearing.
	IF YOU HAVE ANY OTHER ENQUIRIES ABOUT THIS NOTICE PLEASE CONTACT THE OFFICE SHOWN AT PART 3
POST CODE	
OFFENCE TIME OFFENCE DATE	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
OFFENCE CODE	to you shortly.
YOU (offence particulars)	XXXXXXXXX POLICE JUVENILE PENALTY NOTICE PENALTY AMOUNT £
	PART 4 CTO COPY PN No.
CONTRARY TO (Act containing offence)	DETAILS OF JUVENILE: SURNAME
PLACE OF ISSUE: Street Custody	FORENAMES
Lacknowledge receipt of this Penalty Notice	
Signature Signature	DATE OF BIRTH (ddmmyyyy) ADDRESS
ISSUED BY:	
Warrant No. Division	
Rank	OFFENCE TIME OFFENCE DATE
	HRS HERCE DATE
PLEASE NOTE: COMPLETE THIS (PART 2) IF YOU WISH TO REQUEST A COURT	AT (LOCATION)
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:	OFFENCE CODE
NAME	
ADDRESS	YOU (offence particulars)
POST CODE	
Signed	CONTRARY TO (Act containing offence)
Date	PLACE OF ISSUE: Street Custody
Send to: The Officer in Charge, Central Ticket Office (Disorder Offences Section), PO Box 510, London, SW1V 2JP.	I acknowledge receipt of this Penalty Notice
	Signature
	ISSUED BY:
	Warrant No. Division
	Rank

PART 5	Details of Parent / Guardian	XXXXXXXXX POLICE JUVENILE PENALTY NOTICE PENALTY AMOUNT £
	SURNAME	
		PART 6B
		STATEMENT OF WITNESS
FORENAMES		(C.J. Act 1967, S. 9; M.C. Act 1980, ss.5A(3)(a) & 5B; M.C. Rules 1981
		IMPORTANT INFORMATION: REMOVE PARTS 1-5 BEFORE WRITING ON THIS PAGE
ADDRESS		
		STATEMENT OF [name]
		Age
	POST CODE	•
	XXXXXXXXXX POLICE JUVENILE PENALTY NOTICE PENALTY AMOUNT £ DETAILS OF JUVENILE	This statement, signed by me, is true to the best of my knowledg belief: I make it knowing that, if it is tendered in evidence, I shall be to prosecution if I have wilfully stated in it anything which I know false or do not believe to be true.
PART 6A	PN No.	
	MUST BE COMPLETED	
	ADDITIONAL DETAILS OF JUVENILE	
Condari	M F IC Code SD Code	
Gender:	M F IC Code SD Code	
Notice In	Date (CTO only)	
NUNCE ISSUE L		
3rd Party Witr	ness Statement: Particulars Obtained?	
	YN	
Notebook No.		
	<u>kuran kana kana kana kana kana kana kana k</u>	
Local Authorit	ty Code	
	· · · · · · · · · · · · · · · · · · ·	
Custody (Pic)	No.	
	IMPORTANT INFORMATION:	
	MENT OFFERED BY THE SUSPECT OR A 3RD PARTY	SIGNED RANK/GRADE/No.
WITNESS SH	HOULD BE RECORDED IN YOUR POCKET NOTEBOOK	
HEIGHT:	ft. in. BUILD	
		DETAILS OF OFFICER CORROBORATING EVIDENCE
COMPLEXION	۱ ,	NAME
DESCRIPTION	N and/or VISIBLE DISTINCTIVE MARKS AND FEATURES	OFFICER NO.
		SIGNED (sig)
		NOTEBOOK No.
		DATE
REPLY TO CA		
	UTION	
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	UTION	
AT [time]		
	ON [date]	
I/D CHECKS N	ON [date]	
	ON [date]	
I/D CHECKS N	ADE AT POINT OF ISSUE [e.g. documents seen] Passport Bant/Credit Card Bus Pass	
I/D CHECKS N ID Card	ADE AT POINT OF ISSUE [e.g. documents seen] Pessport Bank/Credit Card Bus Pess D IND Card PNC Redio Other	
I/D CHECKS N ID Card Travel/Photo Card Specify Other	ADE AT POINT OF ISSUE [e.g. documents seen] Pessport BanivCredit Card Bus Pess d NID Card PNC Radio Other	
I/D CHECKS N ID Card Travel/Photo Card Specify Other	ADE AT POINT OF ISSUE [e.g. documents seen] Pessport Bank/Credit Card Bus Pess D IND Card PNC Redio Other	
I/D CHECKS N	ON [date] ON [date] ON [date] ON [date] ON [date] ON [date] OND Card Bank/Credit Card Bus Pass Ond PNC Radio Other	

PART 2

HEDDLU XXXXXXXXXX HYSBYSIAD COSB (HC) POBL IFANC SWM Y GOSB £ PWYSIG - DARLLENWCH Y NODIADAU AR Y FFURFLEN HON

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Anfon at: Y Swyddog â Gofal, Swyddfa Docynnau Ganolog (Adran 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 gwrandawiad mewn llys cyfraith, mae'n rhaid i chi:

Ysgrifennu eich enw a'ch cyfeiriad mewn LLYTHRENNAU BRAS yn y lle pwrpasol yn Rhan 2 o'r hysbysiad cosb (ochr yma'r slip ar waelod yr hysbysiad).

2. Torrwch y slip ar hyd y llinell doredig a'i anfon i'r cyfeiriad sydd ar y slip.

Os ydych yn dewis gwrandawiad 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 â'i enw yn rhan 1) all ofyn am wrandawiad.

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.

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	d derbyn yr Hysbysiad	Cosb hwn
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Rhif Gwarant		Rhanbarth
Rheng		

RHAN 5 Manylion y Rhiant / Gwarcheidwad

Rhif HC		RHAN 68
ENWAU CY CYFEIRIAD	/NTAF	(Deddf C.T.
CYFEIRIAD		TYNNW
		DATGAN
	CÔD POST	Oed
HAN 6A	HEDDLU XXXXXXXXX HYSBYSIAD COSB (HC) POBL IFANC SWM Y GOSB £ MANYLION YR UNIGOLYN IFANC Rhif HC	Mae'r dat ngwybod tystiolaett gwn ei fo
RHAN 6A		
	MAE'N RHAID EI GWBLHAU IYLION YCHWANEGOL AM YR UNIGOLYN IFANC G B Côd Adn Côd HDd	
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Côd Awdur	dod Lleol	
Rhif Dalfa (Pic)	
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		MANY *
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		RHIF LLY
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	io/Llun Cerdyn IDN PNC Radio Arall	
	rəll"	
Manylion (e.	e, rhif cerdyn / pasbort)	

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

DATGANIAD TYST

ddf C.T. 1967, A 9; Deddf Ll. Yn. 1980, is-ad. 5A(3)(a) a 5B; Rheolau Ll.Yn. 1981, rh.70)

GWYBODAETH BWYSIG: YNNWCH RANNAU 1-5 CYN YSGRIFENNU AR Y DUDALEN HON

DATGANIAD (Enw)	
Oed	Gwaith

ae'r datganiad hwn, wedi ei arwyddo gennyf i, yn wir hyd eithaf fy wybodaeth a'm cred: ac fe'i gwnaf gan wybod, pe cyflwynwyd ef fel stiolaeth, y gellid fy erlyn os wyf wedi dweud unrhyw beth ynddo y yn ei fod yn ffug neu na chredaf ei fod yn wir.

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MANYLION Y SWYDDOG SY'N CYFNERTHU'R DYSTIOLAETH

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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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CRIMINAL LAW, ENGLAND AND WALES

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