

**2005 No. 581**

**CRIMINAL LAW, ENGLAND AND WALES**

**The Penalties for Disorderly Behaviour (Amount of Penalty) (Amendment) Order 2005**

*Made* - - - - - *9th March 2005*  
*Laid before Parliament* *14th March 2005*  
*Coming into force* - - - *4th April 2005*

The Secretary of State, in exercise of the powers conferred upon him by sections 3(1) and (1A) of the Criminal Justice and Police Act 2001<sup>(a)</sup> hereby makes the following Order:

**1.** This Order may be cited as the Penalties for Disorderly Behaviour (Amount of Penalty) (Amendment) Order 2005 and shall come into force on 4th April 2005.

**2.—(1)** The Schedule to the Penalties for Disorderly Behaviour (Amount of Penalty) Order 2002<sup>(b)</sup> shall be amended as follows.

(2) In Part I of the Schedule after the entry relating to section 169F of the Licensing Act 1964<sup>(c)</sup>, insert—

“Section 172(3) of the Licensing Act                      Selling alcohol to a drunken person”.  
1964 (c. 26)

(3) In Part II of the Schedule after the entry relating to section 56 of the British Transport Commission Act 1949<sup>(d)</sup>, insert—

“Section 169C(1) of the Licensing Act                      Buying or attempting to buy alcohol by a  
1964 (c. 26)    person under 18”.

Home Office  
9th March 2005

*Scotland of Asthal, Q.C.*  
Minister of State

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(a) 2001 c. 16. Section 3(1A) was inserted by section 87 of the Anti-social Behaviour Act 2003.  
(b) S.I. 2002/1837. Previous amending instruments are S.I. 2004/316, S.I. 2004/2468 and S.I. 2004/3167.  
(c) 1964 c. 26. The Licensing Act 1964 is prospectively repealed by the Licensing Act 2003 (c. 17). Section 169C was substituted by section 1 of the Licensing (Young Persons) Act 2000 (c. 30).  
(d) 1949 c.xxix.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Schedule to the Penalties for Disorderly Behaviour (Amount of Penalty) Order 2002 (S.I. 2002/1837) to reflect the creation of two new penalty offences. The offence of selling alcohol to a drunken person under section 172(3) of the Licensing Act 1964 is added to Part I of the Schedule, and the offence of buying or attempting to buy alcohol by a person under 18 under section 169C(1) of the Licensing Act 1964 is added to Part II of the Schedule.

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