

**2009 No. 547 (C. 36)**

**PROBATION, ENGLAND AND WALES**

**The Offender Management Act 2007 (Commencement No. 4)  
Order 2009**

*Made* - - - -

*5th March 2009*

The Secretary of State, in exercise of the powers conferred by section 41 of the Offender Management Act 2007(a), makes the following Order:

**Citation and interpretation**

**1.**—(1) This Order may be cited as the Offender Management Act 2007 (Commencement No.4) Order 2009.

(2) In this Order “the Act” means the Offender Management Act 2007.

**Provisions coming into force in the specified areas on 1st April 2009**

**2.**—(1) The day specified for the coming into force of the following provisions of the Act in relation to the areas specified in paragraph (2) is 1st April 2009 —

- (a) section 1 (meaning of “probation purposes”);
- (b) section 2 (responsibility for ensuring the provision of probation services);
- (c) section 3(1) to (5), and (7) (power to make arrangements for the provision of probation services);
- (d) section 4 (restriction on certain arrangements under section 3);
- (e) section 6 (power to make grants for probation purposes etc);
- (f) section 7(3) (national standards for the management of offenders);
- (g) section 8 (annual plans);
- (h) section 10 (national framework for qualifications of officers);
- (i) section 11(1) (abolition of local probation boards);
- (j) section 12(3) (the inspectorate);
- (k) section 15 (power to repeal section 4);
- (l) section 39 (minor and consequential amendments, transitionals, and repeals) insofar as it relates to the entries in Schedule 5 specified in sub-paragraph (m); and
- (m) Part 1 (probation services) of Schedule 5 (repeals), the entries relating to the following provisions of the Criminal Justice and Court Services Act 2000—
  - (i) sections 1 to 5;

- (ii) section 8;
  - (iii) section 10;
  - (iv) section 18;
  - (v) section 20(2);
  - (vi) section 21(5);
  - (vii) section 22; and
  - (viii) Schedule 1.
- (2) The areas specified are the following police areas<sup>(a)</sup>—
- (a) Greater Manchester; and
  - (b) Lancashire.

Signed by the authority of the Secretary of State

5th March 2009

*David Hanson*  
Minister of State  
Ministry of Justice

#### **EXPLANATORY NOTE**

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

This Order is the fourth commencement order under the Offender Management Act 2007 (“the Act”). It brings into force, in two new areas, arrangements for the provision of probation services under Part 1 of the Act.

The arrangements under Part 1 of the Act are being brought into force by geographical areas in phases. The first phase was brought into force by the Offender Management Act 2007 (Commencement No.2 and Transitional Provisions) Order 2008 (SI 2008/504).

Article 2(1) brings into force provisions in Part 1 of the Act on 1st April 2009 in relation to the areas specified in article 2(2) of this Order. The specified areas are the police areas of Lancashire and Greater Manchester. The specified geographical areas are based on the probation areas under the current probation structure in Part 1 of the Criminal Justice and Court Services Act 2000<sup>(b)</sup> (“CJCSA 2000”) which are coterminous with police areas (section 4(5) of the CJCSA 2000). The current arrangements in Part 1 of the CJCSA 2000 remain in place in the remaining geographical areas until Part 1 is brought into force for those areas by any further commencement order(s).

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<sup>(a)</sup> The term “police areas” has the meaning ascribed to it in section 101(1) of the Police Act 1996 (c.16) by virtue of Schedule 1 to the Interpretation Act 1978 (c.30). The police areas are listed in Schedule 1 to the Police Act 1996.  
<sup>(b)</sup> 2000 c.43

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of the Act have been brought into force by a commencement order made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (partially)	1.4.2008	2008/504
Section 2 (partially)	1.4.2008	2008/504
Section 3 (partially)	1.4.2008	2008/504
Section 4 (partially)	1.4.2008	2008/504
Section 5	1.3.2008	2008/504
Section 6 (partially)	1.4.2008	2008/504
Section 7 (partially)	1.4.2008	2008/504
Section 8 (partially)	1.4.2008	2008/504
Section 9	1.4.2008	2008/504
Section 10 (partially)	1.4.2008	2008/504
Section 11 (partially)	1.3.2008	2008/504
Section 11 (partially)	1.4.2008	2008/504
Section 12 (partially)	1.4.2008	2008/504
Sections 13 and 14	1.4.2008	2008/504
Section 15 (partially)	1.4.2008	2008/504
Sections 16 to 20	1.11.2007	2007/3001
Sections 21 to 24	1.4.2008	2008/504
Sections 25 to 27	1.11.2007	2007/3001
Section 28 (partially)	19.1.2009	2009/32
Section 29 (partially)	19.1.2009	2009/32
Section 30	19.1.2009	2009/32
Section 31	1.5.2008	2007/3001
Sections 32 to 38	1.11.2007	2007/3001
Section 39 (partially)	1.11.2007	2007/3001
Section 39 (partially)	1.4.2008	2008/504
Section 39 (partially)	1.5.2008	2007/3001
Section 40	1.11.2007	2007/3001
Schedules 1 and 2	1.3.2008	2008/504
Schedule 3, Part 1	1.4.2008	2008/504
Schedule 3, Parts 2, 3 and 4	1.11.2007	2007/3001
Schedule 4, Parts 1 and 2	1.4.2008	2008/504
Schedule 4, Part 3	1.11.2007	2007/3001
Schedule 5, Part 1 (partially)	1.4.2008	2008/504
Schedule 5, Part 2 (partially)	1.11.2007	2007/3001
Schedule 5, Part 2 (for remaining purposes)	1.4.2008	2008/504
Schedule 5, Part 3 (partially)	1.11.2007	2007/3001
Schedule 5, Part 3 (for remaining purposes)	1.5.2008	2007/3001

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STATUTORY INSTRUMENTS

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£4.00