

2013 No. 1579

CRIMINAL LAW, ENGLAND AND WALES

**The Penalties for Disorderly Behaviour (Amount of Penalty)
(Amendment) (No. 2) Order 2013**

<i>Made</i>	- - - -	<i>27th June 2013</i>
<i>Laid before Parliament</i>		<i>28th June 2013</i>
<i>Coming into force</i>	- -	<i>1st July 2013</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 3(1) and 10A(2)(b) of the Criminal Justice and Police Act 2001(a):

Citation and commencement

1. This Order may be cited as the Penalties for Disorderly Behaviour (Amount of Penalty) (Amendment) (No. 2) Order 2013 and comes into force on 1st July 2013.

Revocation

2. The Penalties for Disorderly Behaviour (Amount of Penalty) (Amendment) Order 2013(b) is revoked.

Amendments to the Penalties for Disorderly Behaviour (Amount of Penalty) Order 2002

3.—(1) The Penalties for Disorderly Behaviour (Amount of Penalty) Order 2002(c) is amended as follows.

(2) In article 2 (amount of penalty payable in respect of a penalty offence)(d)—

- (a) in paragraph (a), for “£80” substitute “£90”; and
- (b) in paragraph (b), for “£50” substitute “£60”.

(3) In the heading of Part 1 of the Schedule(e), for “£80” substitute “£90”.

(4) In the heading of Part 2 of the Schedule(f), for “£50” substitute “£60”.

(a) 2001 c.16; section 3 has been amended by section 87(1) and (4) of the Anti-social Behaviour Act 2003 (c.38), section 109(1) and paragraph 397 of Schedule 8 to the Courts Act 2003 (c.39), section 15 of the Domestic Violence, Crime and Victims Act 2004 (c.28), S.I. 2004/2540, S.I. 2010/64 and section 132 and paragraph 5 of Schedule 23 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c.10). Section 10A was inserted by section 132 and paragraph 11 of Schedule 23 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c.10).

(b) S.I. 2013/1165.

(c) S.I. 2002/1837.

(d) Article 2 was amended by S.I. 2004/2468, S.I. 2004/3371 and S.I. 2013/903.

(e) Part 1 of the Schedule was substituted by S.I. 2009/83 and amended by S.I. 2013/903.

(f) Part 2 of the Schedule was substituted by S.I. 2009/83 and amended by S.I. 2012/1431 and S.I. 2013/903.

Saving provision

4. The amendments made by article 3 are of no effect in relation to an offence alleged to have been committed before 1st July 2013.

Signed by authority of the Secretary of State

27th June 2013

Lord McNally
Minister of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under section 3(1) of the Criminal Justice and Police Act 2001 (c.16) and amends the Penalties for Disorderly Behaviour (Amount of Penalty) Order 2002 (S.I. 2002/1837) (“the 2002 Order”).

Article 3 of this Order amends the 2002 Order with the effect that the penalties payable in respect of penalty offences are increased. The term “penalty offence” is defined in section 1 of the Criminal Justice and Police Act 2001. This Order raises the penalties by £10; from £80 to £90 in the case of a penalty offence falling within Part 1 of the Schedule to the 2002 Order; and from £50 to £60 in the case of a penalty offence falling within Part 2 of the Schedule to the 2002 Order.

Article 4 provides that the amendments to the 2002 Order in article 3 will not apply to an offence alleged to have been committed before 1st July 2013. The amounts specified in the 2002 Order applicable before that date will continue to apply in respect of that conduct.

This Order supersedes the Penalties for Disorderly Behaviour (Amount of Penalty) (Amendment) Order 2013 (S.I. 2013/1165) and is being issued free of charge to all known recipients of that Order.

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