

2014 No. 1383

CRIMINAL LAW, ENGLAND AND WALES

**The Penalties for Disorderly Behaviour (Amount of Penalty)
(Amendment) Order 2014**

<i>Made</i> - - - -	<i>27th May 2014</i>
<i>Laid before Parliament</i>	<i>3rd June 2014</i>
<i>Coming into force</i> - -	<i>24th June 2014</i>

The Secretary of State makes this Order in exercise of the powers conferred by section 3(1) 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) Order 2014 and comes into force on 24th June 2014.

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

2. In the Table in Part 2 of the Schedule to the Penalties for Disorderly Behaviour (Amount of Penalty) Order 2002(b) after the entry relating to section 56 of the British Transport Commission Act 1949(c) insert—

“Section 5(2) of the Misuse of Drugs Act 1971(d) so far as relating to the following—	Possession of khat or any preparation or other product containing khat”
(a) khat (within the meaning given by Part 4 of Schedule 2 to that Act), or	
(b) any preparation or other product containing khat.	

Signed by authority of the Secretary of State

27th May 2014

Jeremy Wright
Parliamentary Under Secretary of State
Ministry of Justice

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- (a) 2001 c. 16. Section 3 was amended by section 15 of the Domestic Violence, Crime and Victims Act 2004 (c. 28). Other amendments have been made to section 3 but none that are relevant. S.I. 2014/1365, made under section 1(2) of this Act, inserts the offence of possession of khat under section 5(2) of the Misuse of Drugs Act 1971 (c. 38) (“the 1971 Act”) into the table in section 1(1) of this Act which sets out the list of offences for which a penalty notice can be given.
- (b) S.I. 2002/1837. The Schedule was substituted by S.I. 2009/83 and was amended by S.I. 2012/1431, 2013/903 and 2013/1579. There have been other amendments made to this Order but none that are relevant.
- (c) 1949 c. xxix.
- (d) 1971 c. 38. S.I. 2014/1352 inserts ‘khat’ into Part 3 of Schedule 2 to the 1971 Act (which specifies the drugs which are subject to control under that Act as Class C drugs) and inserts the meaning of khat into Part 4 of that Schedule to that Act.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Table in Part 2 of the Schedule to the Penalties for Disorderly Behaviour (Amount of Penalty) Order 2002 (S.I. 2002/1837). It provides that the offence of possession of khat under section 5(2) of the Misuse of Drugs Act 1971 attracts a penalty of £60.

No impact assessment has been produced in relation to this Order as no impact on business or the private or voluntary sector is foreseen.

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