STATUTORY INSTRUMENTS

2017 No. 236 (C. 20)

CRIMINAL LAW, ENGLAND AND WALES

The Crime and Courts Act 2013 (Commencement No. 17, Transitional and Savings Provisions) Order 2017

Made - - - - 1st March 2017

The Secretary of State makes the following Order in exercise of the powers conferred by sections 60(b), 61(2) and 61(8) of the Crime and Courts Act 2013(**1**).

Citation and interpretation

1.—(1) This Order may be cited as the Crime and Courts Act 2013 (Commencement No. 17, Transitional and Savings Provisions) Order 2017.

(2) In this Order "the Act" means the Crime and Courts Act 2013.

Provisions coming into force on 13th March 2017

2.—(1) Subject to articles 3 and 4, the following provisions of the Act come into force on 13th March 2017 in relation to the local justice areas(**2**) specified in paragraph (2)—

(a) section 44 (dealing non-custodially with offenders), so far as relating to Part 4 of Schedule 16 to the Act, and

(b) Part 4 of Schedule 16 (electronic monitoring of offenders)(**3**).

(2) The specified local justice areas are—

(a) East London, and

(b) North London.

Period for which the provisions of the Act remain in force

3. Subject to article 4, the provisions of the Act brought into force by article 2 cease to be in force at the end of 12th March 2018.

(**1**) 2013 c. 22. There are amendments to section 61, but none are relevant to this Order.
(**2**) Local justice areas were established by S.I. 2005/554, which was amended by S.I. 2011/1168; there are other amending instruments but none are relevant.
(**3**) S.I. 2016/962 brought section 44 of, and Part 4 of Schedule 16 to, the Act into force on 17th October 2016 for specified periods and in relation to specified areas in England.

Transitional and savings provisions

4.—(1) The provisions of the Act brought into force by article 2 do not apply in relation to electronic monitoring requirements imposed by a court in accordance with section 215 of the Criminal Justice Act 2003(**4**) in the areas specified in article 2(2) before 13th March 2017.

(2) Article 3 does not affect the continued application after 12th March 2018 of an electronic monitoring requirement imposed by a court in the areas specified in article 2(2) on or after 13th March 2017 and before or on 12th March 2018 and the provisions brought into force by article 2 shall continue to have effect after 12th March 2018 in relation to any such requirements imposed during that period.

Sam Gyimah
Parliamentary Under Secretary of State
Ministry of Justice

1st March 2017

(**4**) 2003 c. 44; section 215 was amended by section 76(6) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) solely for the purposes of a pilot in relation to the local justice areas specified in S.I. 2016/286 with respect to alcohol abstinence monitoring requirements.

EXPLANATORY NOTE

(This note is not part of the Order)

Part 4 of Schedule 16 to the Crime and Courts Act 2013 (c. 22) ("the 2013 Act") amends the framework for the electronic monitoring of offenders set out in the Criminal Justice Act 2003 (c. 44) ("the 2003 Act"). In particular, it amends the definition of "electronic monitoring requirements" (as contained in the 2003 Act) which can be imposed as part of a community order or suspended sentence order. Section 61 of the 2013 Act provides that section 44 of, and Part 4 of Schedule 16 to, the 2013 Act can be brought into force for specified periods in specified areas. This Order commences Part 4 of Schedule 16 to the Act in the specified local justice areas set out in article 2(2).

The Crime and Courts Act 2013 (Commencement No. 15, Transitional and Savings Provisions) Order 2016, S.I. 2016/962) commenced section 44 of, and Part 4 of Schedule 16 to, the 2013 Act with respect to different specified areas with effect from 17th October 2016.

Article 3 provides those provisions will remain in force until the end of 12th March 2018, subject to the saving and transitional provisions in article 4.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Crime and Courts Act 2013 have been brought into force by commencement order made before the date of this Order:

Provision	*Date of Commencement*	*S.I. No.*
Section 1(1) and (2)	27th May 2013	2013/1042
Section 1(3) to (11)	7th October 2013	2013/1682
Section 1(12) (partially)	27th May 2013	2013/1042
Section 1(12), so far as not already in force	7th October 2013	2013/1682
Section 2	7th October 2013	2013/1682
Section 3	27th May 2013	2013/1042
Section 4(1)	7th October 2013	2013/1682
Section 4(2) to (9)	27th May 2013	2013/1042
Section 4(10) (partially)	27th May 2013	2013/1042
Section 4(10), so far as not already in force	7th October 2013	2013/1682
Section 5(1) to (9), (11) and (12)	7th October 2013	2013/1682
Section 5(10) (partially)	8th May 2013	2013/1042
Section 5(10), so far as not already in force	7th October 2013	2013/1682
Section 6(1), (3) and (4)	7th October 2013	2013/1682