Draft Legislation: *This is a draft item of legislation and has not yet been made as a UK Statutory Instrument. This draft has been replaced by a new draft, The Criminal Justice and Police Act 2001 (Amendment) Order 2009 ISBN 978-0-11-147300-9*

Draft Order laid before Parliament under section 1 of the Criminal Justice and Police Act 2001, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2009 No.

CRIMINAL LAW, ENGLAND AND WALES
POLICE, ENGLAND AND WALES

The Criminal Justice and Police Act 2001 (Amendment) Order 2009

Made - - - - ***

Coming into force in accordance with article 1(2)

The Secretary of State makes this Order in exercise of the powers conferred by section 1(2) of the Criminal Justice and Police Act 2001(**1**).

A draft of this Order has been laid before and approved by a resolution of each House of Parliament.

Citation, interpretation and commencement

1.—(1) This Order may be cited as the Criminal Justice and Police Act 2001 (Amendment) Order 2009.

(2) This Order shall come into force on the day after the day on which it is made.

Amendment of section 1(1) of the Criminal Justice and Police Act 2001

2.—(1) The Table in section 1(1) of the Criminal Justice and Police Act 2001(**2**) is amended as follows.

(2) Before the entry relating to section 55 of the British Transport Commission Act 1949(**3**) insert—

"Section 2(1) of the Parks Regulation (Amendment) Act 1926(**4**) so far as relating to a	Contravening a prohibition on littering, dog fouling or illegal cycling etc.

(**1**) 2001 c.16

(**2**) The Table in section 1(1) was amended by S.I. 2002/1934, S.I. 2004/2540, S.I. 2005/1090 and S.I. 2005/3048. It was also amended by the Licensing Act 2003 (c.17), Schedule 6, paragraphs 119 and 120 and by the Fire and Rescue Services Act 2004 (c.21), Schedule 1, paragraph 97.

(**3**) 1949 c.xxix

(**4**) 1926 c.36

failure to comply with or a contravention of the Royal Parks and Other Open Spaces Regulations 1997(**5**)	
Section 7(1) of the Children and Young Persons Act 1933(**6**)	Sale of tobacco etc to persons under 18 years"

(3) After the entry relating to section 1(1) of the Criminal Damage Act 1971(**7**) insert—

"Section 2 of the Criminal Damage Act 1971	Threatening to destroy or damage property
Section 5(2) of the Misuse of Drugs Act 1971(**8**) so far as relating to the following- (a) cannabinol, (b) cannabinol derivatives (within the meaning of Part 4 of Schedule 2 to that Act), (c) cannabis or cannabis resin (within the meaning of that Act), (d) any stereoisomeric form of a substance specified in any of paragraphs (a) to (c), (e) any ester or ether of a substance specified in paragraph (a) or (b), (f) any salt of a substance specified in paragraphs (a) to (e), (g) any preparation or other product containing a substance or product specified in any of paragraphs (a) to (f), not being a preparation falling within paragraph 6 of Part 1 of Schedule 2 to that Act.	Possession of cannabis etc
Section 3 of the Theft Act 1978(**9**)	Making off without payment"

(4) After the entry relating to section 87 of the Environmental Protection Act 1990(**10**) insert—

"Section 4 of the Children and Young Persons (Protection from Tobacco) Act 1991(**11**)	Failing to display in retail premises and on vending machines a notice warning that it is illegal to sell tobacco products to anyone under the age of 18 years

(**5**) S.I. 1997/1639
(**6**) 1933 c.12
(**7**) 1971 c. 48
(**8**) 1971 c.38
(**9**) 1978 c.31
(**10**) 1990 c.43
(**11**) 1991 c.23