

Draft Order laid before Parliament under section 114(3) and (3A)(b) of the Crime and Disorder Act 1998 (c.37), for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2009 No.

CRIMINAL LAW, ENGLAND AND WALES

**The Crime and Disorder Act 1998 (Youth
Conditional Cautions: Code of Practice) Order 2009**

Made - - - - ***** 2009**
Coming into force - - ***** 2009**

The Secretary of State makes the following Order in exercise of the powers conferred by section 66G(5) of the Crime and Disorder Act 1998(1) (“the Act”).

The Secretary of State has prepared a code of practice in relation to youth conditional cautions (“the code of practice”) under section 66G(1) of the Act.

In accordance with section 66G(3) of the Act, he has (with the consent of the Attorney General) published a draft of the code of practice, considered representations made to him about the draft, and (with the consent of the Attorney General) amended the draft accordingly.

In accordance with section 66G(4) of the Act, he has laid the code of practice before each House of Parliament.

In accordance with section 114(3) and (3A)(b) of the Act(2), a draft of this Order was laid before and approved by a resolution of each House of Parliament;

Citation and commencement

1. This Order may be cited as the Crime and Disorder Act 1998 (Youth Conditional Cautions: Code of Practice) Order 2009.

Code of Practice

2. The code of practice entitled “Code of Practice for Youth Conditional Cautions for 16 & 17 year olds” laid before Parliament on 8 July 2009 shall come into force on the day after the day on which this Order comes into force.

(1) 1998 c.37. Section 66A to 66H were inserted by section 48 of, and paragraph 3 of Schedule 9 to, the [Criminal Justice and Immigration Act 2008 \(c.4\)](#)
(2) 1998 c.37. Subsection (3A)(b) was inserted by section 48 of, and paragraph 4(5) of Schedule 9 to, the [Criminal Justice and Immigration Act 2008 \(c.4\)](#). It provides that section 114(3) of the 1998 Act, requiring a draft Order to be laid before and approved by each House of Parliament, also applies to the first Order made under section 66G(5).