DRAFT STATUTORY INSTRUMENTS

# 2004 No.

# CRIMINAL LAW, ENGLAND AND WALES

## The Criminal Justice Act 2003 (Conditional Cautions: Code of Practice) Order 2004

*Made - - - -*

*Coming into force - -*

Whereas—

(1) in pursuance of section 25(1) of the Criminal Justice Act 2003(**1**) ("the 2003 Act"), the Secretary of State is required to prepare a code of practice in relation to conditional cautions;

(2) in pursuance of section 25(3) of the 2003 Act, the Secretary of State has published a draft of the code of practice, has considered representations made to him about the draft, has amended the draft accordingly and has obtained the consent of the Attorney General to the publication and amendment of the draft;

(3) in pursuance of section 25(4) of the 2003 Act, the Secretary of State has laid the code of practice before each House of Parliament;

(4) a draft of this Order has been laid before each House of Parliament and approved by a resolution of each House, in accordance with section 330(5) of the Act;

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 25(5) of the 2003 Act hereby makes the following Order:

**1.** This Order may be cited as the Criminal Justice Act 2003 (Conditional Cautions: Code of Practice) Order 2004 and shall come into force on the day after the day on which this Order is made.

**2.** The code of practice entitled "Conditional Cautions" laid before Parliament on 19th April 2004 shall come into force on the day after the day on which this Order is made.

Home Office
2004

One of Her Majesty's Principal Secretaries of State

(**1**) 2003 c. 44.