Draft Order laid before Parliament under section 1(5) of the Criminal Justice and Police Act 2001 and paragraph 15A(2) of Schedule 4 and paragraph 9A(2) of Schedule 5 to the Police Reform Act 2002, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2004 No.

CRIMINAL LAW, ENGLAND AND WALES
POLICE, ENGLAND AND WALES

The Criminal Justice and Police Act 2001 (Amendment) and Police Reform Act 2002 (Modification) Order 2004

Made - - - - 2004
Coming into force in accordance with article 1(3) and (4)

The Secretary of State, in exercise of the powers conferred upon him by section 1(2) of the Criminal Justice and Police Act 2001(**1**) and paragraph 15A(1) of Schedule 4 and paragraph 9A(1) of Schedule 5 to the Police Reform Act 2002(**2**), hereby makes the following Order, a draft of which 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) and Police Reform Act 2002 (Modification) Order 2004.

(2) In this Order—

"the 2001 Act" means the Criminal Justice and Police Act 2001;

"the 2002 Act" means the Police Reform Act 2002.

(3) This Order, so far as it inserts an entry relating to the Fireworks Act 2003, shall come into force on the fourteenth day after the day on which this Order is made.

(4) This Order, so far as it does not come into force in accordance with paragraph (3), shall come into force on 1st November 2004.

(**1**) 2001 c. 16.
(**2**) 2002 c. 30. Both paragraph 15A of Schedule 4 and paragraph 9A of Schedule 5 to the Police Reform Act 2002 were inserted by section 89 of the Anti-Social Behaviour Act 2003 (c. 38).

Amendment of Criminal Justice and Police Act 2001

2.—(1) The Table in section 1(1) of the 2001 Act shall be amended in accordance with the following provisions of this article.

(2) After the entries relating to the British Transport Commission Act 1949(**3**) there shall be inserted the following entry—

"Section 169A of the Licensing Act 1964 (c. 26)	Sale of alcohol to a person under 18."

(3) In the entry relating to section 169C(3) of the Licensing Act 1964(**4**)—

(a) in the first column for "169C(3)" there shall be substituted "169C(2) and (3)";

(b) in the second column the words "consumption in a bar in licensed premises by" shall be omitted.

(4) After that entry there shall be inserted the following entries—

"Section 169E of the Licensing Act 1964 (c. 26)	Consumption of alcohol by a person under 18 or allowing such consumption
Section 169F of the Licensing Act 1964 (c. 26)	Delivery of alcohol to a person under 18 or allowing such delivery."

(5) After the entry relating to the Criminal Law Act 1967(**5**) there shall be inserted the following entries—

"Section 1 of the Theft Act 1968 (c. 60)	Theft
Section 1(1) of the Criminal Damage Act 1971 (c. 48)	Destroying or damaging property."

(6) After the entry relating to the Public Order Act 1986(**6**) there shall be inserted the following entry—

"Section 87 of the Environmental Protection Act 1990 (c. 43)	Depositing and leaving litter."

(7) After the entry relating to the Communications Act 2003(**7**) there shall be inserted the following entry—

"Section 11 of the Fireworks Act 2003 (c. 22)	Contravention of a prohibition or failure to comply with a requirement imposed by or under fireworks regulations or making false statements."

3. In section 3(2) of the 2001 Act after "liable on" there shall be inserted "summary".

(**3**) 1949 c.xxix.
(**4**) 1964 c. 26. The Licensing Act 1964 is prospectively repealed by the Licensing Act 2003. Section 169A, together with sections 169B-169H were substituted by section 1 of the Licensing (Young Persons) Act 2000 (c. 30).
(**5**) 1967 c. 58.
(**6**) 1986 c. 64.
(**7**) 2003 c. 21.