
STATUTORY INSTRUMENTS

2013 No. 2981 (C. 123)

**CRIMINAL LAW, ENGLAND AND WALES
ENFORCEMENT, ENGLAND AND WALES
DEFENCE**

The Crime and Courts Act 2013
(Commencement No. 6) Order 2013

Made - - - - 25th November 2013

The Secretary of State makes the following Order in exercise of the powers conferred by section 61(2) 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. 6) Order 2013.

(2) In this Order, “the Act” means the Crime and Courts Act 2013.

Provisions coming into force on 11th December 2013

2. The following provisions of the Act come into force on 11th December 2013—
- (a) section 27 (disclosure of information to facilitate collection of fines and other sums);
 - (b) section 44 (dealing non-custodially with offenders), so far as relating to Parts 1 to 3 and 5 to 7 of Schedule 16 to the Act;
 - (c) so far as extending to the United Kingdom, section 44 so far as relating to Part 8 of Schedule 16 to the Act except paragraph 37;
 - (d) Parts 1 to 3 and 5 to 7 of Schedule 16 (dealing non-custodially with offenders); and
 - (e) so far as extending to the United Kingdom, Part 8 of Schedule 16 except paragraph 37.

Provision coming into force on 1st February 2014

3. Section 57 of the Act (public order offences) comes into force on 1st February 2014.

(1) 2013 c.22.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State

25th November 2013

Jeremy Wright
Parliamentary Under Secretary of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the sixth commencement order made under the Crime and Courts Act 2013 (c.22) (“the Act”). This order commences a number of provisions of the Act on 11th December 2013 and 1st February 2014.

Article 2(a) commences section 27 of the Act on 11th December 2013. Section 27 amends Schedule 5 to the Courts Act 2003 (c.39) to enable the Secretary of State and a Northern Ireland Department and Her Majesty’s Revenue and Customs to share social security and financial information with Her Majesty’s Courts and Tribunals Service for the purpose of enforcing unpaid financial penalties.

Article 2(b) commences section 44 of the Act in so far as it relates to Parts 1 to 3 and 5 to 7 of Schedule 16 to the Act on 11th December 2013. Section 44 introduces Schedule 16, which makes changes to the non-custodial sentencing framework in England and Wales. Article 2(d) commences Parts 1 to 3 and 5 to 7 of Schedule 16 on 11th December 2013. Part 1 of Schedule 16 amends the Criminal Justice Act 2003 (c.44) so as to require a court imposing a community order either to include a requirement that fulfils the purpose of punishment, or impose a fine (or do both) unless there are exceptional circumstances that would make that unjust. Part 2 of Schedule 16 amends the Powers of Criminal Courts (Sentencing) Act 2000 (c.6) to make it explicit that courts can use their existing powers to defer sentence to allow for a restorative justice activity to take place. Part 3 of Schedule 16 amends the Powers of Criminal Courts (Sentencing) Act 2000 to remove the limit of £5,000 on a compensation order made by a magistrates’ court. Part 5 of Schedule 16 removes uncommenced provisions of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c.10) relating to breach of a community order and corrects a technical error in that Act that prevented the imposition of a youth rehabilitation order for offences of threatening with an article with a blade or point or offensive weapon created by section 142 of that Act. Part 6 of Schedule 16 makes changes to the courts’ powers to order offenders to provide statements of their financial circumstances in various contexts. Part 7 of Schedule 16 creates a new data sharing gateway to enable the Secretary of State and a Northern Ireland Department and Her Majesty’s Revenue and Customs to share social security information and financial information on defendants with Her Majesty’s Courts and Tribunals Service.

Article 2(c) commences section 44, so far as it relates to Part 8 of Schedule 16 to the Act, except paragraph 37, but only so far as it extends to the United Kingdom, on 11th December 2013. Article 2(e) commences Part 8 of Schedule 16, except paragraph 37, but only so far as it extends to the United Kingdom, on 11th December 2013. Part 8 makes provision equivalent to or consequential on, the amendments to Parts 1, 3 and 6 in respect of the sentencing powers of service courts under the Armed Forces Act 2006 (c. 52). The effect of the commencement provisions is that the relevant service courts will be able to rely on the new provisions wherever they sit in the world, without amending the law of the Isle of Man or the British overseas territories.

Article 3 commences section 57 of the Act on 1st February 2014. Section 57 amends section 5 of the Public Order Act 1986 (c.64), to decriminalise the use of insulting words or behaviour within the hearing or sight of someone likely to be caused harassment, alarm or distress.

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NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
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
Section 6(2)	27th May 2013	2013/1042
Section 7	7th October 2013	2013/1682
Section 8(1) to (5)	7th October 2013	2013/1682
Section 8(6) (partially)	8th May 2013	2013/1042
Section 8(6), so far as not already in force	7th October 2013	2013/1682
Section 9(1) to (3) and (5) to (8)	7th October 2013	2013/1682
Section 9(4) (partially)	8th May 2013	2013/1042
Section 9(4) (partially)	27th May 2013	2013/1042
Section 9(4), so far as not already in force	7th October 2013	2013/1682
Section 10	7th October 2013	2013/1682
Section 11(1) to (5), (7) and (8)	7th October 2013	2013/1682
Section 11(6) (partially)	8th May 2013	2013/1042
Section 11(6), so far as not already in force	7th October 2013	2013/1682
Section 11(9) (partially)	8th May 2013	2013/1042
Section 11(9), so far as not already in force	7th October 2013	2013/1682
Section 12	7th October 2013	2013/1682
Section 13	7th October 2013	2013/1682
Section 14	7th October 2013	2013/1682

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 15(1) and (2)	7th October 2013	2013/1682
Section 15(3) (partially)	8th May 2013	2013/1042
Section 15(3) (partially)	27th May 2013	2013/1042
Section 15(3) (partially)	7th October 2013	2013/1682
Section 16	8th May 2013	2013/1042
Section 17(4)	4th September 2013	2013/2200
Section 17(5) (partially)	1st October 2013	2013/1725
Section 20 (partially)	15th July 2013	2013/1725
Section 20 (partially)	4th September 2013	2013/2200
Section 20 (partially)	1st October 2013	2013/2200
Section 21	1st October 2013	2013/2200
Section 22	1st November 2013	2013/2200
Section 23	15th July 2013	2013/1725
Section 25(4) (partially)	15th July 2013	2013/1725
Section 25(5) and (8)	15th July 2013	2013/1725
Section 29	15th July 2013	2013/1725
Section 30	1st October 2013	2013/2200
Section 32	15th July 2013	2013/1725
Section 50 (partially)	29th July 2013	2013/1682
Section 50 (partially, as to England and Wales)	29th July 2013	2013/1682
Section 50 (partially)	18th September 2013	2013/2349
Section 50 (partially, as to England and Wales and Northern Ireland)	14th October 2013	2013/2349
Section 50 (partially, as to Northern Ireland)	14th October 2013	2013/2349
Section 51	8th May 2013	2013/1042
Section 52	25th June 2013	2013/1042
Section 53	25th June 2013	2013/1042
Section 54	25th June 2013	2013/1042
Section 55(1) and (2)	25th June 2013	2013/1042
Section 55(3) (partially)	25th June 2013	2013/1042
Section 55(5)	25th June 2013	2013/1042
Section 55(6) to (13)	25th June 2013	2013/1042
Section 55(14) (partially)	25th June 2013	2013/1042
Schedule 1, paragraph 7	27th May 2013	2013/1042
Schedule 1, so far as not already in force	7th October 2013	2013/1682

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 2, paragraph 1, 4 and 5	27th May 2013	2013/1042
Schedule 2, so far as not already in force	7th October 2013	2013/1682
Schedule 3, paragraph 34	8th May 2013	2013/1042
Schedule 3, so far as not already in force	7th October 2013	2013/1682
Schedule 4, paragraph 1	8th May 2013	2013/1042
Schedule 4, so far as not already in force	7th October 2013	2013/1682
Schedule 5, paragraphs 5, 27, 28, 29 and 30	8th May 2013	2013/1042
Schedule 5, paragraph 4	27th May 2013	2013/1042
Schedule 5, so far as not already in force	7th October 2013	2013/1682
Schedule 6, paragraph 5(5) and (6)	8th May 2013	2013/1042
Schedule 6, so far as not already in force	7th October 2013	2013/1682
Schedule 7	7th October 2013	2013/1682
Schedule 8, paragraphs 1 to 5 and 13	8th May 2013	2013/1042
Schedule 8, paragraphs 101 to 103	27th May 2013	2013/1042
Schedule 8, paragraphs 6 to 10, 12 to 100 and 104 to 190	7th October 2013	2013/1682
Schedule 9, paragraphs 21 (except for sub-paragraph (3)), 27 and 30	1st October 2013	2013/1725
Schedule 13, Parts 2, 6 and 7	15th July 2013	2013/1725
Schedule 13, Part 3	4th September 2013	2013/2200
Schedule 13, Parts 1 and 4 (partially)	1st October 2013	2013/2200
Schedule 14	1st October 2013	2013/2200
Schedule 20, paragraphs 16 to 29	29th July 2013	2013/1682
Schedule 20, paragraphs 10 to 15, as to England and Wales	29th July 2013	2013/1682
Schedule 20, paragraphs 3 and 6 (partially)	18th September 2013	2013/2349
Schedule 20, Part 1, so far as not already in force as to England and Wales and Northern Ireland	14th October 2013	2013/2349
Schedule 20, Part 2, as to Northern Ireland	14th October 2013	2013/2349
Schedule 21, paragraphs 1 to 13	25th June 2013	2013/1042
Schedule 21, paragraph 14 (partially)	25th June 2013	2013/1042
Schedule 21, paragraphs 19 and 30 to 38	25th June 2013	2013/1042
Schedule 21, paragraphs 39 to 50	25th June 2013	2013/1042