



Criminal Justice and Police Act 2001

2001 CHAPTER 16

PART 1

PROVISIONS FOR COMBATTING CRIME AND DISORDER

CHAPTER 1

ON THE SPOT PENALTIES FOR DISORDERLY BEHAVIOUR

Offences to which this Chapter applies

1 Offences leading to penalties on the spot

- (1) For the purposes of this Chapter “penalty offence” means an offence committed under any of the provisions mentioned in the first column of the following Table and described, in general terms, in the second column:

<i>Offence creating provision</i>	<i>Description of offence</i>
Section 12 of the Licensing Act 1872 (c.94)	Being drunk in a highway, other public place or licensed premises
Section 80 of the Explosives Act 1875 (c.17)	Throwing fireworks in a thoroughfare
F1	F1
...	...
Section 55 of the British Transport Commission Act 1949 (c.xxix)	Trespassing on a railway
Section 56 of the British Transport Commission Act 1949 (c.xxix)	Throwing stones etc. at trains or other things on railways

Status: Point in time view as at 01/11/2004. This version of this provision has been superseded.

Changes to legislation: Criminal Justice and Police Act 2001, Section 1 is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

[^{F2} Section 169A of the Licensing Act 1964 (c. 26)	Sale of alcohol to a person under 18]
Section [^{F3} 169C(2) and (3)] of the Licensing Act 1964 (c.26)	Buying or attempting to buy alcohol for ^{F4} ... a person under 18
[^{F5} Section 169E of the Licensing Act 1964 (c. 26)	Consumption of alcohol by a person under 18 or allowing such consumption]
[^{F6} Section 169F of the Licensing Act 1964 (c. 26)	Delivery of alcohol to a person under 18 or allowing such delivery]
Section 91 of the Criminal Justice Act 1967 (c.80)	Disorderly behaviour while drunk in a public place
Section 5(2) of the Criminal Law Act 1967 (c.58)	Wasting police time or giving false report
[^{F7} Section 1 of the Theft Act 1968 (c. 60)	Theft]
[^{F8} Section 1(1) of the Criminal Damage Act 1971 (c. 48)	Destroying or damaging property]
[^{F9} Section 43(1)(b) of the Telecommunications Act 1984 (c.12)]	[^{F9} Using public telecommunications system for sending message known to be false in order to cause annoyance]
[^{F10} Section 5 of the Public Order Act 1986 (c.64)	Behaviour likely to cause harassment, alarm or distress]
[^{F11} Section 87 of the Environmental Protection Act 1990 (c. 43)	Depositing and leaving litter]
Section 12 of this Act	Consumption of alcohol in designated public place
[^{F12} Section 127(2) of the Communications Act 2003	Using public electronic communications network in order to cause annoyance, inconvenience or needless anxiety]
[^{F13} 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]
[^{F14} Section 49 of the Fire and Rescue Services Act 2004 (c. 21)	Knowingly giving a false alarm of fire]

- (2) The Secretary of State may by order amend an entry in the Table or add or remove an entry.
- (3) An order under subsection (2) may make such amendment of any provision of this Chapter as the Secretary of State considers appropriate in consequence of any change in the Table made by the order.
- (4) The power conferred by subsection (2) is exercisable by statutory instrument.
- (5) No order shall be made under subsection (2) unless a draft of the order has been laid before and approved by a resolution of each House of Parliament.

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Textual Amendments

- F1** S. 1(1) table: entry repealed (1.10.2004 for E. and 10.11.2004 for W.) by Fire and Rescue Services Act 2004 (c. 21), ss. 53, 54, Sch. 1 para. 97(2), **Sch. 2**; S.I. 2004/2304, **art. 2** (subject to art. 3); S.I. 2004/2917, **art. 2**
- F2** S. 1(1) table: entry inserted (1.11.2004) by The Criminal Justice and Police Act 2001 (Amendment) and Police Reform Act 2002 (Modification) Order 2004 (S.I. 2004/2540), arts. 1(4), **2(2)**
- F3** S. 1(1) table: words in entry substituted (1.11.2004) by The Criminal Justice and Police Act 2001 (Amendment) and Police Reform Act 2002 (Modification) Order 2004 (S.I. 2004/2540), arts. 1(4), **2(3)(a)**
- F4** S. 1(1) table: words in entry omitted (1.11.2004) by The Criminal Justice and Police Act 2001 (Amendment) and Police Reform Act 2002 (Modification) Order 2004 (S.I. 2004/2540), arts. 1(4), **2(3)(b)**
- F5** S. 1(1) table: entry inserted (1.11.2004) by The Criminal Justice and Police Act 2001 (Amendment) and Police Reform Act 2002 (Modification) Order 2004 (S.I. 2004/2540), arts. 1(4), **2(4)**
- F6** S. 1(1) table: entry inserted (1.11.2004) by The Criminal Justice and Police Act 2001 (Amendment) and Police Reform Act 2002 (Modification) Order 2004 (S.I. 2004/2540), arts. 1(4), **2(4)**
- F7** S. 1(1) table: entry inserted (1.11.2004) by The Criminal Justice and Police Act 2001 (Amendment) and Police Reform Act 2002 (Modification) Order 2004 (S.I. 2004/2540), arts. 1(4), **2(5)**
- F8** S. 1(1) table: entry inserted (1.11.2004) by The Criminal Justice and Police Act 2001 (Amendment) and Police Reform Act 2002 (Modification) Order 2004 (S.I. 2004/2540), arts. 1(4), **2(5)**
- F9** S. 1(1) table: entry repealed (25.7.2003 for specified purposes, 29.12.2003 for further specified purposes) by Communications Act 2003 (c. 21), ss. 406(1)(6), 408, 411, **Sch. 19(1)** (with Sch. 18); S.I. 2003/1900, arts. 1(2), **2(1)**, 3(1), Sch. 1 (with art. 3(2) (as amended (8.12.2003) by S.I. 2003/3142, art. 1(3))); S.I. 2003/3142, **art. 3(2)** (with art. 11)
- F10** S. 1(1) table: entry inserted (22.7.2002) by The Criminal Justice and Police Act 2001 (Amendment) Order 2002 (S.I. 2002/1934), **art. 2**
- F11** S. 1(1) table: entry inserted (1.11.2004) by The Criminal Justice and Police Act 2001 (Amendment) and Police Reform Act 2002 (Modification) Order 2004 (S.I. 2004/2540), arts. 1(4), **2(6)**
- F12** S. 1(1) table: entry in table inserted (25.7.2003 for specified purposes, 29.12.2003 for further specified purposes) by Communications Act 2003 (c. 21), ss. 406(1)(6), 408, 411, **Sch. 17 para. 169** (with Sch. 18); S.I. 2003/1900, arts. 1(2), **2(1)**, 3(1), Sch. 1 (with art. 3(2) (as amended (8.12.2003) by S.I. 2003/3142, art. 1(3))); S.I. 2003/3142, **art. 3(2)** (with art. 11)
- F13** S. 1(1) table: entry inserted (11.10.2004) by The Criminal Justice and Police Act 2001 (Amendment) and Police Reform Act 2002 (Modification) Order 2004 (S.I. 2004/2540), arts. 1(3), **2(7)**
- F14** S. 1(1) table: entry added (1.10.2004 for E. and 10.11.2004 for W.) by Fire and Rescue Services Act 2004 (c. 21), ss. 53, Sch. 1 para. 97(3); S.I. 2004/2304, **art. 2** (subject to art. 3); S.I. 2004/2917, **art. 2**

Commencement Information

- I1** S. 1 wholly in force at 12.8.2002; s. 1 not in force at Royal Assent see s. 138; s. 1 in force for certain purposes at 1.3.2002 by S.I. 2002/344, **art. 2**; s. 1 in force at 12.8.2002 in so far as not already in force by S.I. 2002/2050, **art. 2**

Status:

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