



# 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

##### *Penalty notices and penalties*

## 5 General restriction on proceedings

- (1) Proceedings for the offence to which a penalty notice relates may not be brought [<sup>F1</sup>during] the period of 21 days beginning with the date on which the notice was given (“the suspended enforcement period”).
- (2) If the penalty is paid before the end of the suspended enforcement period, no proceedings may be brought for the offence.

[<sup>F2</sup>(2A) Proceedings for an offence to which a penalty notice with an education option relates may not be brought against a person who has, by the end of the suspended enforcement period, asked to attend an approved educational course relating to the offence, unless section 4(8) applies.

- (2B) If the person to whom a penalty notice with an education option is given—
- (a) completes, in accordance with regulations made under section 4(9), an approved educational course relating to the offence to which the notice relates, and
  - (b) pays the course fee in accordance with those regulations,
- no proceedings may be brought for the offence.]

---

*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Police Act 2001, Section 5. (See end of Document for details)*

---

(3) Subsection (1) does not apply if the person to whom the penalty notice was given has made a request to be tried.

**Textual Amendments**

- F1** Word in s. 5(1) substituted (8.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 23 para. 7\(2\)](#); S.I. 2013/453, art. 4(e)
- F2** S. 5(2A)(2B) inserted (8.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 23 para. 7\(3\)](#); S.I. 2013/453, art. 4(e)

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice and Police Act 2001, Section 5.