

---

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order sets out the standard and other conditions that may be imposed when a prisoner is released from prison on licence into the community under sections 250 and 251 of the Criminal Justice Act 2003 (c. 44). Article 2 contains the standard conditions, which apply in the case of all prisoners released on licence, and cover matters such as residence, work and travel requirements. Article 3 sets out other conditions that may be imposed in the case of all prisoners serving a determinate prison sentence of 12 months or more, and for the purpose of public protection only in the case of prisoners serving a sentence of less than 12 months. Examples of this type of condition are a requirement not to approach or contact a particular person, or enter a particular place. Article 4 contains an additional condition, available only in the case of prisoners serving a determinate prison sentence of 12 months or more, requiring the prisoner to participate in a specified activity or set of activities. An example of this would be a condition that the prisoner attended a particular offending behaviour programme.

The [Criminal Justice Act 2003 \(Commencement No. 1\) Order 2003 \(2003/3282 \(C.129\)\)](#) brings into force those provisions of Part 12 of the Criminal Justice Act 2003 relevant for the purposes the passing of a sentence of imprisonment to which an intermittent custody order relates, and the release on licence of a person serving such a sentence. This Order will therefore be relevant to the release on licence of those prisoners only, until such time as a further commencement order provides for the release on licence of prisoners serving other sentences.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.