
STATUTORY INSTRUMENTS

2006 No. 2137

CRIMINAL LAW, ENGLAND AND WALES

The Crime and Disorder Act 1998 (Relevant Authorities and Relevant Persons) Order 2006

<i>Made</i>	- - - -	<i>1st August 2006</i>
<i>Laid before Parliament</i>		<i>3rd August 2006</i>
<i>Coming into force</i>	- -	<i>1st September 2006</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 1A(2) of the Crime and Disorder Act 1998(1):

Citation and commencement

1. This Order may be cited as the Crime and Disorder Act 1998 (Relevant Authorities and Relevant Persons) Order 2006 and shall come into force on 1st September 2006.

Relevant Authority and Relevant Persons: Environment Agency

2.—(1) The Environment Agency is to be a relevant authority for the purposes of sections 1(2), 1B(3), 1CA(4) and 1E(5) of the Crime and Disorder Act 1998 in the cases and circumstances prescribed by paragraph (2).

(2) Those cases and circumstances are where a person has acted in an anti-social manner on, or in relation to, any land and the Environment Agency has a statutory function in relation to that land.

(3) The relevant persons in relation to the Environment Agency are—

- (a) persons who are on, or likely to be on, the land referred to in paragraph (2); or
- (b) persons who are in the vicinity of, or likely to be in the vicinity of, that land.

(1) 1998 c.37. Section 1A(2) was inserted by section 139(1) and (3) of the Serious Organised Crime and Police Act 2005 (c.15).
(2) Relevant amendments to section 1 were made by section 61 of the Police Reform Act 2002 (c.30) and section 85 of the Anti-social Behaviour Act 2003 (c.38).
(3) Section 1B was inserted by section 63 of the Police Reform Act 2002 (c.30).
(4) Section 1CA was inserted by section 140(1) and (4) of the Serious Organised Crime and Police Act 2005 (c.15).
(5) Section 1E was inserted by section 66 of the Police Reform Act 2002 (c.30).

Relevant Authority and Relevant Persons: Transport for London

3.—(1) Transport for London is to be a relevant authority for the purposes of sections 1, 1B, 1CA and 1E of the Crime and Disorder Act 1998 in the cases and circumstances prescribed by paragraph (2).

(2) Those cases and circumstances are where a person has acted in an anti-social manner on, or in relation to, any land or vehicles used in connection with, or for the purposes of, the provision of a relevant transport service.

(3) The relevant persons in relation to Transport for London are—

- (a) persons who are on, or likely to be on, any of the land or vehicles referred to in paragraph (2); or
- (b) persons who are in the vicinity of, or likely to be in the vicinity of, such land or vehicles.

(4) In this article—

- (a) the references to Transport for London are references to the body established by section 154 of the Greater London Authority Act 1999⁽⁶⁾ (“the 1999 Act”); and
- (b) “relevant transport service” means a bus, tramway, river transport or train service provided by Transport for London or any of its subsidiaries, or by any other person, in pursuance of—
 - (i) an agreement entered into by Transport for London under section 156(2) or (3)(a) of the 1999 Act;
 - (ii) a transport subsidiary’s agreement within the meaning given by section 169 of the 1999 Act; or
 - (iii) an agreement which was entered into by London Regional Transport under section 3(2) or (2A)⁽⁷⁾ of the London Regional Transport Act 1984⁽⁸⁾ and which, by virtue of section 300 or section 415 of the 1999 Act, has effect as if made by Transport for London.

Home Office
1st August 2006

Joan Ryan
Parliamentary Under Secretary of State

⁽⁶⁾ 1999 c.29.

⁽⁷⁾ Subsection (2A) was inserted by section 1 of the London Regional Transport Act 1996 (c.21).

⁽⁸⁾ 1984 c.32.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which comes into force on 1st September 2006, provides that the Environment Agency and Transport for London are to be relevant authorities for the purposes of sections 1, 1B, 1CA and 1E of the Crime and Disorder Act 1998, that is to say bodies which (after consultation with the local authority and the police) can apply to a magistrates court for an anti-social behaviour order or (as an adjunct to other proceedings) to a county court for a similar order, for the purpose of protecting the persons specified in articles 2(3) and 3(3) respectively from further anti-social acts. Such bodies can also apply for the variation or discharge of such orders, and of similar orders made on conviction of certain offences.