

2013 No. 608

CRIMINAL LAW, ENGLAND AND WALES

**The Crime and Disorder Act 1998 (Youth Conditional Cautions:
Financial Penalties) Order 2013**

<i>Made</i>	- - - -	<i>12th March 2013</i>
<i>Laid before Parliament</i>		<i>18th March 2013</i>
<i>Coming into force</i>	- -	<i>8th April 2013</i>

The Secretary of State makes the following Order in exercise of the powers conferred by sections 66C(1) to (3) of the Crime and Disorder Act 1998(a):

Citation and commencement

1. This order may be cited as the Crime and Disorder Act 1998 (Youth Conditional Cautions: Financial Penalties) Order 2013 and comes into force on 8th April 2013.

Prescribed descriptions of offences and financial penalties

2.—(1) The descriptions of offences listed in the table below are prescribed for the purposes of section 66C(1) of the Crime and Disorder Act 1998 (offences or descriptions of offences in respect of which a financial penalty condition may be imposed).

(2) The amounts listed in the table below are the maximum amounts prescribed in respect of each description of offence for the purposes of section 66C(2) of the Crime and Disorder Act 1998 (maximum penalty amount which may be specified in a financial penalty condition).

<i>Description of offence</i>	<i>Maximum amount that may be specified where the offender is aged 14 or over but under 18</i>	<i>Maximum amount that may be specified where the offender is aged 10 or over but under 14</i>
Any summary offence	£30	£15
Any offence triable either way	£50	£25
Any offence triable only on indictment	£75	£35

(a) 1998 c. 37; section 66C was inserted by paragraph 3 of Schedule 9 to the Criminal Justice and Immigration Act 2008 (c. 4). Paragraph 3 was brought into force on 1st April 2009 to the extent that it inserted section 66C by virtue of article 2(1)(h) of the Criminal Justice and Immigration Act 2008 (Commencement No. 7) Order 2009 (S.I. 2009/860).

Revocation of the Crime and Disorder Act 1998 (Youth Conditional Cautions: Financial Penalties) Order 2009

3. The Crime and Disorder Act 1998 (Youth Conditional Cautions: Financial Penalties) Order 2009(a) is revoked.

Signed by the authority of the Secretary of State

12th March 2013

Jeremy Wright
Parliamentary Under Secretary of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Order)

Section 66A of the Crime and Disorder Act 1998 (c. 37) provides that a youth conditional caution may be given to a person aged 10 or over but under the age of 18. An authorised person or a relevant prosecutor may decide that a youth conditional caution should be given to an offender if the five requirements set out in section 66B of that Act are met.

Article 2 of this Order prescribes the descriptions of offences in respect of which (where a youth conditional caution is given) a condition may be attached which requires the offender to pay a financial penalty. The Order sets different maximum amounts of penalty that the offender may be required to pay, depending on the description of offence. It also sets different maximum penalty amounts depending on the age of the offender at the time the youth conditional caution is given.

Article 3 of this Order revokes the Crime and Disorder Act 1998 (Youth Conditional Cautions: Financial Penalties) Order 2009 (S.I. 2009/2781).

No impact assessment has been produced for this Order as no impact on business, civil society organisations or the public sector is foreseen.

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(a) S.I. 2009/2781.

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