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STATUTORY INSTRUMENTS

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**2017 No. 236 (C. 20)**

**CRIMINAL LAW, ENGLAND AND WALES**

**The Crime and Courts Act 2013 (Commencement No. 17, Transitional and Savings Provisions) Order 2017**

*Made* - - - - *1st March 2017*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 60(b), 61(2) and 61(8) of the Crime and Courts Act 2013(1).

**Citation and interpretation**

1.—(1) This Order may be cited as the Crime and Courts Act 2013 (Commencement No. 17, Transitional and Savings Provisions) Order 2017.

(2) In this Order “the Act” means the Crime and Courts Act 2013.

**Provisions coming into force on 13th March 2017**

2.—(1) Subject to articles 3 and 4, the following provisions of the Act come into force on 13th March 2017 in relation to the local justice areas(2) specified in paragraph (2)—

(a) section 44 (dealing non-custodially with offenders), so far as relating to Part 4 of Schedule 16 to the Act, and

(b) Part 4 of Schedule 16 (electronic monitoring of offenders)(3).

(2) The specified local justice areas are—

(a) East London, and

(b) North London.

**Period for which the provisions of the Act remain in force**

3. Subject to article 4, the provisions of the Act brought into force by article 2 cease to be in force at the end of 12th March 2018.

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(1) 2013 c. 22. There are amendments to section 61, but none are relevant to this Order.

(2) Local justice areas were established by S.I. 2005/554, which was amended by S.I. 2011/1168; there are other amending instruments but none are relevant.

(3) S.I. 2016/962 brought section 44 of, and Part 4 of Schedule 16 to, the Act into force on 17th October 2016 for specified periods and in relation to specified areas in England.

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### **Transitional and savings provisions**

4.—(1) The provisions of the Act brought into force by article 2 do not apply in relation to electronic monitoring requirements imposed by a court in accordance with section 215 of the Criminal Justice Act 2003<sup>(4)</sup> in the areas specified in article 2(2) before 13th March 2017.

(2) Article 3 does not affect the continued application after 12th March 2018 of an electronic monitoring requirement imposed by a court in the areas specified in article 2(2) on or after 13th March 2017 and before or on 12th March 2018 and the provisions brought into force by article 2 shall continue to have effect after 12th March 2018 in relation to any such requirements imposed during that period.

1st March 2017

*Sam Gyimah*  
Parliamentary Under Secretary of State  
Ministry of Justice

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(4) 2003 c. 44; section 215 was amended by section 76(6) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) solely for the purposes of a pilot in relation to the local justice areas specified in S.I. 2016/286 with respect to alcohol abstinence monitoring requirements.

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## EXPLANATORY NOTE

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

Part 4 of Schedule 16 to the Crime and Courts Act 2013 (c. 22) (“the 2013 Act”) amends the framework for the electronic monitoring of offenders set out in the Criminal Justice Act 2003 (c. 44) (“the 2003 Act”). In particular, it amends the definition of “electronic monitoring requirements” (as contained in the 2003 Act) which can be imposed as part of a community order or suspended sentence order. Section 61 of the 2013 Act provides that section 44 of, and Part 4 of Schedule 16 to, the 2013 Act can be brought into force for specified periods in specified areas. This Order commences Part 4 of Schedule 16 to the Act in the specified local justice areas set out in article 2(2).

The Crime and Courts Act 2013 (Commencement No. 15, Transitional and Savings Provisions) Order 2016, S.I. 2016/962) commenced section 44 of, and Part 4 of Schedule 16 to, the 2013 Act with respect to different specified areas with effect from 17th October 2016.

Article 3 provides those provisions will remain in force until the end of 12th March 2018, subject to the saving and transitional provisions in article 4.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of the Crime and Courts Act 2013 have been brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1(1) and (2)	27th May 2013	2013/1042
Section 1(3) to (11)	7th October 2013	2013/1682
Section 1(12) (partially)	27th May 2013	2013/1042
Section 1(12), so far as not already in force	7th October 2013	2013/1682
Section 2	7th October 2013	2013/1682
Section 3	27th May 2013	2013/1042
Section 4(1)	7th October 2013	2013/1682
Section 4(2) to (9)	27th May 2013	2013/1042
Section 4(10) (partially)	27th May 2013	2013/1042
Section 4(10), so far as not already in force	7th October 2013	2013/1682
Section 5(1) to (9), (11) and (12)	7th October 2013	2013/1682
Section 5(10) (partially)	8th May 2013	2013/1042
Section 5(10), so far as not already in force	7th October 2013	2013/1682
Section 6(1), (3) and (4)	7th October 2013	2013/1682

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 6(2)	27th May 2013	2013/1042
Section 7	7th October 2013	2013/1682
Section 8(1) to (5)	7th October 2013	2013/1682
Section 8(6) (partially)	8th May 2013	2013/1042
Section 8(6), so far as not already in force	7th October 2013	2013/1682
Section 9(1) to (3) and (5) to (8)	7th October 2013	2013/1682
Section 9(4) (partially)	8th May 2013	2013/1042
Section 9(4) (partially)	27th May 2013	2013/1042
Section 9(4), so far as not already in force	7th October 2013	2013/1682
Section 10	7th October 2013	2013/1682
Section 11(1) to (5), (7) and (8)	7th October 2013	2013/1682
Section 11(6) (partially)	8th May 2013	2013/1042
Section 11(6), so far as not already in force	7th October 2013	2013/1682
Section 11(9) (partially)	8th May 2013	2013/1042
Section 11(9), so far as not already in force	7th October 2013	2013/1682
Section 12	7th October 2013	2013/1682
Section 13	7th October 2013	2013/1682
Section 14	8th May 2013	2013/1042
Section 15(1) and (2)	7th October 2013	2013/1682
Section 15(3) (partially)	8th May 2013	2013/1042
Section 15(3) (partially)	27th May 2013	2013/1042
Section 15(3) (partially)	7th October 2013	2013/1682
Section 16	8th May 2013	2013/1042
Section 17(4)	4th September 2013	2013/2200
Section 17(5) (partially)	1st October 2013	2013/1725
Section 17, so far as not already in force	22nd April 2014	2014/954
Section 18	1st June 2015	2015/813
Section 20 (partially)	15th July 2013	2013/1725
Section 20 (partially)	4th September 2013	2013/2200
Section 20 (partially)	1st October 2013	2013/2200
Section 21	1st October 2013	2013/2200
Section 22	1st November 2013	2013/2200
Section 23	15th July 2013	2013/1725
Section 24	7th January 2014	2013/3176

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 25(4) (partially)	15th July 2013	<a href="#">2013/1725</a>
Section 25(5) and (8)	15th July 2013	<a href="#">2013/1725</a>
Section 25, so far as not already in force	6th April 2014	<a href="#">2014/830</a>
Section 27	11th December 2013	<a href="#">2013/2981</a>
Section 28	22nd April 2014	<a href="#">2014/954</a>
Section 29	15th July 2013	<a href="#">2013/1725</a>
Section 30	1st October 2013	<a href="#">2013/2200</a>
Section 32	15th July 2013	<a href="#">2013/1725</a>
Section 41 (partially)	3rd November 2015	<a href="#">2015/1837</a>
Section 42 (partially)	3rd November 2015	<a href="#">2015/1837</a>
Section 44 (partially)	11th December 2013	<a href="#">2013/2981</a>
Section 44 (partially)	17th October 2016	<a href="#">2016/962</a>
Section 45	24th February 2014	<a href="#">2014/258</a>
Section 46(1) and (5) (partially)	20th March 2015	<a href="#">2015/813</a>
Section 46(6) and (7)	20th March 2015	<a href="#">2015/813</a>
Section 46, so far as not already in force	1st June 2015	<a href="#">2015/813</a>
Section 47	20th March 2015	<a href="#">2015/813</a>
Section 48(6) (partially)	1st June 2015	<a href="#">2015/964</a>
Section 49 (partially)	22nd November 2014	<a href="#">2014/3098</a>
Section 49 (partially)	1st June 2015	<a href="#">2015/964</a>
Section 49 (partially) as to Northern Ireland	1st February 2017	<a href="#">2017/4</a>
Section 50 (partially)	29th July 2013	<a href="#">2013/1682</a>
Section 50 (partially) as to England and Wales	29th July 2013	<a href="#">2013/1682</a>
Section 50 (partially)	18th September 2013	<a href="#">2013/2349</a>
Section 50 (partially) as to England and Wales and Northern Ireland	14th October 2013	<a href="#">2013/2349</a>
Section 50 (partially) as to Northern Ireland	14th October 2013	<a href="#">2013/2349</a>
Section 51	8th May 2013	<a href="#">2013/1042</a>
Section 52	25th June 2013	<a href="#">2013/1042</a>
Section 53	25th June 2013	<a href="#">2013/1042</a>
Section 54	25th June 2013	<a href="#">2013/1042</a>
Section 55(1) and (2)	25th June 2013	<a href="#">2013/1042</a>
Section 55(3) (partially)	25th June 2013	<a href="#">2013/1042</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 55(3) (partially)	22nd November 2014	<a href="#">2014/3098</a>
Section 55(4)	22nd November 2014	<a href="#">2014/3098</a>
Section 55(5)	25th June 2013	<a href="#">2013/1042</a>
Section 55(6) to (13)	25th June 2013	<a href="#">2013/1042</a>
Section 55(14) (partially)	25th June 2013	<a href="#">2013/1042</a>
Section 55(14) (partially)	22nd November 2014	<a href="#">2014/3098</a>
Section 56 as to England and Wales	2nd March 2015	<a href="#">2014/3268</a>
Section 57	1st February 2014	<a href="#">2013/2981</a>
Schedule 1, paragraph 7	27th May 2013	<a href="#">2013/1042</a>
Schedule 1, so far as not already in force	7th October 2013	<a href="#">2013/1682</a>
Schedule 2, paragraphs 1, 4 and 5	27th May 2013	<a href="#">2013/1042</a>
Schedule 2, so far as not already in force	7th October 2013	<a href="#">2013/1682</a>
Schedule 3, paragraph 34	8th May 2013	<a href="#">2013/1042</a>
Schedule 3, so far as not already in force	7th October 2013	<a href="#">2013/1682</a>
Schedule 4, paragraph 1	8th May 2013	<a href="#">2013/1042</a>
Schedule 4, so far as not already in force	7th October 2013	<a href="#">2013/1682</a>
Schedule 5, paragraphs 5, 27, 28, 29 and 30	8th May 2013	<a href="#">2013/1042</a>
Schedule 5, paragraph 4	27th May 2013	<a href="#">2013/1042</a>
Schedule 5, so far as not already in force	7th October 2013	<a href="#">2013/1682</a>
Schedule 6, paragraph 5(5) and (6)	8th May 2013	<a href="#">2013/1042</a>
Schedule 6, so far as not already in force	7th October 2013	<a href="#">2013/1682</a>
Schedule 7	7th October 2013	<a href="#">2013/1682</a>
Schedule 8, paragraphs 1 to 5 and 13	8th May 2013	<a href="#">2013/1042</a>
Schedule 8, paragraphs 101 to 103	27th May 2013	<a href="#">2013/1042</a>
Schedule 8, paragraphs 6 to 10, 12, 14 to 100 and 104 to 190	7th October 2013	<a href="#">2013/1682</a>
Schedule 9, paragraphs 21 (except for subparagraph (3)), 27 and 30	1st October 2013	<a href="#">2013/1725</a>
Schedule 9, so far as not already in force	22nd April 2014	<a href="#">2014/954</a>
Schedule 10	22nd April 2014	<a href="#">2014/954</a>
Schedule 11	22nd April 2014	<a href="#">2014/954</a>
Schedule 12	1st June 2015	<a href="#">2015/813</a>
Schedule 13, Part 1	1st October 2013	<a href="#">2013/2200</a>
Schedule 13, Parts 2, 6 and 7	15th July 2013	<a href="#">2013/1725</a>

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 13, Part 3	4th September 2013	<a href="#">2013/2200</a>
Schedule 13, Part 4 (partially)	1st October 2013	<a href="#">2013/2200</a>
Schedule 14	1st October 2013	<a href="#">2013/2200</a>
Schedule 15 (partially)	3rd November 2015	<a href="#">2015/1837</a>
Schedule 16, Parts 1 to 3 and 5 to 7, and so far as extending to the United Kingdom, Part 8 (except paragraph 37)	11th December 2013	<a href="#">2013/2981</a>
Schedule 16, Part 4 (partially)	17th October 2016	<a href="#">2016/962</a>
Schedule 17	24th February 2014	<a href="#">2014/258</a>
Schedule 18, Part 1	1st June 2015	<a href="#">2015/964</a>
Schedule 19, paragraphs 24, 26 and 28 (all partially)	22nd November 2014	<a href="#">2014/3098</a>
Schedule 19 Part 1 (partially) and Parts 2 and 3	1st June 2015	<a href="#">2015/964</a>
Schedule 19, paragraphs 1 to 13, 24 to 27, 29 and 30 (partially) as to Northern Ireland	1st February 2017	<a href="#">2017/4</a>
Schedule 20, paragraphs 3 and 6 (partially)	18th September 2013	<a href="#">2013/2349</a>
Schedule 20, paragraphs 10 to 15 as to England and Wales	29th July 2013	<a href="#">2013/1682</a>
Schedule 20, paragraphs 16 to 29	29th July 2013	<a href="#">2013/1682</a>
Schedule 20, Part 1, so far as not already in force as to England and Wales and Northern Ireland	14th October 2013	<a href="#">2013/2349</a>
Schedule 20, Part 2, as to Northern Ireland	14th October 2013	<a href="#">2013/2349</a>
Schedule 21, paragraphs 1 to 13	25th June 2013	<a href="#">2013/1042</a>
Schedule 21, paragraph 14 (partially)	25th June 2013	<a href="#">2013/1042</a>
Schedule 21, paragraph 14 (partially)	22nd November 2014	<a href="#">2014/3098</a>
Schedule 21, paragraphs 15 to 18	22nd November 2014	<a href="#">2014/3098</a>
Schedule 21, paragraph 19	25th June 2013	<a href="#">2013/1042</a>
Schedule 21, paragraphs 20 to 29	22nd November 2014	<a href="#">2014/3098</a>
Schedule 21, paragraphs 30 to 38	25th June 2013	<a href="#">2013/1042</a>
Schedule 21, paragraphs 39 to 50	25th June 2013	<a href="#">2013/1042</a>
Schedule 22 as to England and Wales	2nd March 2015	<a href="#">2014/3268</a>