

VIOLENT CRIME REDUCTION ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Alcohol-related violence and disorder

Chapter 1: Drinking banning orders

Section 13: Certificates of completion of approved courses

122. This section makes provision about the certificates to be issued on completion of approved courses by individuals subject to a DBO.
123. *Subsection (1)* provides that an individual will only be regarded as having satisfactorily completed an approved course where he has been given a certificate to that effect by the course provider and the certificate has been received by the proper officer of the court that made the DBO.
124. *Subsection (2)* allows the Secretary of State to prescribe in regulations the form of the certificate and what it should contain. *Subsection (3)* provides that a course provider must give a certificate unless the individual who is subject to a DBO and is undertaking an approved course fails to pay the fees for the course, fails to attend the course in line with the reasonable instructions of the course provider or fails to comply with any other reasonable requirement of the course provider.
125. *Subsection (4)* provides that if the course provider decides not to issue a certificate then they must give the individual written notice of that decision and the reasons for not doing so. *Subsection (5)* provides that the course provider must provide a certificate of successful completion of an approved course by the individual, or a notice stating it is not going to provide a certificate, before the end of 14 days beginning with the day on which any request to do so is made by the individual. *Subsection (6)* provides that where an individual is given a notice refusing a certificate or has not received either a certificate or a notice within 14 days of their request then they can apply to the court which made the DBO, or if that court is not the Crown Court or a relevant local court, to a relevant local court for a declaration that the course provider has failed to meet its obligation under *subsection (3)*. Under *subsection (7)* if this is found to be the case the individual will be treated as having satisfactorily completed the approved course at the time the declaration is given for the purposes of reducing the length of the DBO.
126. *Subsection (8)* allows the Secretary of State to make regulations about the form of the notices (*under subsection (4)*) that are given to individuals who fail to satisfactorily undertake a course, the manner in which such a notice is given and when such a notice is given and considered to be effective.