

2010 No. 507 (C. 37)

CIVIL AVIATION, NORTHERN IRELAND

CRIMINAL LAW, NORTHERN IRELAND

CRIMINAL LAW, ENGLAND AND WALES

LICENCES AND LICENSING, ENGLAND

POLICE, ENGLAND AND WALES

SPORTS GROUNDS AND SPORTING EVENTS

The Policing and Crime Act 2009 (Commencement No. 4)
Order 2010

Made - - - - *27th February 2010*

The Secretary of State makes the following Order in exercise of the powers conferred by section 116(1), (4)(a) and (7) of the Policing and Crime Act 2009(a).

In accordance with section 116(2) of that Act the Secretary of State has obtained the consent of the Scottish Ministers.

Citation and interpretation

1.—(1) This Order may be cited as the Policing and Crime Act 2009 (Commencement No. 4) Order 2010.

(2) In this order, “the 2009 Act” means the Policing and Crime Act 2009.

Provisions coming into force on 2nd March 2010

2.—(1) The day appointed for the coming into force of the following provisions for the purpose of making orders under paragraph 3 of Schedule 3 to the 2009 Act is 2nd March 2010:

(a) section 27(11) of the 2009 Act (provision for Schedule 3 to that Act to have effect);

- (b) paragraphs 3 and 5 of Schedule 3 to the 2009 Act (power to make transitional provision on adoption of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982(a) as amended).

(2) This article applies only in relation to England.

3. The day appointed for the coming into force of section 108(4) and (5) of the 2009 Act for the purpose of making regulations under section 6 of the Crime and Disorder Act 1998(b) is 2nd March 2010.

Provisions coming into force on 12th March 2010

4. The day appointed for the coming into force of the following provisions of the 2009 Act is 12th March 2010:

- (a) section 5 (police collaboration);
- (b) section 112(1) (minor and consequential amendments and repeals and revocations) insofar as it relates to the provisions of Part 1 of Schedule 7;
- (c) Part 1 of Schedule 7.

Provisions coming into force on 1st April 2010

5. Subject to article 6, the day appointed for the coming into force of the following provisions of the 2009 Act is 1st April 2010:

- (a) section 14 (paying for sexual services of a prostitute subjected to force etc: England and Wales);
- (b) section 15 (paying for sexual services of a prostitute subjected to force etc: Northern Ireland);
- (c) section 16 (amendment to offence of loitering etc for purposes of prostitution);
- (d) section 17 (orders requiring attendance at meetings);
- (e) section 18 (rehabilitation of offenders: orders under section 1(2A) of the Street Offences Act 1959(c));
- (f) section 19 (soliciting: England and Wales);
- (g) section 20 (soliciting: Northern Ireland);
- (h) section 21 (closure orders) in relation to England and Wales only;
- (i) section 22 (time limits);
- (j) section 23 (foreign travel orders: grounds);
- (k) section 24 (foreign travel orders: duration);
- (l) section 25 (foreign travel orders: surrender of passports);
- (m) section 79 (security planning for airports) in relation to Northern Ireland only;
- (n) section 80 (policing at airports) in relation to Northern Ireland only;
- (o) sections 103 to 107 (football spectators);
- (p) section 108 (strategies for crime reduction etc: probation authorities) insofar as not already in force;
- (q) section 112(1) (minor and consequential amendments and repeals and revocations) insofar as it relates to the provisions of Part 3 of Schedule 7 specified in sub-paragraph (v) and Part 12 of Schedule 7;

(a) 1982 c. 30.

(b) 1998 c. 37. Section 6 was substituted by section 22 of, and Schedule 9 to, the Police and Justice Act 2006 (c. 48) and amended by section 108 of the Policing and Crime Act 2009 (c. 26).

(c) 1959 c. 57.

- (r) section 112(2) (minor and consequential amendments and repeals and revocations) insofar as it relates to Parts 2 and 11 of Schedule 8;
- (s) Schedule 1 (Schedule to the Street Offences Act 1959);
- (t) Schedule 2 (closure orders) in relation to England and Wales only;
- (u) Schedule 6 (amendment of Part 3 of the Aviation Security Act 1982^(a)) in relation to Northern Ireland only;
- (v) paragraphs 18 to 22, 24 and 26 of Schedule 7;
- (w) Part 12 of Schedule 7;
- (x) Parts 2 and 11 of Schedule 8.

Transitional and savings provision

6. The coming into force of sections 17 and 18 of the 2009 Act is of no effect in relation to any person as regards an offence committed by that person contrary to section 1 (loitering or soliciting for purposes of prostitution) of the Street Offences Act 1959^(b) during a period which falls wholly or partly before 1st April 2010.

Home Office
27th February 2010

David Hanson
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

This is the fourth Commencement Order made under the Policing and Crime Act 2009 (“the Act”).

Article 2 lists the provisions of the Act which come into force on 2nd March 2010 for the purposes of making orders relating to lap dancing and other sexual entertainment venues. The Welsh Ministers have the power to commence these provisions for Wales. Similarly, Article 3 brings section 108(4) and (5) into force on the same date for the purpose of making regulations relating to the formulation and implementation of strategies by responsible authorities (which are commonly referred to as Community Safety Partnerships).

Article 4 brings section 5 (police collaboration) of the Act into force on 12th March 2010.

Article 5 lists the provisions of the Act which will come into force on the 1st April 2009 which includes the remainder of Part 2 of the Act (sexual offences and sex establishments), provisions relating to football spectators and the entirety of Part 7 of the Act (aviation security) for Northern Ireland.

Article 6 ensures that section 17 and 18 of the Act, which creates a new penalty for a person who commits an offence contrary to section 1 of the Street Offences Act 1959, will not apply to a person who commits such an offence during a period which falls wholly or partly before 1st April 2010.

(a) 1982 c. 36.

(b) Section 1 of the Street Offences Act 1959 (c. 57) has been amended by section 56 of, and Schedule 1 to, the Sexual Offences Act 2003 (c. 42), section 71 of the Criminal Justice Act 1982 (c. 48), the Statute Law (Repeals) Act 1989 (c. 43), section 111 and 174 of, and Schedule 7 and 17 to, the Serious Organised Crime and Police Act 2005 (c. 15) and the Statute Law (Repeals) Act 1993 (c. 50).

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force, or will be brought into force on 15th March 2010, by commencement orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1	15th March 2010	2010/125
Section 6	25th January 2010	2009/3096
Section 7	25th January 2010	2009/3096
Section 8	25th January 2010	2009/3096
Section 9	25th January 2010	2009/3096
Section 10	29th January 2010	2010/125
Section 11	29th January 2010	2010/125
Section 12	29th January 2010	2010/125
Section 13	29th January 2010	2010/125
Section 26	25th January 2010	2009/3096
Section 28	29th January 2010	2010/125
Section 29	29th January 2010	2010/125
Section 30	29th January 2010	2010/125
Section 31	29th January 2010	2010/125
Section 32	29th January 2010	2010/125
Section 33	29th January 2010	2010/125
Section 51	25th January 2010	2009/3096
Section 61	25th January 2010	2009/3096
Section 62	25th January 2010	2009/3096
Section 64	25th January 2010	2009/3096
Section 67	25th January 2010	2009/3096
Section 68	25th January 2010	2009/3096
Section 69	25th January 2010	2009/3096
Section 70	25th January 2010	2009/3096
Section 71	25th January 2010	2009/3096
Section 72	25th January 2010	2009/3096
Section 73	25th January 2010	2009/3096
Section 74	25th January 2010	2009/3096
Section 75	25th January 2010	2009/3096
Section 76	25th January 2010	2009/3096
Section 77	25th January 2010	2009/3096
Section 78	25th January 2010	2009/3096
Section 79 (England, Wales and Scotland only)	29th January 2010	2010/125
Section 80 (England, Wales and Scotland only)	29th January 2010	2010/125
Section 83	29th January 2010	2010/125
Section 84 (partially)	29th January 2010	2010/125
Section 88	30th November 2009	2009/3096
Section 91	30th November 2009	2009/3096
Section 98	25th January 2010	2010/52
Section 97	29th January 2010	2010/125
Section 99	25th January 2010	2010/52
Section 101	25th January 2010	2010/52
Section 110	29th January 2010	2010/125
Section 112 (partially)	25th January 2010	2009/3096

	25th January 2010	2010/52
	29th January 2010	2010/125
Schedule 4	29th January 2010	2010/125
Schedule 6 (England, Wales and Scotland only)	29th January 2010	2010/125
Schedule 7 (partially)	25th January 2010	2009/3096
	29th January 2010	2010/125
Schedule 8 (partially)	25th January 2010	2009/3096
	25th January 2010	2010/52
	29th January 2010	2010/125

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STATUTORY INSTRUMENTS

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