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STATUTORY INSTRUMENTS

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**2013 No. 592 (C. 24)**

**CRIMINAL LAW, ENGLAND AND WALES**

The Police and Justice Act 2006  
(Commencement No. 16) Order 2013

Made - - - - 12th March 2013

The Secretary of State makes the following Order in exercise of the powers conferred by sections 49(3) and 53(1) of the Police and Justice Act 2006<sup>(1)</sup>:

**Citation**

1. This order may be cited as the Police and Justice Act 2006 (Commencement No. 16) Order 2013.

**Provisions coming into force on 8th April 2013**

2.—(1) Subject to paragraph (2), section 17(1) to (4) of the Police and Justice Act 2006 (conditional cautions: types of caution) comes into force on 8th April 2013 so far as it is not already in force.

(2) Section 17(3) (types of conditions that may be attached to cautions) comes into force in accordance with paragraph (1) only so far as it inserts section 22(3A)(a) of the Criminal Justice Act 2003<sup>(2)</sup> (condition that the offender pay a financial penalty).

Signed by the authority of the Secretary of State

12th March 2013

*Jeremy Wright*  
Parliamentary Under Secretary of State  
Ministry of Justice

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(1) 2006 c. 48.

(2) 2003 c. 44; section 22(3A)(a) was inserted by section 17(3) of the Police and Justice Act 2006 (c. 48).

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

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

This Order brings into force the provisions of section 17 of the Police and Justice Act 2006 (c. 48) set out in article 2. The effect of the Order is that a financial penalty condition may be attached to a conditional caution in relation to every police area in England and Wales. Previously the provisions of section 17 set out in article 2 were only in force in relation to the police areas of Cambridgeshire, Hampshire, Humberside, Merseyside and Norfolk. A police area is an area listed in Schedule 1 to the Police Act 1996 (c. 16), the metropolitan police district or the City of London police area.

Section 17 of the Police and Justice Act 2006 (c. 48) was brought into force immediately before 8th July 2009 in relation to the police areas of Cambridgeshire, Merseyside and Norfolk by virtue of article 2(1) of the Police and Justice Act 2006 (Commencement No. 11) Order 2009 (S.I. 2009/1679), subject to the exceptions mentioned in article 2(2) and (3) of that Order. It was brought into force on 16th November 2009 in relation to the police areas of Hampshire and Humberside by virtue of article 2 of the Police and Justice Act 2006 (Commencement No. 12) Order 2009 (S.I. 2009/2774), subject to the exceptions mentioned in article 2(2) of that Order.

Conditional cautions are cautions to which specified conditions are attached, and are provided for in Part 3 of the Criminal Justice Act 2003 (c. 44). A conditional caution may be given to a person aged 18 or over if the five requirements set out in section 23 of that Act are met.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of the Police and Justice Act 2006 (c. 48) 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	01.04.2007	2007/709
Section 2 (in part)	05.01.2007	2006/3364
	01.04.2007	2007/709
	29.06.2007	2007/1614
	14.03.2008	2008/311
	01.04.2008	2008/790
	15.03.2010	2010/414
Section 3	29.06.2007	2007/1614
Section 4	31.03.2007	2007/709
Section 5	31.12.2007	2007/3203
Section 6	01.04.2007	2007/709

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 7 (in part)	01.04.2007	2007/709
	01.12.2007	2007/3203
Section 8	01.04.2007	2007/709
Section 9 (in part)	01.04.2007	2007/709
	01.12.2007	2007/3203
Section 10	01.04.2007	2007/709
Section 11	15.01.2007	2006/3364
Section 12	01.04.2007	2007/709
Section 13 (in relation to England and Wales)	29.06.2007	2007/1614
(in relation to Northern Ireland)	30.07.2007	2007/2052
Sections 15 and 16	01.04.2007	2007/709
Section 17 (in part)	07.07.2009	2009/1679
	16.11.2009	2009/2774
Section 18	29.06.2007	2007/1614
Sections 19 to 20 (in part) (in relation to England)	30.04.2009	2009/936
(in relation to Wales)	01.10.2009	2009/2540
Section 21 (in relation to England)	30.04.2009	2009/936
Section 22 (in part) (in relation to Wales)	19.11.2007	2007/3073
(in relation to Wales)	19.11.2007	2007/3251
(in relation to England)	01.08.2007	2007/1614
Sections 23 to 25	29.06.2007	2007/1614
Sections 26 and 27 (in relation to England)	06.04.2007	2007/709
Sections 28 to 33	01.04.2007	2007/709
Sections 35 to 38 (in relation to England and Wales and Northern Ireland)	01.10.2008	2008/2503
Section 39	01.10.2008	2008/790
Section 40 (in relation to Northern Ireland)	01.10.2008	2008/790
Section 41 (in part) (in relation to England and Wales)	29.06.2007	2007/1614
(in relation to Northern Ireland)	10.10.2007	2007/2754
Section 42 (in part)	15.01.2007	2006/3364
Section 44	15.01.2007	2006/3364

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 45 (in part)	15.01.2007	2006/3364
	01.04.2007	2007/709
	24.10.2008	2008/2785
	03.10.2011	2011/2144
	08.10.2012	2012/2373
Section 46 (in part)	01.04.2007	2007/709
	24.10.2008	2008/2785
	03.10.2011	2011/2144
	08.10.2012	2012/2373
Sections 47 and 48	15.01.2007	2006/3364
Section 52 (in part)	15.01.2007	2006/3364
(in relation to England)	01.04.2007	2007/709
(in relation to England and Wales)	06.04.2007	2007/709
(in relation to England)	29.06.2007	2007/1614
(in relation to Wales)	01.08.2007	2007/1614
(in relation to England and Wales and Northern Ireland)	19.11.2007	2007/3073
	01.12.2007	2007/3203
(in relation to England and Wales and Northern Ireland)	14.03.2008	2008/311
(in relation to Northern Ireland)	01.04.2008	2008/790
	01.10.2008	2008/2503
	01.10.2008	2008/2503
	14.11.2008	2008/2785
Schedule 1 (in part)	01.04.2007	2007/709
Schedule 2 (in part)	15.01.2007	2006/3364
(in relation to England and Wales)	01.04.2007	2007/709
(in relation to England and Wales)	29.06.2007	2007/1614
	14.03.2008	2008/311

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
	01.04.2008	2008/790
	15.03.2010	2010/414
Schedule 3	31.12.2007	2007/3203
Schedule 4	01.04.2007	2007/709
Schedule 5 (in part)	01.04.2007	2007/709
	01.12.2007	2007/3203
Schedules 6 and 7	01.04.2007	2007/709
Schedule 8 (in relation to England)	30.04.2009	2009/936
Schedule 9 (in part) (in relation to Wales)	19.11.2007	2007/3251
(in relation to Wales)	19.11.2007	2007/3073
(in relation to England)	01.08.2007	2007/1614
Schedule 10	06.04.2007	2007/709
Schedule 11 (in relation to England and Wales)	01.04.2008	2008/790
Schedule 12 (in relation to Northern Ireland)	01.04.2008	2008/790
Schedule 13 (in part)	15.01.2007	2006/3364
Schedule 14 (in part)	15.01.2007	2006/3364
(in relation to England)	01.04.2007	2007/709
(in relation to England and Wales)	06.04.2007	2007/709
(in relation to England and Wales and Northern Ireland)	29.06.2007	2007/1614
	01.10.2008	2008/2503
	14.11.2008	2008/2785
Schedule 15 (in part)	15.01.2007	2006/3364
(in relation to England)	01.04.2007	2007/709
(in relation to England and Wales)	06.04.2007	2007/709
(in relation to England)	29.06.2007	2007/1614
(in relation to Wales)	01.08.2007	2007/1614
(in relation to England and Wales and Northern Ireland)	19.11.2007	2007/3073
	01.12.2007	2007/3203
(in relation to England and Wales and Northern Ireland)	14.03.2008	2008/311

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
	01.04.2008	<a href="#">2008/790</a>
	01.10.2008	<a href="#">2008/2503</a>