
STATUTORY INSTRUMENTS

2001 No. 2232 (C. 75)

CRIMINAL LAW, ENGLAND AND WALES

**The Criminal Justice and Court Services Act
2000 (Commencement No. 7) Order 2001**

Made - - - - *19th June 2001*

The Secretary of State, in exercise of the powers conferred upon him by section 80 of the Criminal Justice and Court Services Act 2000⁽¹⁾, hereby makes the following Order:

1. This Order may be cited as the Criminal Justice and Court Services Act 2000 (Commencement No. 7) Order 2001.

2. The following provisions of the Criminal Justice and Court Services Act 2000 shall come into force for the purpose of exercising any order-making powers conferred on the Secretary of State on 20th June 2001, and for all other purposes on 2nd July 2001—

- (a) section 47 (drug abstinence orders);
- (b) section 48 (pre-sentence drug testing);
- (c) section 49 (community sentences: drug abstinence requirements);
- (d) section 50 (community sentences: curfew requirements);
- (e) section 52 (community sentences: electronic monitoring of requirements), except in so far as it relates to exclusion orders and exclusion requirements;
- (f) section 57 (testing persons in police detention) within the following police areas⁽²⁾ only:
 - (i) Nottinghamshire;
 - (ii) Staffordshire;
 - (iii) the metropolitan police district;
- (g) section 58 (right to bail: relevance of drug misuse);
- (h) section 63 (supervision of young offenders after release), in so far as it inserts the following provisions into section 65 of the Criminal Justice Act 1991⁽³⁾:
 - (i) subsection (5A)(c);
 - (ii) subsection (5B);

⁽¹⁾ 2000 c. 43.

⁽²⁾ The term “police area” has the meaning ascribed to it in section 1 of the Police Act 1996 (c. 16), by virtue of Schedule 1 to the Interpretation Act 1978 (c. 30).

⁽³⁾ 1991 c. 53.

- (iii) subsection (5C) in so far as it applies to subsection (5A)(c);
 - (iv) subsection (5D);
 - (v) subsection (9);
 - (vi) subsection (10);
 - (i) section 64 (release on licence etc: drug testing requirements);
 - (j) section 70 (interpretation etc.);
 - (k) section 74 in so far as it relates to the provisions of Schedule 7 commenced by sub-paragraph (m) below;
 - (l) Schedule 6 (trigger offences);
 - (m) in Schedule 7 (minor and consequential amendments)—
 - (i) paragraph 78;
 - (ii) paragraph 105;
 - (iii) paragraph 161(b);
 - (iv) paragraphs 162 and 163;
 - (v) paragraph 164, except for the reference in sub-paragraph (b) to paragraphs 2A(4) and (5) of Schedule 3 to the Powers of Criminal Courts (Sentencing) Act 2000⁽⁴⁾;
 - (vi) paragraph 196, except for the references to sections 40A(6), 40C(1) and 40(C)(2) of, paragraph 8 of Schedule 2 to, and paragraph 1(1A) of Schedule 3 to the Powers of Criminal Courts (Sentencing) Act 2000;
 - (vii) in paragraph 197, sub-paragraph (f) in so far as it relates to drug abstinence orders and sub-paragraph (g)(ii);
 - (viii) in paragraph 199, sub-paragraph (2)(a) in so far as it relates to drug abstinence orders, sub-paragraphs (2)(b) and (5) in so far as they relate to drug abstinence, sub-paragraph (2)(c), sub-paragraph (6), sub-paragraph (11)(b)(i), sub-paragraph (13), sub-paragraph (21)(b) in so far as it inserts paragraph (aa) into paragraph 19(2) of Schedule 3 to the Powers of Criminal Courts (Sentencing) Act 2000, sub-paragraph (21)(c), sub-paragraph (21)(d) in so far as it inserts paragraph 19(6) into Schedule 3 of the Powers of the Criminal Courts (Sentencing) Act 2000; sub-paragraph (24) and sub-paragraph (25)(a);
 - (ix) in paragraph 201, sub-paragraphs (1) and (2)(a);
 - (x) in paragraph 202, sub-paragraph (1) and (2)(a); and
 - (n) in Schedule 8 (repeals), the entries relating to sections 38 and 40(1)(a) of the Powers of Criminal Courts (Sentencing) Act 2000.
- 3. This Order extends to England and Wales only.**

Home Office
19th June 2001

Keith Bradley
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order applies to England and Wales. It brings into force the following sections of the Criminal Justice and Court Services Act 2000 for the purposes of exercising order making powers on 20th June 2001 and for all other purposes on 2nd July 2001: section 47 (drug abstinence orders); section 48 (pre-sentence drug testing); section 49 (community sentences: drug abstinence requirements); section 50 (community sentences: curfew requirements); section 52 (community sentences: electronic monitoring of requirements), except in so far as it relates to exclusion orders and exclusion requirements; section 57 (testing persons in police detention) within certain police areas; section 58 (right to bail: relevance of drug misuse); section 63 (supervision of young offenders after release); section 64 (release on licence etc: drug testing requirements); section 70 (interpretation etc.) and Schedule 6 (trigger offences). The Order also brings into force related minor and consequential amendments and repeals on the same date.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Criminal Justice and Court Services Act 2000 have been brought into force by the Criminal Justice and Court Services Act (Commencement No. 1) Order 2000 (S.I.2000/3302), the Criminal Justice and Court Services Act (Commencement No. 2) Order 2001 (S.I. 2001/340), the Criminal Justice and Court Services Act (Commencement No. 3) Order 2001 (S.I. 2001/562), the Criminal Justice and Court Services Act (Commencement No. 4) Order 2001 (S.I. 2001/919), the Criminal Justice and Court Services Act (Commencement No. 5) (Scotland) Order 2001 (S.S.I. 2001/166), and the Criminal Justice and Court Services Act (Commencement No. 6) Order 2001 (S.I. 2001/1651).

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Part I, Chapters I and II	1st April 2001	2001/919
Sections 18, 23, 24 and 25	1st April 2001	2001/919
Part II	11th January 2001	2000/3302
Sections 43, 44, 45, 54 and 55	1st April 2001	2001/919
Sections 56, 62 and 63 (in part)	1st February 2001	2000/3302
Section 65	1st March 2001	2001/340
Section 66	1st June 2001	S.S.I. 2001/166 and 2001/1651
Sections 67, 68 and 69	1st April 2001	2001/919
Section 72	1st March 2001	2001/562
Section 73	1st April 2001	2001/919
Schedules 1, 2 and 3	1st April 2001	2001/919
Schedule 4	11th January 2001	2000/3302

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

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 5	1st June 2001	S.S.I. 2001/166 and 2001/1651
Schedule 7, Part I	1st April 2001	2001/919
Schedule 7, Part II (in part)	11th January 2001 and 1st April 2001	2000/3302 and 2001/919
Schedule 8 (in part)	11th January 2001 and 1st April 2001	2000/3302 and 2001/919