STATUTORY INSTRUMENTS

2014 No. 1777 (C. 77)

CRIMINAL LAW, ENGLAND AND WALES

The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Alcohol Abstinence and Monitoring Requirements) Piloting Order 2014

Made - - - - 7th July 2014

The Secretary of State makes the following Order in exercise of the powers conferred by section 77(1), (4) and (8) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(**a**).

Citation and interpretation

1.—(1) This Order may be cited as the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Alcohol Abstinence and Monitoring Requirements) Piloting Order 2014.

(2) In this Order—

(a) "the Act" means the Legal Aid, Sentencing and Punishment of Offenders Act 2012; and

(b) "alcohol abstinence and monitoring requirement" has the same meaning as in Part 12 of the Criminal Justice Act 2003(**b**).

Coming into force of section 76 of the Act

2. Subject to articles 3 and 4(1), section 76 of the Act (alcohol abstinence and monitoring requirement) comes into force on 31st July 2014 for all purposes other than application by the Armed Forces Act 2006(**c**).

Area in relation to which section 76 of the Act is in force

3. Section 76 of the Act comes into force only in relation to the South London local justice area(**d**).

Period for which section 76 of the Act is in force

4.—(1) Subject to paragraph (2), section 76 of the Act, in so far as it is brought into force by article 2, ceases to have effect at the end of the period of 12 months beginning with 31st July 2014.

(**a**) 2012 c.10.
(**b**) 2003 c.44**.** Section 212A was inserted by section 76 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.
(**c**) 2006 c.52.
(**d**) England and Wales are divided into areas known as local justice areas as required by section 8 of the Courts Act 2003 (c.39). These were established by the Local Justice Areas Order 2005 (S.I. 2005/554) ("the 2005 Order"). This was altered by the Local Justice Areas Order 2011 (S.I. 2011/1168) which created the new local justice area of South London from 1st January 2012 (see Table 1 of article 3). Whilst the 2005 order has been subsequently amended, the amendments are not relevant for the purposes of this Order.

(2) Paragraph (1) does not affect the continued application after that date of an alcohol abstinence and monitoring requirement imposed by a court during the period mentioned in that paragraph.

Signed by the authority of the Secretary of State

Jeremy Wright
Parliamentary Under Secretary of State
Ministry of Justice

7th July 2014

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force section 76 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), for a period of 12 months commencing on 31st July 2014, but only in relation to the South London local justice area. Among other things, section 76 inserts section 212A of the Criminal Justice Act 2003 (c. 44), which gives a court a power to impose an alcohol abstinence and monitoring requirement as part of a community order or suspended sentence order. Article 4(2) provides that any requirement imposed before section 76 ceases to be in force may continue to have effect after that time.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sector is foreseen.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

Provision	*Date of Commencement*	*S.I. No.*
Section 85 (3), (5)-(13) and (15)-(17)	28th May 2014	2014/1291
Section 86	28th May 2014	2014/1291
Section 87	28th May 2014	2014/1291
Part 1 (in so far as not already in force, except section 19(4))	1st April 2013	2013/453
Section 38(2)	4th March 2013	2013/453
Section 44 (for the purpose of making orders, regulations or rules of court)	19th January 2013	2013/77
Section 44 (in so far as not already in force)	1st April 2013	2013/77
Section 45(1) and (8)	1st October 2012	2012/2412
Section 45 (in so far as not already in force for the purpose of making orders, regulations or rules of court)	19th January 2013	2013/77
Section 45 (in so far as not already in force)	1st April 2013	2013/77
Section 46 (for the purpose of making orders, regulations or rules of court)	19th January 2013	2013/77
Section 46 (in so far as not already in force)	1st April 2013	2013/77
Section 47	1st April 2013	2013/77
Section 48	19th January 2013	2013/77
Section 49	1st April 2013	2013/773
Section 50	1st April 2013	2013/773

Section 51	1st April 2013	2013/773
Section 52	1st April 2013	2013/773
Section 53	1st April 2013	2013/773
Section 54	1st April 2013	2013/773
Section 55	1st October 2012	2012/2412
Section 56	1st April 2013	2013/453
Section 57	1st April 2013	2013/453
Section 58	4th March 2013	2013/453
Section 59	1st April 2013	2013/453
Section 60	4th March 2013	2013/453
Section 61	1st October 2012	2012/2412
Section 62	1st October 2012	2012/2412
Chapter 1 of Part 3 (except sections 67(2)(a) and (5)(a), 76, 77, 78(3) and 85 to 88)	3rd December 2012	2012/2906
Section 88	8th April 2013	2013/453
Chapter 2 of Part 3	3rd December 2012	2012/2906
Chapter 3 of Part 3	3rd December 2012	2012/2906
Chapter 4 of Part 3 (except section 119)	3rd December 2012	2012/2906
Chapter 5 of Part 3	3rd December 2012	2012/2906
Chapter 6 of Part 3 (except section 129)	3rd December 2012	2012/2906
Section 132	8th April 2013	2013/453
Section 133	8th April 2013	2013/453
Section 134	8th April 2013	2013/453
Section 135	8th April 2013	2013/453
Section 136	8th April 2013	2013/453
Section 137	8th April 2013	2013/453
Section 138	8th April 2013	2013/453
Section 139	10th March 2014	2014/423
Section 140	1st October 2012	2012/2412
Section 141(7) to (9) and (12)	1st October 2012	2012/2412
Section 141 (so far as not previously in force)	10th March 2014	2014/423
Section 142	3rd December 2012	2012/2770
Section 143	3rd December 2012	2012/2770
Section 144	1st September 2012	2012/1956
Section 145	3rd December 2012	2012/2770
Section 146	3rd December 2012	2012/2770
Section 147	3rd December 2012	2012/2770
Section 148	14th May 2013	2013/1127
Schedule 1	1st April 2013	2013/453
Schedule 2	1st April 2013	2013/453
Schedule 3	1st April 2013	2013/453
Schedule 4	4th March 2013	2013/453
Schedule 5	1st April 2013	2013/453
Schedule 6	1st April 2013	2013/453
Schedule 7	1st October 2012	2012/2412
Schedule 8	1st October 2012	2012/2412
Schedule 9	3rd December 2012	2012/2906
Schedule 10	3rd December 2012	2012/2906
Schedule 11	3rd December 2012	2012/2906
Schedule 12	3rd December 2012	2012/2906
Schedule 13	3rd December 2012	2012/2906
Schedule 14	3rd December 2012	2012/2906
Schedule 15	3rd December 2012	2012/2906

Schedule 16	3rd December 2012	2012/2906
Schedule 17	3rd December 2012	2012/2906
Schedule 18	3rd December 2012	2012/2906
Schedule 19	3rd December 2012	2012/2906
Schedule 20	3rd December 2012	2012/2906
Schedule 21	3rd December 2012	2012/2906
Schedule 22	3rd December 2012	2012/2906
Schedule 23	8th April 2013	2013/453
Schedule 24	8th April 2013	2013/453
Schedule 25 (except paragraph 4)	10th March 2014	2014/423
Schedule 26	3rd December 2012	2012/2770
Schedule 27	3rd December 2012	2012/2770

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£4.25

UK2014070720 07/2014 19585

http://www.legislation.gov.uk/id/uksi/2014/1777

ISBN 978-0-11-111769-9

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