

Draft Order laid before Parliament under section 77(10) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2019 No. (C.X)

CRIMINAL LAW, ENGLAND AND WALES

**The Legal Aid, Sentencing and Punishment of Offenders
Act 2012 (Commencement No. 14) Order 2019**

Made - - - -

The Secretary of State, in exercise of the powers conferred by section 77(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012⁽¹⁾, makes the following Order. In accordance with section 77(10) of that Act, a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

In accordance with section 77(2) of that Act, the Secretary of State has previously made a piloting order⁽²⁾.

Citation

1. This Order may be cited as the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Commencement No. 14) Order 2019.

Commencement

2. Section 76 (Alcohol abstinence and monitoring requirement) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 comes into force on the 21st day after the day on which this Order is made.

Date

Name
Secretary of State for Justice
Ministry of Justice

(1) 2012 c.10.
(2) S.I. 2014/1777, S.I. 2015/1480, S.I. 2016/1, S.I. 2016/286, S.I. 2017/225, S.I. 2017/525.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the fourteenth commencement order made under the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) (“the 2012 Act”).

Article 2 brings into force section 76 of the Act, which inserts section 212A into the Criminal Justice Act 2003 (c. 44)(3). This provides that an alcohol abstinence and monitoring requirement can be imposed as part of a requirement of a community order or a suspended sentence order.

Section 77(2) of the 2012 Act provides that an order for the purposes of bringing section 76 into effect for the whole of England and Wales cannot be made until a piloting order has been made. That pre-condition has been met by the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Alcohol Abstinence and Monitoring Requirements) Piloting Order (S.I. 2014/1777) and subsequent piloting orders.

A full impact assessment of the effect section 212A of the Criminal Justice Act 2003 will have on the private, voluntary or public sectors is available from www.legislation.gov.uk.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 1 to 18	1st April 2013	2013/453
Section 19 (except as to subsection (4))	1st April 2013	2013/453
Sections 20 to 37	1st April 2013	2013/453
Section 38 (except subsection (2))	1st April 2013	2013/453
Section 38(2)	4th March 2013	2013/453
Sections 39 to 43	1st April 2013	2013/453
Section 44 (for the purposes of making orders, regulations or rules of court)	19th January 2013	2013/77
Section 44 (insofar as not already in force subject to savings)	1st April 2013	2013/77
Section 44 (in relation to insolvency proceedings)	6th April 2016	2016/345
Section 44 (in relation to publication and privacy proceedings)	6th April 2019	2018/1287
Section 45(1) and (8)	1st October 2012	2012/2412
Section 45 (insofar as not already in force for the purposes of making other regulations or rules of court)	19th January 2013	2013/77

(3) [2003 c.44](#)