

VIOLENT CRIME REDUCTION ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Alcohol-related violence and disorder

Chapter 1: Drinking banning orders

Section 12: Approved courses

117. This section sets out the basis for operating and running approved courses to address an individual's alcohol misuse behaviour.
118. *Subsection (1)* provides that applications can be made to the Secretary of State to run such a course and a decision would then be taken as to whether the course should be approved or not. Under *subsection (2)* when considering and deciding on the suitability of a proposed course the Secretary of State must consider the nature of the course as well as whether the person providing it is an appropriate person to do so and would run and administer the courses efficiently and effectively. In reaching that decision the Secretary of State may seek the views of other persons that have been appointed to consider such applications.
119. *Subsection (3)* allows for a course to be approved subject to specific conditions. *Subsection 4* states that where a course is approved it may remain so for a period specified by the Secretary of State which must not exceed 7 years. *Subsection (4)(b)* allows for approval of a course to be withdrawn by the Secretary of State at any time.
120. *Subsection (5)* allows the Secretary of State to make regulations on the approval of courses that may include provision about making applications for course approval; payment of fees of the amounts prescribed in respect of applications for approval, the giving of approval or both; the maximum fees that an individual may pay for course and when fees have to be paid; the monitoring of courses and of persons providing the courses; details about the withdrawal of approvals; and making information available about courses and about those persons providing courses on payment of a fee or otherwise.
121. *Subsection (6)* allows the Secretary of State to issue guidance about the conduct of approved courses and requires him to have regard to this guidance in exercising his duties under subsections (1) to (5). *Subsection (7)* provides for the courts to also have regard to such guidance when considering what, for the purposes of section 13 (Certificates of completion of approved courses) constitutes reasonable instructions or reasonable requirements by a person providing an approved course.