



Violent Crime Reduction Act 2006

2006 CHAPTER 38

PART 1

ALCOHOL-RELATED VIOLENCE AND DISORDER

CHAPTER 1

DRINKING BANNING ORDERS

Orders made on application

3 Orders on an application to magistrates' court

- (1) An application to a magistrates' court for the making of a drinking banning order against an individual may be made by a relevant authority if—
 - (a) it appears to the authority that the conditions in subsection (2) are satisfied with respect to the individual; and
 - (b) the individual is aged 16 or over.
- (2) The conditions are—
 - (a) that the individual has, after the commencement of this section, engaged in criminal or disorderly conduct while under the influence of alcohol; and
 - (b) that such an order is necessary to protect other persons from further conduct by him of that kind while he is under the influence of alcohol.
- (3) An application under this section to a magistrates' court has to be made by complaint.
- (4) Before making an application under this section, a relevant authority must consult the appropriate persons.
- (5) If, on an application under this section with respect to an individual, it is proved that the conditions in subsection (2) are satisfied in his case, the magistrates' court may make a drinking banning order against him.

Status: This is the original version (as it was originally enacted).

- (6) Nothing in this section affects the operation of section 127 of the Magistrates' Courts Act 1980 (c. 43) (limitation of time in respect of informations laid or complaints made in magistrates' court).