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STATUTORY INSTRUMENTS

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**2003 No. 3282 (C.129)**

**CRIMINAL LAW, ENGLAND AND WALES  
CRIMINAL LAW, SCOTLAND**

**The Criminal Justice Act 2003  
(Commencement No. 1) Order 2003**

*Made - - - - 15th December 2003*

The Secretary of State, in exercise of the powers conferred upon him by section 336(3) of the Criminal Justice Act 2003<sup>(1)</sup>, hereby makes the following Order:

**1.**—(1) This Order may be cited as the Criminal Justice Act 2003 (Commencement No. 1) Order 2003.

(2) In this Order, “the 2003 Act” means the Criminal Justice Act 2003.

**2.** The provisions of the 2003 Act referred to in the Schedule shall come into force on 26th January 2004 for the purposes of the passing of a sentence of imprisonment to which an intermittent custody order relates and the release on licence of a person serving such a sentence.

15th December 2003

*Paul Goggins*  
Parliamentary Under-Secretary of State  
Home Office

*Status: This is the original version (as it was originally made).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

## SCHEDULE

Article 2

### PROVISIONS OF THE CRIMINAL JUSTICE ACT 2003 COMING INTO FORCE ON 26TH JANUARY 2004

Section 182(1) and (3) to (5) (licence conditions).

Section 183(1) to (7) and (9)(2) (intermittent custody).

Sections 184 to 186 (restrictions on power to make intermittent custody order; intermittent custody; licence conditions; further provisions relating to intermittent custody).

Section 187 and Schedule 10 (revocation or amendment of order).

Section 195 (interpretation of Chapter 3).

Section 196(1)(d) and (2) (meaning of “relevant order”).

Sections 197 to 199 (meaning of “the responsible officer”; duties of responsible officer; unpaid work requirement).

Section 200(1) (obligations of person subject to unpaid work requirement).

Section 201 to 203 (activity requirement; programme requirement; prohibited activity requirement).

Section 204(1), (2), (5) and (6) (curfew requirement).

Section 205(1), (3) and (4) (exclusion requirement).

Sections 213(1), (2) and (3)(c), 214 and 215 (supervision requirement; attendance centre requirement; electronic monitoring requirement).

Section 216(2)(b), 217 and 218 (petty sessions area to be specified in relevant order; requirement to avoid conflict with religious beliefs, etc; availability of arrangements in local area).

Section 219(1)(a), (b) and (d), (2) and (3), and Schedule 14 (provision of copies of relevant orders).

Sections 221, 222 and 223(1), (2), (3)(a) and (b) (powers of Secretary of State).

Sections 237 and 239 and Schedule 19 (meaning of “fixed-term prisoner”; the Parole Board).

Section 241(3) (effect of direction under section 240 on release on licence).

Section 244(1), (2) and (3)(c) and (d) (duty to release prisoners).

Section 245 (restrictions on operation of section 244(1) in relation to intermittent custody prisoners).

Section 246(1)(b), (3), (4)(b) to (i), (5) and (6) (power to release prisoners on licence before required to do so).

Section 248(1) (power to release prisoners on compassionate grounds).

Sections 249 and 250(1) to (3) and (5) to (8) (duration of licence; licence conditions).

Sections 251 to 253 (licence conditions on re-release of prisoner serving sentence of less than 12 months; duty to comply with licence condition; curfew condition to be included in licence under section 246).

Sections 254 to 256 (recall after release).

Section 257 (additional days).

Section 259 (persons liable to removal from the United Kingdom).

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- (2) Subsections (4), (5) and (7) of section 183 are modified pursuant to section 333 of the 2003 Act by S.I. 2003/ . Section 183(8) came into force on the passing of the 2003 Act pursuant to section 336(1) of the 2003 Act.
- (3) Section 241 is modified pursuant to section 333 of the 2003 Act by S.I. 2003/ .

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Sections 263 to 265 (consecutive or concurrent terms; restriction on consecutive sentences for released prisoners).

Section 268 (interpretation of Chapter 6).

Section 302 (execution of process between England and Wales and Scotland).

Section 304 and paragraphs 11, 12(1) to (3) and (6), 29, 57 and 58 of Schedule 32 (amendments relating to sentencing).

Section 305(1) to (3) (interpretation of Part 12).

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 26th January 2004 provisions of Part 12 of the Criminal Justice Act 2003, to enable the imposition and administration of sentences of imprisonment to which an intermittent custody order relates.

This Order should be read together with the Intermittent Custody (Transitory Provisions) Order 2003 (S.I. 2003/3283), which modifies sections 183(4), (5) and (7) and 241 of the 2003 Act until such time as certain other specified provisions in that Act are brought into force.