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STATUTORY INSTRUMENTS

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**2004 No. 174 (C. 7)**

**CRIMINAL LAW, ENGLAND AND WALES  
MAGISTRATES COURTS,  
ENGLAND AND WALES**

**The Courts Act 2003 (Commencement No. 2) Order 2004**

*Made* - - - - *27th January 2004*

The Lord Chancellor, in exercise of the powers conferred by section 110 of the Courts Act 2003<sup>(1)</sup>, hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Courts Act 2003 (Commencement No. 2) Order 2004.

(2) In this Order, unless the context requires otherwise, a reference to a section or Schedule by number alone is to the section or Schedule so numbered in the Courts Act 2003.

**Commencement of provisions of the Courts Act 2003**

2. The following provisions come into force on 1st February 2004—

- (a) section 93; and
- (b) paragraphs 288(1), (3), (4) and (5) and 289 of Schedule 8, and section 109(1) so far as it relates thereto.

3. Sections 95 and 96 come into force on 5th April 2004.

4. Schedule 5 and section 97 so far as it relates to that Schedule, and paragraph 15 of Schedule 9 and section 109(2) so far as it relates to that paragraph, come into force—

- (a) on 23rd February 2004 in respect of the petty sessions areas specified in columns 1 and 3 of Part I of the Schedule to the Collection of Fines (Pilot Schemes) Order 2004<sup>(2)</sup>;
- (b) on 29th March 2004 in respect of the petty sessions areas specified in columns 1 and 3 of Part II of that Schedule; and
- (c) on 5th April 2004 in respect of all other petty sessions areas in England and Wales.

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(1) 2003 c. 39.  
(2) S.I. 2004/175.

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**Status:** This is the original version (as it was originally made).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

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On the authority of the Lord Chancellor

27th January 2004

*Christopher Leslie*  
Parliamentary Under Secretary of State,  
Department for Constitutional Affairs

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## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order brings into force provisions of the Courts Act 2003 as follows—

### MISCELLANEOUS (Part 8)

*Fees and costs*—Award of costs against third parties (section 93 and the minor and consequential amendments in paragraphs 288(1), (3), (4) and (5) and 289 of Schedule 8 and section 109(1)—in part) on 1st February 2004.

*Fines*—Fixing of fines: failure to furnish statement of financial circumstances (section 95) and Recovery of fines etc. by deductions from income support: failure to provide information (section 96) on 5th April 2004,

and Collection of fines (Schedule 5 and section 97—in part and paragraph 15 of Schedule 9 and section 109(2)—in part)—

- (a) on 23rd February in respect of the petty sessions areas specified in columns 1 and 3 of Part I of the Schedule to the Collection of Fines (Pilot Schemes) Order 2004 ([S.I.2004/SC175](#));
- (b) on 29th March 2004 in respect of the petty sessions areas specified in columns 1 and 3 of Part II of that Schedule; and
- (c) on 5th April 2004 in respect of all other petty sessions areas in England and Wales.

### 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 62, 63, 64, 66 (partially), 67	26.1.2004	<a href="#">2003/3345</a>
Sections 68, 70, 71, 74, 77, 78, 81, 83, 84		
Sections 98 (partially), 102,		
Schedule 10 (partially)		
and section 109(3) (partially)		

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