

## EXPLANATORY NOTE

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

Conditional cautions are cautions to which specified conditions are attached, and are provided for in Part 3 of the [Criminal Justice Act 2003 Act \(c. 44\)](#). A conditional caution may be given for reasons including that a prosecutor considers there is sufficient evidence to prosecute the offender and the offender admits the offence and agrees to a conditional caution being imposed.

This Order brings into force the provisions of section 17 of the Police and Justice Act [2006 \(c. 48\)](#) set out in article 2 in the relevant areas specified, and set out in article 3 for all purposes, on 16 November 2009. It permits financial penalties to be attached to these cautions, and makes provisions regarding the penalties, including the maximum amount of penalties that may be prescribed in respect of any offence and the manner of payment.

[SI 2009/1679 \(C. 87\)](#) brought into force these same provisions in relation to certain other police areas immediately before 8 July 2009.