

**2009 No. 32 (C.1)**

**PROBATION, ENGLAND AND WALES**

**PRISONS, ENGLAND AND WALES**

**The Offender Management Act 2007 (Commencement No. 3)  
Order 2009**

*Made* - - - -

*13th January 2009*

The Secretary of State, in exercise of the powers conferred by sections 41(1), (2), (4) and (5)(a) of the Offender Management Act 2007<sup>(a)</sup>, makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Offender Management Act 2007 (Commencement No. 3) Order 2009.

(2) In this Order “the Act” means the Offender Management Act 2007.

**Provisions coming into force in England and Wales on 19<sup>th</sup> January 2009**

2. The day appointed for the coming into force of section 30 (use in criminal proceedings of evidence from polygraph sessions) of the Act is 19<sup>th</sup> January 2009.

**Provisions coming into force in the specified areas for the specified period**

3. The following provisions of the Act will come into force in relation to the areas specified in article 4 for the period specified in article 5—

- (a) section 28 (application of polygraph condition); and
- (b) section 29 (effect of polygraph condition).

**Specified areas**

4. The areas specified are the following police areas<sup>(b)</sup>—

- (a) Derbyshire;
- (b) Leicestershire;
- (c) Lincolnshire;
- (d) Northamptonshire;
- (e) Nottinghamshire;

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<sup>(a)</sup> 2007 c. 21

<sup>(b)</sup> The term “police area” has the meaning ascribed to it in section 101(1) of the Police Act 1996 (c. 16) by virtue of Schedule 1 to the Interpretation Act 1978 (c. 30). The police areas are listed in Schedule 1 to the Police Act 1996.

- (f) Staffordshire;
- (g) Warwickshire;
- (h) West Mercia; and
- (i) West Midlands.

### **Specified period**

5. The provisions in article 3 will have effect in the areas specified in article 4 for a period beginning on 19<sup>th</sup> January 2009 and ending on 31<sup>st</sup> March 2012.

Signed by the authority of the Secretary of State

13th January 2009

*David Hanson*  
Minister of State  
Ministry of Justice

### **EXPLANATORY NOTE**

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

This Order brings into force certain provisions of the Offender Management Act 2007(a). Article 2 commences in England and Wales provisions for the use in criminal proceedings of evidence from polygraph sessions from 19<sup>th</sup> January 2009.

Article 4 specifies the area in which the provisions in article 3 are brought into force. Article 5 specifies the period that these provisions are in force. These provisions enable the Secretary of State to include polygraph conditions for certain offenders released on licence. These provisions are being commenced in nine police areas in the East and West Midlands regions as part of a pilot scheme running from 19<sup>th</sup> January 2009 until 31<sup>st</sup> March 2012.

### **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>
Section 1 (partially)	1.4.2008	2008/504
Section 2 (partially)	1.4.2008	2008/504
Section 3 (partially)	1.4.2008	2008/504
Section 4 (partially)	1.4.2008	2008/504
Section 5	1.3.2008	2008/504
Section 6 (partially)	1.4.2008	2008/504
Section 7 (partially)	1.4.2008	2008/504
Section 8 (partially)	1.4.2008	2008/504
Section 9	1.4.2008	2008/504
Section 10 (partially)	1.4.2008	2008/504
Section 11 (partially)	1.3.2008	2008/504
Section 11 (partially)	1.4.2008	2008/504
Section 12 (partially)	1.4.2008	2008/504
Sections 13 and 14	1.4.2008	2008/504
Section 15 (partially)	1.4.2008	2008/504

(a) 2007 c.21

Sections 16 to 20	1.11.2007	2007/3001
Sections 21 to 24	1.4.2008	2008/504
Sections 25 to 27	1.11.2007	2007/3001
Section 31	1.5.2008	2007/3001
Sections 32 to 38	1.11.2007	2007/3001
Section 39 (partially)	1.11.2007	2007/3001
Section 39 (partially)	1.4.2008	2008/504
Section 39 (partially)	1.5.2008	2007/3001
Section 40	1.11.2007	2007/3001
Schedules 1 and 2	1.3.2008	2008/504
Schedule 3, Part 1	1.4.2008	2008/504
Schedule 3, Parts 2, 3 and 4	1.11.2007	2007/3001
Schedule 4, Parts 1 and 2	1.4.2008	2008/504
Schedule 4, Part 3	1.11.2007	2007/3001
Schedule 5, Part 1 (partially)	1.4.2008	2008/504
Schedule 5, Part 2 (partially)	1.11.2007	2007/3001
Schedule 5, Part 2 (for remaining purposes)	1.4.2008	2008/504
Schedule 5, Part 3 (partially)	1.11.2007	2007/3001
Schedule 5, Part 3 (for remaining purposes)	1.5.2008	2007/3001

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STATUTORY INSTRUMENTS

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