

2010 No. 191 (C. 19)

PROBATION, ENGLAND AND WALES

**The Offender Management Act 2007 (Commencement No. 5)
Order 2010**

Made - - - - *1st February 2010*

The Secretary of State makes the following Order in exercise of the powers conferred by section 41 of the Offender Management Act 2007(a).

Citation

1. This Order may be cited as the Offender Management Act 2007 (Commencement No. 5) Order 2010.

Provisions coming into force on 1st April 2010

2. The following provisions of the Offender Management Act 2007, to the extent that they are not already in force, come into force on 1st April 2010—

- (1) section 1 (meaning of “the probation purposes”)(b);
- (2) section 2 (responsibility for ensuring the provision of probation services);
- (3) section 3 (power to make arrangements for the provision of probation services);
- (4) section 4 (restriction on certain arrangements under section 3);
- (5) section 6 (power to make grants for probation purposes etc);
- (6) section 7 (national standards for the management of offenders);
- (7) section 8 (annual plans);
- (8) section 10 (national framework for qualifications of officers);
- (9) section 11 (abolition of local probation boards and transfers of property etc and staff);
- (10) section 12 (the inspectorate);
- (11) section 15 (power to repeal section 4);
- (12) section 39 (minor and consequential amendments, transitionals, and repeals) insofar as it relates to the entries in Schedule 5 specified in paragraph (13); and
- (13) in Part 1 (probation services) of Schedule 5 (repeals), the entries relating to the following provisions of the Criminal Justice and Court Services Act 2000—
 - (a) sections 1 to 5;
 - (b) section 8;
 - (c) section 10;

(a) 2007 c.21

(b) Section 1 was amended by paragraph 83(a) of Part 2 of Schedule 26 to the Criminal Justice and Immigration Act 2008 (c.4).

- (d) section 18;
- (e) section 20(2);
- (f) section 21(5);
- (g) section 22;
- (h) section 78; and
- (i) Schedule 1.

By the authority of the Secretary of State

Maria Eagle
Minister of State
Ministry of Justice

1st February 2010

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the fifth commencement order under the Offender Management Act 2007 (“the Act”). It brings into force in the remainder of England and Wales, arrangements for the provision of probation services under Part 1 of the Act.

The arrangements under Part 1 of the Act were being brought into force by geographical areas in phases. The first phase was brought into force by the Offender Management Act 2007 (Commencement No.2 and Transitional Provisions) Order 2008(a). The second phase was brought into force by the Offender Management Act 2007 (Commencement No.4) Order 2009(b).

Article 2 brings into force on 1st April 2010 certain provisions in Part 1 of the Act relating to the provision of probation services in the areas of England and Wales where they are not already in force.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by a commencement order made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (partially)	1.4.2008	2008/504
Section 1 (partially)	1.4.2009	2009/547
Section 2 (partially)	1.4.2008	2008/504
Section 2 (partially)	1.4.2009	2009/547
Section 3 (partially)	1.4.2008	2008/504
Section 3 (partially)	1.4.2009	2009/547
Section 4 (partially)	1.4.2008	2008/504
Section 4 (partially)	1.4.2009	2009/547
Section 5	1.3.2008	2008/504
Section 6 (partially)	1.4.2008	2008/504
Section 6 (partially)	1.4.2009	2009/547
Section 7 (partially)	1.4.2008	2008/504

(a) S.I. 2008/504.

(b) S.I. 2009/547.

Section 7 (partially)	1.4.2009	2009/547
Section 8 (partially)	1.4.2008	2008/504
Section 8 (partially)	1.4.2009	2009/547
Section 9	1.4.2008	2008/504
Section 10 (partially)	1.4.2008	2008/504
Section 10 (partially)	1.4.2009	2009/547
Section 11 (partially)	1.3.2008	2008/504
Section 11 (partially)	1.4.2008	2008/504
Section 11 (partially)	1.4.2009	2009/547
Section 12 (partially)	1.4.2008	2008/504
Section 12 (partially)	1.4.2009	2009/547
Sections 13 and 14	1.4.2008	2008/504
Section 15 (partially)	1.4.2008	2008/504
Section 15 (partially)	1.4.2009	2009/547
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 28 (partially)	19.1.2009	2009/32
Section 29 (partially)	19.1.2009	2009/32
Section 30	19.1.2009	2009/32
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 39 (partially)	1.4.2009	2009/547
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 1 (partially)	1.4.2009	2009/547
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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£4.00