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STATUTORY INSTRUMENTS

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**2012 No. 2521 (C. 100)**

**CHILDREN AND YOUNG  
PERSONS, ENGLAND AND WALES  
CHILDREN AND YOUNG  
PERSONS, NORTHERN IRELAND  
PROTECTION OF VULNERABLE  
ADULTS, ENGLAND AND WALES  
PROTECTION OF VULNERABLE  
ADULTS, NORTHERN IRELAND**

The Protection of Freedoms Act 2012  
(Commencement No. 4) Order 2012

*Made* - - - - *3rd October 2012*

The Secretary of State makes the following Order in exercise of the powers conferred by section 120(1) of the Protection of Freedoms Act 2012<sup>(1)</sup>.

**Citation and interpretation**

1.—(1) This Order may be cited as the Protection of Freedoms Act 2012 (Commencement No. 4) Order 2012.

(2) In this Order “the Act” means the Protection of Freedoms Act 2012.

**Provisions coming into force on 15th October 2012**

2. The day appointed for the coming into force of the following provisions of the Act is 15th October 2012—

(a) section 87(1) and (2) (formation and constitution of Disclosure and Barring Service);

- (b) section 87(3) (formation and constitution of DBS) insofar as it relates to the paragraphs of Schedule 8 specified in paragraph (d) below;
- (c) section 115(1) (consequential amendments, repeals and revocations) insofar as it relates to the provisions of Schedule 9 specified in paragraph (e) below;
- (d) paragraphs 1 to 11 and 13 to 20 of Schedule 8 (disclosure and barring service);
- (e) Part 8 of Schedule 9 (consequential amendments).

**Provisions coming into force on 1st December 2012**

**3.** The day appointed for the coming into force of the following provisions of the Act is 1st December 2012—

- (a) section 87(3) (formation and constitution of DBS) insofar as it relates to the provisions of Schedule 8 specified in paragraph (b) below;
- (b) Schedule 8 (disclosure and barring service) insofar as it has not already been commenced.

Home Office  
3rd October 2012

*Taylor of Holbeach*  
Parliamentary Under-Secretary of State

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## EXPLANATORY NOTE

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

This Order commences the provisions in the Protection of Freedoms Act 2012 (“the Act”) which establish the Disclosure and Barring Service (“DBS”). The Act enables all the functions of the Independent Safeguarding Authority (“ISA”) and the Criminal Records Bureau (“CRB”) to be transferred to the DBS by Order. With the exception of the obligation on the DBS to produce accounts, all the provisions concerned with the establishment of the DBS are commenced on 15th October 2012. The obligation to produce accounts is commenced on 1st December 2012, the date on which it is envisaged that the functions of the ISA and CRB will be transferred to the DBS.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of the Protection of Freedoms Act 2012 have been brought into force by commencement order made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 20 partially	1st October 2012	<a href="#">2012/2234</a>
section 22	1st October 2012	<a href="#">2012/2234</a>
section 29	1st July 2012	<a href="#">2012/1205</a>
section 30	1st July 2012	<a href="#">2012/1205</a>
section 31	1st July 2012	<a href="#">2012/1205</a>
section 32	1st July 2012	<a href="#">2012/1205</a>
section 33	1st July 2012	<a href="#">2012/1205</a>
section 34	1st July 2012	<a href="#">2012/1205</a>
section 35	1st July 2012	<a href="#">2012/1205</a>
section 36	1st July 2012	<a href="#">2012/1205</a>
section 37	1st November 2012	<a href="#">2012/2075</a>
section 38	1st November 2012	<a href="#">2012/2075</a>
section 39(1)	1st July 2012	<a href="#">2012/1205</a>
section 40 in relation to England	1st July 2012	<a href="#">2012/1205</a>
section 41 in relation to England	1st July 2012	<a href="#">2012/1205</a>
section 42	1st July 2012	<a href="#">2012/1205</a>
section 43 in relation to England	1st July 2012	<a href="#">2012/1205</a>
section 44 in relation to England	1st July 2012	<a href="#">2012/1205</a>
section 45 in relation to England	1st July 2012	<a href="#">2012/1205</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 46 in relation to England	1st July 2012	2012/1205
section 47	1st July 2012	2012/1205
section 48	1st July 2012	2012/1205
section 49	1st July 2012	2012/1205
section 50	1st July 2012	2012/1205
section 51	1st July 2012	2012/1205
section 52	1st July 2012	2012/1205
section 54	1st October 2012	2012/2075
section 55	1st October 2012	2012/2075
section 56	1st October 2012	2012/2075
section 57	10th July 2012	2012/1205
section 58	10th July 2012	2012/1205
section 59	10th July 2012	2012/1205
section 60	10th July 2012	2012/1205
section 61	10th July 2012	2012/1205
section 62	9th May 2012	2012/1205
section 63	10th July 2012	2012/1205
section 64	10th September 2012	2012/2234
section 65	10th September 2012	2012/2234
section 66	10th September 2012	2012/2234
section 67	10th September 2012	2012/2234
section 68	10th September 2012	2012/2234
section 69	10th September 2012	2012/2234
section 70	10th September 2012	2012/2234
section 71	10th September 2012	2012/2234
section 72 partially	10th September 2012	2012/2234
section 75 partially	10th September 2012	2012/2234
section 76 partially	10th September 2012	2012/2234
section 77	10th September 2012	2012/2234
section 78 partially	10th August 2012	2012/2075
section 78 partially	10th September 2012	2012/2234
section 79 partially	10th September 2012	2012/2234
section 80	10th September 2012	2012/2234
section 81	10th September 2012	2012/2234

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 82	10th September 2012	2012/2234
section 84	10th September 2012	2012/2234
section 85	1st July 2012	2012/1205
section 86	10th September 2012	2012/2234
section 92	1st October 2012	2012/2234
section 93	1st October 2012	2012/2234
section 94	1st October 2012	2012/2234
section 95	1st October 2012	2012/2234
section 96	1st October 2012	2012/2234
section 97	1st October 2012	2012/2234
section 98	1st October 2012	2012/2234
section 99	1st October 2012	2012/2234
section 100	1st October 2012	2012/2234
section 101	1st October 2012	2012/2234
section 104	1st July 2012	2012/1205
section 111	25th November 2012	2012/2075
section 112	25th November 2012	2012/2075
section 114	1st October 2012	2012/2234
section 115(1) partially	1st July 2012	2012/1205
section 115(1) partially	10th July 2012	2012/1205
section 115(1) partially	10th September 2012	2012/2234
section 115(1) partially	1st October 2012	2012/2075
section 115(1) partially	1st October 2012	2012/2234
section 115(1) partially	1st November 2012	2010/2075
section 115(1) partially	25th November 2012	2012/2075
section 115(2) partially	1st July 2012	2012/1205
section 115(2) partially	10th July 2012	2012/1205
section 115(2) partially	10th September 2012	2012/2234
section 115(2) partially	1st October 2012	2012/2075
Schedule 4	1st October 2012	2012/2075
Schedule 5	10th July 2012	2012/1205
Schedule 6	10th July 2012	2012/1205
Schedule 7 partially	10th August 2012	2012/2075
Schedule 7 partially	10th September 2012	2012/2234

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 9 partially	1st July 2012	<a href="#">2012/1205</a>
Schedule 9 partially	10th July 2012	<a href="#">2012/1205</a>
Schedule 9 partially	10th September 2012	<a href="#">2012/2234</a>
Schedule 9 partially	1st October 2012	<a href="#">2012/2075</a>
Schedule 9 partially	1st October 2012	<a href="#">2012/2234</a>
Schedule 9 partially	1st November 2012	<a href="#">2012/2075</a>
Schedule 9 partially	25th November 2012	<a href="#">2012/2075</a>
Schedule 10 partially	1st July 2012	<a href="#">2012/1205</a>
Schedule 10 partially	10th July 2012	<a href="#">2012/1205</a>
Schedule 10 partially	10th September 2012	<a href="#">2012/2234</a>
Schedule 10 partially	1st October 2012	<a href="#">2012/2075</a>