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STATUTORY INSTRUMENTS

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**2023 No. 641 (C. 33)**

**CRIMINAL LAW**

**The Police, Crime, Sentencing and Courts Act 2022  
(Commencement No. 2 and Transitional and Saving  
Provisions) (England and Wales) Regulations 2023**

*Made - - - - 12th June 2023*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 208(1) and (6) of the Police, Crime, Sentencing and Courts Act 2022(1).

**Citation, interpretation and extent**

1.—(1) These Regulations may be cited as the Police, Crime, Sentencing and Courts Act 2022 (Commencement No. 2 and Transitional and Saving Provisions) (England and Wales) Regulations 2023.

(2) In these Regulations “the 2022 Act” means the Police, Crime, Sentencing and Courts Act 2022.

(3) These Regulations extend to England and Wales.

**Provisions coming into force on 13th June 2023**

2. The following provisions of the 2022 Act come into force on 13th June 2023—

- (a) section 194 (Disregard of certain convictions or cautions);
- (b) section 195 (Pardons for certain convictions or cautions).

**Transitional and saving provisions**

3. The amendments made by section 194 of the 2022 Act to sections 92, 93, 94, 99, 100 and 101 of the Protection of Freedoms Act 2012(2) do not apply to an application to disregard a conviction or caution which has been received by the Secretary of State on the day before section 194 of the 2022 Act came into force.

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(1) [2022 c. 32](#).

(2) [2012 c. 9](#). Section 92 was amended by section 164(8) of the Policing and Crime Act 2017 (c. 3).

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**Status:** This is the original version (as it was originally made).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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12th June 2023

*Sarah Dines*  
Parliamentary Under-Secretary of State  
Home Office

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## EXPLANATORY NOTE

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

These Regulations bring into force sections 194 and 195 of the Police, Crime, Sentencing and Courts Act 2022 (c. 32).

The first provision commenced in regulation 2 extends the scope of the disregard scheme in Chapter 4, Part 5 of the Protection of Freedoms Act 2012 (c. 9) to include any offence that was used to criminalise same-sex sexual activity which has since been repealed or abolished by enactment. The second provision commenced in regulation 2 achieves the same effect in relation to posthumous pardons for certain convictions and pardons in sections 164 to 169 of the Policing and Crime Act 2017 (c. 3).

Regulation 3 provides that the amendments made by section 194 of the Police, Crime, Sentencing and Courts Act 2022 do not apply to the sections relevant to an application to disregard a conviction or caution under Chapter 4, Part 5 of the Protection of Freedoms Act 2012 where that application was received by the Secretary of State before the date on which section 194 came into force.

## NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

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

The following provisions of the Police, Crime, Sentencing and Courts Act 2022 have been brought into force by commencement regulations made before the date of these Regulations.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 1	28th June 2022	<a href="#">2022/520</a>
section 4 (remainder)	28th June 2022	<a href="#">2022/520</a>
sections 5 to 7	26th October 2022	<a href="#">2022/1075</a>
sections 8 to 12 (remainder)	31st January 2023	<a href="#">2022/1227</a>
section 14 (remainder)	31st January 2023	<a href="#">2022/1227</a>
sections 15 to 18	31st January 2023	<a href="#">2022/1227</a>
sections 19 to 20 (remainder)	31st January 2023	<a href="#">2022/1227</a>
section 21	31st January 2023	<a href="#">2022/1227</a>
section 24 (partially)	1st April 2023	<a href="#">2023/227</a>
sections 26 to 30 (partially)	1st April 2023	<a href="#">2023/227</a>
sections 32 and 33 (partially)	1st April 2023	<a href="#">2023/227</a>
sections 37 to 41	8th November 2022	<a href="#">2022/1075</a>
section 42(1) to (7)	12th May 2022	<a href="#">2022/520</a>
section 42(8) to (12)	8th November 2022	<a href="#">2022/1075</a>
sections 43 and 44	8th November 2022	<a href="#">2022/1075</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 45 (partially)	26th October 2022	<a href="#">2022/1075</a>
section 45 (remainder)	28th October 2022	<a href="#">2022/1075</a>
section 46	28th June 2022	<a href="#">2022/520</a>
sections 48 and 49	28th June 2022	<a href="#">2022/520</a>
sections 55 to 57	28th June 2022	<a href="#">2022/520</a>
sections 60 and 61	7th March 2023	<a href="#">2023/227</a>
sections 62 to 70	1st August 2022	<a href="#">2022/520</a>
sections 73 to 79	28th June 2022	<a href="#">2022/520</a> (3)
section 80	12th May 2022	<a href="#">2022/520</a>
section 82 (remainder)	28th June 2022	<a href="#">2022/520</a>
section 89	26th October 2022	<a href="#">2022/1075</a>
section 90 (remainder)	28th June 2022	<a href="#">2022/520</a>
sections 91 to 96	30th November 2022	<a href="#">2022/1187</a>
section 97	30th November 2022	<a href="#">2022/1187</a>
section 116	24th May 2023	<a href="#">2023/573</a>
section 129	28th June 2022	<a href="#">2022/520</a>
sections 133 and 134	28th June 2022	<a href="#">2022/520</a>
sections 136 and 137	28th June 2022	<a href="#">2022/520</a>
section 139	28th June 2022	<a href="#">2022/520</a>
section 152	28th June 2022	<a href="#">2022/520</a>
sections 155 and 156	28th June 2022	<a href="#">2022/520</a>
section 165(1) to (3)	19th April 2023	<a href="#">2023/387</a>
section 167 (remainder)	28th June 2022	<a href="#">2022/520</a>
sections 168 to 171	29th November 2022	<a href="#">2022/1227</a>
section 172(1) to (4)	28th June 2022	<a href="#">2022/520</a>
section 172(5)(a) to (h)	29th November 2022	<a href="#">2022/1227</a>
section 172(5)(i) to (k)	31st March 2023	<a href="#">2023/387</a>
section 172(6) to (10)	29th November 2022	<a href="#">2022/1227</a>
section 172(11)	28th June 2022	<a href="#">2022/520</a>
sections 173 to 176	29th November 2022	<a href="#">2022/1227</a>
section 177(1) to (6)	29th November 2022	<a href="#">2022/1227</a>
section 177 (7)	31st March 2023	<a href="#">2023/387</a>

(3) [S.I. 2022/520](#) was amended by [S.I. 2022/680](#) to correct the references to the subsections of section 73 which were commenced and to make another amendment.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 179	29th November 2022	<a href="#">2022/1227</a>
sections 180 to 183	31st March 2023	<a href="#">2023/387</a>
section 190 (remainder)	29th June 2022	<a href="#">2022/520</a>
section 192	29th June 2022	<a href="#">2022/520</a>
section 201(2) (partially)	28th June 2022	<a href="#">2022/740</a>
Schedule 1 (remainder)	31st January 2023	<a href="#">2022/1227</a>
Schedule 2 (remainder)	31st January 2023	<a href="#">2022/1227</a>
Schedule 3	8th November 2022	<a href="#">2022/1075</a>
Schedule 4 (partially)	26th October 2022	<a href="#">2022/1075</a>
Schedule 4 (remainder)	28th October 2022	<a href="#">2022/1075</a>
Schedule 6 and 7	28th June 2022	<a href="#">2022/520</a>
Schedule 9 and 10	30th November 2022	<a href="#">2022/1187</a>
Schedule 13	28th June 2022	<a href="#">2022/520</a>
Schedule 18 (Parts 1 and 2)	31st March 2023	<a href="#">2023/387</a>
Part 3 of Schedule 18 (partially)	31st March 2023	<a href="#">2023/387</a>