

2022 No. 500 (C. 18)

CRIMINAL LAW

**The Criminal Justice Act 2003 (Commencement No. 33) and
Sentencing Act 2020 (Commencement No. 2) Regulations 2022**

Made - - - - *28th April 2022*

Coming into force in accordance with regulation 1

The Secretary of State makes the following Regulations in exercise of—

- (a) the powers conferred by sections 333(1) and 336(3) and (4) of the Criminal Justice Act 2003(a);
- (b) the power conferred by section 104(1)(a) of the Deregulation Act 2015(b); and
- (c) the powers conferred by sections 407(6), 417(1) and 419(1) and (2) of the Sentencing Act 2020(c).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Criminal Justice Act 2003 (Commencement No. 33) and Sentencing Act 2020 (Commencement No. 2) Regulations 2022.

(2) Subject to paragraph (3), these Regulations come into force when they are made.

(3) Regulation 6 (amendment of the 2020 Act to state the effect of regulation 4) comes into force at 12.01am on 2nd May 2022.

(4) Subject to paragraph (5), these Regulations extend to England and Wales only.

(5) An amendment made by these Regulations has the same extent as the provision amended.

Interpretation

2. In these Regulations—

“the 2003 Act” means the Criminal Justice Act 2003; and

“the 2020 Act” means the Sentencing Act 2020.

Commencement of provisions in the 2003 Act

3. The following provisions of the 2003 Act come into force on 2nd May 2022—

- (a) section 282 (increase in maximum term that may be imposed on summary conviction of offence triable either way); and
- (b) in section 283 (maximum terms that may be provided for under enabling powers)—

(a) 2003 c. 44.
(b) 2015 c. 20.
(c) 2020 c. 17.

- (i) subsections (1)(b) and (3); and
- (ii) subsections (4) and (7), insofar as they relate to paragraphs 6 and 7 of Schedule 27 (enabling powers: alteration of maximum penalties etc.).

Commencement of provisions in the 2020 Act

4. Paragraph 24 of Schedule 22 to the 2020 Act (amendments to the general limit on magistrates' court's power to impose imprisonment or detention in a young offender institution) comes into force on 2nd May 2022 but only for the purposes of offences which are triable either way.

Amendment of provisions expressed by reference to commencement

5.—(1) In a provision listed in column 1 of the table in Part 1 of the Schedule, for the words in the corresponding entry in column 2 of the table substitute “2 May 2022”.

(2) In a provision listed in column 1 of the table in Part 2 of the Schedule, for the words in the corresponding entry in column 2 of the table substitute “2nd May 2022”.

(3) In a provision listed in column 1 of the table in Part 3 of the Schedule, for the words in the corresponding entry in column 2 of the table substitute “2 Mai 2022”.

Amendment of the 2020 Act to state the effect of regulation 4

6.—(1) In section 224 of the 2020 Act (general limit on magistrates' court's power to impose imprisonment or detention in a young offender institution)—

- (a) in subsection (1), for the words after “more than” substitute “6 months in the case of any one summary offence or 12 months in respect of any one offence triable either way”; and
- (b) in subsection (2), for the words after “more than” substitute “6 months or (as the case may be) 12 months”.

(2) In paragraph 24 of Schedule 22 to the 2020 Act (amendments to the general limit on magistrates' court's power to impose imprisonment or detention in a young offender institution), after “institution)” insert “, as amended by the Criminal Justice Act 2003 (Commencement No. 33) and Sentencing Act 2020 (Commencement No. 2) Regulations 2022.”.

Amendment of the Environmental Protection Act 1990

7.—(1) The Environmental Protection Act 1990(a) is amended as follows.

(2) In section 141 (power to regulate the importation or exportation of waste or the transit of waste for export) after subsection (5A) there is inserted—

“(5AA) Regulations under this section that—

- (a) make provision for a summary offence under the law of England and Wales to be punishable with imprisonment for more than 6 months (“the relevant provision”), and
- (b) are made—
 - (i) on or after 2 May 2022, but
 - (ii) before the day on which section 281(5) of the Criminal Justice Act 2003 comes into force,

must also provide that, in relation to an offence committed before the day referred to in paragraph (b)(ii), any reference in the relevant provision to a term of imprisonment of more than 6 months is to be read as a reference to a term of imprisonment of 6 months.”.

(a) 1990 c. 43.

Amendment of the Scotland Act 1998

8.—(1) The Scotland Act 1998(a) is amended as follows.

(2) In section 113 (subordinate legislation: scope of powers) after subsection (10A) there is inserted—

“(10AA) If a power—

- (a) is exercised so as to make provision for a summary offence under the law of England and Wales to be punishable with imprisonment for more than 6 months (“the relevant provision”) and
- (b) is so exercised—
 - (i) on or after 2 May 2022, but
 - (ii) before the day on which section 281(5) of the Criminal Justice Act 2003 comes into force,

the power must also be exercised so as to provide that, in relation to an offence committed before the day referred to in paragraph (b)(ii), any reference in the relevant provision to a term of imprisonment of more than 6 months is to be read as a reference to a term of imprisonment of 6 months.”.

28th April 2022

James Cartlidge
Parliamentary Under Secretary of State
Ministry of Justice

SCHEDULE

Regulation 5

Amendment of provisions expressed by reference to commencement

PART 1

Amendments of primary legislation

<i>Column 1</i>	<i>Column 2</i>
Paragraph 5 of Schedule 4 to the Offender Management Act 2007	“the commencement of section 154(1) of the Criminal Justice Act 2003 (c. 44) (limit on magistrates’ court’s powers to impose imprisonment)”
Section 53(8) of the Space Industry Act 2018	“section 154(1) of that Act comes into force”
Section 1207(6)(a) of the Corporation Tax Act 2009	“the commencement of section 282 of the Criminal Justice Act 2003 (c. 44)”

(a) 1998 c. 46.

Sections 1216CN(6)(a) and 1217CN(6)(a) of the Corporation Tax Act 2009	“the commencement of section 282 of the Criminal Justice Act 2003”
Paragraph 26(1A) of Schedule 1 to the Housing Act 1996	“the commencement of section 282 of the Criminal Justice Act 2003 (short sentences)”
Section 82(6) of the Pensions Act 2004	
Subsections (1), (2), (3) and (7) of section 55 of the Commissioners for Revenue and Customs Act 2005	
Section 4C(5) of the National Lottery etc. Act 1993	“the commencement of section 282 of the Criminal Justice Act 2003 (c. 44) (short sentences)”
Section 5C(4) of the Petroleum Act 1998	
Section 90(6) of the Education and Skills Act 2008	
Section 264(4) of the Housing and Regeneration Act 2008	
Section 18(6) of the Borders, Citizenship and Immigration Act 2009	“the commencement of section 282 of the Criminal Justice Act 2003 (c. 44) (increase in maximum sentence on summary conviction of offence triable either way)”
Paragraph 10(8) of Schedule 7 to the Crime and Courts Act 2013	“the commencement of section 282 of the Criminal Justice Act 2003 (increase in maximum sentence on summary conviction of offence triable either way)”
Section 14D(6)(a) of the Hydrocarbon Oil Duties Act 1979	“the commencement of section 282 of the Criminal Justice Act 2003 (increase in maximum term that may be imposed on summary conviction of offence triable either way)”
Section 14F(6) of the Hydrocarbon Oil Duties Act 1979 (as it extends to Northern Ireland and otherwise as to be inserted by paragraph 9(6) of Schedule 11 to the Finance Act 2020)	
Section 76(7) of the Education and Skills Act 2008	“the commencement of section 282 of the Criminal Justice Act 2003 (c. 44) (increase in maximum term that may be imposed on summary conviction of offence triable either way)”
Section 42(5)(b) of the UK Borders Act 2007	“the commencement of section 282 of the Criminal Justice Act 2003 (c. 44) (imprisonment on summary conviction for certain offences in England and Wales)”
Paragraph 11(6) of Schedule 5A to the Terrorism Act 2000	“the coming into force of section 282 of the Criminal Justice Act 2003 (increase in maximum sentence on summary conviction of offence triable either way)”
Section 362E(3) of the Proceeds of Crime Act 2002	
Section 17(9) of the Cultural Property (Armed Conflicts) Act 2017	“section 282 of the Criminal Justice Act 2003 comes into force”

Paragraph 4(a) of Schedule 13 to the Serious Crime Act 2007	“the commencement of section 282(1) of the Criminal Justice Act 2003 (c. 44) (increase in sentencing powers of magistrates’ court from 6 to 12 months for certain offences triable either way)”
Section 106A(3)(a) of the Taxes Management Act 1970	“the commencement of section 282(3) of the Criminal Justice Act 2003”
Paragraph 2(6)(b) of Schedule 21 to the Environment Act 2021	
Sections 7(6), 9(6) and 19(10) of the Safeguarding Vulnerable Groups Act 2006	“the commencement of section 282(3) of the Criminal Justice Act 2003 (c. 44)”
Paragraph 16 of Schedule 8 to the Wireless Telegraphy Act 2006	
Section 196D(6) of the Town and Country Planning Act 1990	“the coming into force of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020”
Section 110(5H) of the Environment Act 1995	
Paragraph 52(2) of Schedule 11 to the Government of Wales Act 2006	
Section 22(4)(b) of the Public Bodies Act 2011	
Section 33C(2) of the Immigration Act 2014	
Section 75A(5)(a)(i) of the Serious Crime Act 2015	
Sections 41(7), 50(7), 58(7), 66(13) and 68(11) of the Digital Economy Act 2017	
Sections 1(5) and 2(5) of the Laser Misuse (Vehicles) Act 2018	
Sections 39(5)(a)(i) and 43(3)(a)(i) of the Domestic Abuse Act 2021	
Section 139A(5ZA) of the Criminal Justice Act 1988 (as to be inserted by section 45(5) of the Offensive Weapons Act 2019)	“the coming into force of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (maximum sentence that may be imposed on summary conviction of offence triable either way)”
Sections 6(8), 25(3), 29(3) and 52(7) of the Offensive Weapons Act 2019	
Section 37B(8) of the Land Drainage Act 1991	“the coming into force of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (increase in maximum term that may be imposed on summary conviction of offence triable either way)”
Section 67A(5) of the Sexual Offences Act 2003	
Section 1(4) of the Assaults on Emergency Workers (Offences) Act 2018	
Section 63(2) of the Children Act 2004	“the commencement of paragraph 24 of Schedule 22 to the Sentencing Act 2020”
Sections 2(15), 5(11) and 35(9) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004	“the commencement of paragraph 24 of Schedule 22 to the Sentencing Act 2020 (increased limit on magistrates’ power of imprisonment)”

Section 1A(8) of the Prevention of Crime Act 1953	“the commencement of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020”
Section 44BC(5) of the Solicitors Act 1974	
Section 88G(7) of the Alcoholic Liquor Duties Act 1979	
Section 20AAC(4)(a)(i) of the Hydrocarbon Oil Duties Act 1979	
Section 29L(4) of the Public Order Act 1986	
Section 139AA(10) of the Criminal Justice Act 1988	
Section 4A(6) of the Protection from Harassment Act 1997	
Section 23(1G)(a) of the Financial Services and Markets Act 2000	
Section 4A(9)(a) of the Private Security Industry Act 2001 (as to be inserted by section 42 of the Crime and Security Act 2010)	
Section 12(3) of the Gangmasters (Licensing) Act 2004	
Section 131C(6)(a) of the Energy Act 2004	
Section 34(9) of the Fire and Rescue Services Act 2004	
Paragraph 1(2) of Schedule 12 to the Domestic Violence, Crime and Victims Act 2004	
Section 58(1) of the Human Tissue Act 2004	
Sections 41(3) and 105(2) of the Clean Neighbourhoods and Environment Act 2005	
Sections 109(4) and 111(5) of the Education Act 2005	
Sections 1(8), 2(12), 6(6) and 8(5) of the Terrorism Act 2006	
Section 13B(5) of the Childcare Act 2006	
Paragraph 1 of Schedule 2 to the Fraud Act 2006	
Sections 1131(2), 1186(3), 1191(3) and 1250(5)(b) of the Companies Act 2006	
Section 61(5) of the Road Safety Act 2006	
Section 32(4A) of the Animal Welfare Act 2006	
Section 3(8)(a) of the Digital Switchover (Disclosure of Information) Act 2007	
Sections 92(3) and 105(2) of the Tribunals, Courts and Enforcement Act 2007	
Section 39(11)(a) of the Statistics and Registration Service Act 2007	
Sections 14(5), 16(7), 17(3) and 181(3) of the Legal Services Act 2007	
Paragraphs 23 and 31 of Schedule 27 to the Criminal Justice and Immigration Act 2008	
Section 49(2)(a) of the Regulatory Enforcement and Sanctions Act 2008	
Sections 10(5) and 76(4) of the Health and Social Care Act 2008	
Sections 54(3)(a) and 76(2), and paragraph	

15(3)(a) of Schedule 5 to, the Counter-Terrorism Act 2008	
Paragraph 10(2) of Schedule A1 to the English language text of the Learner Travel (Wales) Measure 2008 (nawm 2)	
Section 10(3)(a) of the Parliamentary Standards Act 2009	
Paragraphs 12(1), 13 and 14 of Schedule 22 to the Coroners and Justice Act 2009	
Section 11(4)(a) of the Bribery Act 2010	
Section 6(4) of the Identity Documents Act 2010	
Paragraph 5(5)(a) of Schedule 25 to the Finance Act 2011	
Section 23(4) of the Terrorism Prevention and Investigation Measures Act 2011	
Sections 33(7) and 143(6), and paragraph 2(7) of Schedule 6 to, the Legal Aid, Sentencing and Punishment of Offenders Act 2012	
Paragraph 37(4)(a) of Schedule 24 to the Finance Act 2012	
Section 92(2)(a) of the Financial Services Act 2012	
Section 13(3) of the Electoral Registration and Administration Act 2013	
Sections 36(4)(a)(i) and 90(7)(a)(i), and paragraph 14(2)(a)(i) of Schedule 5 to the Financial Services (Banking Reform) Act 2013	
Sections 120(7) and 121(10) of the Anti-social Behaviour, Crime and Policing Act 2014	
Section 174(4)(a) of the Finance Act 2014	
Section 86(14) of the Serious Crime Act 2015	
Sections 10(1)(a)(i) and (2)(a)(i), and 26(2)(a)(i) of the Psychoactive Substances Act 2016	
Section 27(3) of the Immigration Act 2016	
Sections 11(4)(a)(i), 43(7)(a)(i), 59(2)(a)(i), 82(3)(a)(i), 134(2)(a)(i), 155(2)(a)(i), 173(2)(a)(i), 174(3)(a)(i), 196(2)(a)(i) and 224(4)(a)(i) of the Investigatory Powers Act 2016	
Sections 50(6) and 51(7) of the Finance Act 2017	
Section 53(6) of the Finance (No. 2) Act 2017	
Section 16(5) of the European Union (Future Relationship) Act 2020	
Section 77(6) of the Finance Act 2021	
Section 15(5) of the Trade Act 2021	
Sections 1(10), 4(13), 5(13) and 22(6) of the Nuclear Installations Act 1965	“the commencement of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (general limit on magistrates’ court’s power to imprison)”
Section 77(3A) of the Anti-terrorism, Crime and Security Act 2001	
Section 102(4) of, and paragraph 6(2) of	

Schedule 9 to the Energy Act 2013	
Paragraph 2(2) of Schedule 3A to the Health and Safety at Work etc. Act 1974	“the commencement of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (general limit on magistrates’ court’s powers to imprison)”
Sections 103(3) and 105(8) of, paragraphs 7(3) and 17(4) of Schedule 8 to, and paragraph 13(8) of Schedule 10 to, the Energy Act 2013	
Paragraph 9B(6) of Schedule 5 to the Courts Act 2003	“the commencement of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (general limit on power of magistrates’ courts to impose imprisonment)”
Paragraph 30(4)(a) of Schedule 16 to the Crime and Courts Act 2013	
Section 51E(3)(a) of the Constitutional Reform Act 2005	“the commencement of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (general limit on magistrates’ court’s power to impose imprisonment)”
Section 175(2) of the Serious Organised Crime and Police Act 2005	
Section 12(6) of the Children and Adoption Act 2006	
Paragraph 16 of Schedule 10 to the Charities Act 2006	
Section 40 of the Political Parties and Elections Act 2009	
Section 28(8)(a) of the Crime and Courts Act 2013	
Paragraphs 14 and 24 of Schedule 9 to the Charities Act 2011	“the commencement of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (general limit on the magistrates’ court’s power to impose imprisonment)”
Section 78(2) of the Health Act 2006	“the commencement of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (general limit on magistrates’ courts power to impose imprisonment)”
Section 208(1) of, and paragraph 8(4) of Schedule 10 to, the National Health Service Act 2006	
Section 156(1) of the National Health Service (Wales) Act 2006	
Section 21(4) of the Immigration, Asylum and Nationality Act 2006	“the commencement of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (general limit on magistrates’ powers to imprison)”
Paragraph 15(4) of Schedule 20 to the Tribunals, Courts and Enforcement Act 2007	“the commencement of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (limit on magistrates’ court powers to impose imprisonment)”
Paragraph 66(2) of Schedule 19 to the Enterprise and Regulatory Reform Act 2013	
Section 63B(8) of the Local Government Finance Act 1988	“the commencement of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (increase in maximum term that may be imposed on summary conviction of offence triable either way)”
Paragraph 15D(7) of Schedule 2 to the Local Government Finance Act 1992	
Sections 129(9) and 132(9) of the Welfare Reform Act 2012	

Section 6(5) of the Legislative and Regulatory Reform Act 2006	“the date on which paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 comes into force”
Paragraph 30(6)(a) of Schedule 2 to the Climate Change Act 2008	
Paragraphs 2(4)(a) and 6(2)(a) of Schedule 5 to the Defence Reform Act 2014	
Paragraph 37(5)(a) of Schedule 8 to the Water Act 2014	
Section 75(3)(a)(i) of the Energy Act 2013	“the date on which paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (general limit on magistrates’ court’s power to imprison) comes into force”
Section 14B(5) of the Local Government Finance Act 1992	“the date that paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 comes into force”
Section 4A(2)(a)(i) of the Firearms Act 1968	“paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 comes into force”
Section 430(4A) of the Insolvency Act 1986	
Section 1(5) of the Malicious Communications Act 1988	
Section 8A(11)(a)(i) of the Firearms (Amendment) Act 1988	
Section 1(7) of the Prisoners (Return to Custody) Act 1995	
Section 32ZA(6) of the Crime (Sentences) Act 1997	
Paragraph 7(6)(a)(i) and (7)(a)(i) of Schedule 3 to the Anti-terrorism, Crime and Security Act 2001	
Section 255ZA(6) of the Criminal Justice Act 2003	
Sections 15A(6), 15C(6) and 25(2)(a) of, and paragraph 5(3) of Schedule 7 to the Companies (Audit, Investigations and Community Enterprise) Act 2004	
Section 210(7) of the Housing Act 2004	
Section 38(6) of the Police and Justice Act 2006	
Paragraphs 30(4A)(a)(i), 30A(1A)(a)(i) and 31(2)(a)(i) of Schedule 7 to the Counter-Terrorism Act 2008	
Paragraph 9 of Schedule 5 to the English language text of Mobile Homes (Wales) Act 2013	
Section 9(7) of the Mesothelioma Act 2014	
Sections 20(9), 29(3)(a) and 33(11), and paragraphs 15(4) and 25(4) of Schedule 10 to the Criminal Justice and Courts Act 2015	
Section 49(1) of the Counter-Terrorism and Security Act 2015	
Paragraph 21(2)(a) of Schedule 4 to the Recall of MPs Act 2015	

Section 5(4) of the Modern Slavery Act 2015	
Section 68(4)(a)(i) of the Policing and Crime Act 2017	
Section 17(5)(b)(i) of the Sanctions and Anti-Money Laundering Act 2018	
Section 12(5) of the Ivory Act 2018	
Sections 8(3) and 11(7) of the Stalking Protection Act 2019	
Section 39(3) of the National Security and Investment Act 2021	

PART 2

Amendments of secondary legislation

<i>Column 1</i>	<i>Column 2</i>
Regulation 32(4) of the Mali (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/705)	“section 154(1) of the Criminal Justice Act 2003 comes into force”
Regulation 50(5) of the Iraq (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/707)	
Regulation 50(5) of the Sudan (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/753)	
Regulation 38(4) of the Afghanistan (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/948)	
Paragraph 16(2) of the Schedule to the Environmental Protection (Plastic Straws, Cotton Buds and Stirrers) (England) Regulations 2020 (S.I. 2020/971)	
Regulation 20(2) of the Syria (United Nations Sanctions) (Cultural Property) (EU Exit) Regulations 2020 (S.I. 2020/1233)	
Regulation 49(5) of the Yemen (Sanctions) (EU Exit) (No. 2) Regulations 2020 (S.I. 2020/1278)	
Paragraph 6(2) of Schedule 3 to the Environmental Civil Sanctions (England) Order 2010 (S.I. 2010/1157)	“the commencement of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020”
Regulation 6(8) of the Disclosure of State Pension Credit Information (Warm Home Discount) Regulations 2011 (S.I. 2011/1830)	
Regulation 6(7) of the Local Authorities (Conduct of Referendums) (England) Regulations 2012 (S.I. 2012/323)	
Regulation 12(7) of the Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012 (S.I. 2012/444)	
Regulation 6(6) of the Neighbourhood Planning (Referendums) Regulations 2012 (S.I. 2012/2031)	
Regulation 14(1)(f)(i) of the Payment Card Interchange Fee Regulations 2015 (S.I.	

2015/1911)	
Regulation 39(3) of the Environmental Permitting (England and Wales) Regulations 2016 (S.I. 2016/1154)	
Regulation 19(5) of the Childcare (Early Years Provision Free of Charge) (Extended Entitlement) Regulations 2016 (S.I. 2016/1257)	
Regulation 135(1)(g)(i) of the Payment Services Regulations 2017 (S.I. 2017/752)	
Regulation 32A(4) of the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009 (S.I. 2009/1348)	“the commencement of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (general limit on magistrates’ court powers to imprison)”
Regulation 11(3) of the Nuclear Security (Secretary of State Security Directions) Regulations 2018 (S.I. 2018/408)	“the commencement of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (general limit on magistrates’ court’s power to imprison)”
Articles 34(8), 35(9) and 36(8) of the Export Control Order 2008 (S.I. 2008/3231)	“paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 comes into force”
Regulation 11(6) of the Electricity and Gas (Market Integrity and Transparency) (Criminal Sanctions) Regulations 2015 (S.I. 2015/979)	
Paragraph 16(2) of the Schedule to the Environmental Protection (Microbeads) (England) Regulations 2017 (S.I. 2017/1312)	
Article 9(1)(b)(i) and (2)(b)(i) of the Andrey Lugovoy and Dmitri Kovtun Freezing Order 2018 (S.I. 2018/60)	
Regulation 51(5) of the Iran (Sanctions) (Human Rights) (EU Exit) Regulations 2019 (S.I. 2019/134)	
Regulation 51(5) of the Venezuela (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/135)	
Regulation 110(5) of the Democratic People’s Republic of Korea (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/411)	
Regulation 49(5) of the Democratic Republic of the Congo (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/433)	
Regulation 49(5) of the South Sudan (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/438)	
Regulation 56(5) of the Iran (Sanctions) (Nuclear) (EU Exit) Regulations 2019 (S.I. 2019/461)	
Regulation 39(4) of the ISIL (Da’esh) and Al-Qaida (United Nations Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/466)	
Regulation 31(4) of the Republic of Guinea-Bissau (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/554)	
Regulation 42(5) of the Counter-Terrorism	

(International Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/573)	
Regulation 28(4) of the Counter-Terrorism (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/577)	
Regulation 48(5) of the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/600)	
Regulation 49(5) of the Zimbabwe (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/604)	
Regulation 31(4) of the Chemical Weapons (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/618)	
Regulation 79(5) of the Syria (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/792)	
Regulation 80(5) of the Russia (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/855)	
Regulation 30(4) of the Guinea (Sanctions) (EU Exit) Regulations 2019 (S.I. 2019/1145)	
Article 9(1)(b)(i) and (2)(b)(i) of the Andrey Lugovoy and Dmitri Kovtun Freezing Order 2020 (S.I. 2020/36)	
Regulation 30(4) of the Cyber (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/597)	
Regulation 31(4) of the Bosnia and Herzegovina (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/608)	
Regulation 30(4) of the Nicaragua (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/610)	
Regulation 24(3) of the Lebanon (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/612)	
Regulation 49(5) of the Central African Republic (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/616)	
Regulation 25(3) of the Lebanon (Sanctions) (Assassination of Rafiq Hariri and others) (EU Exit) Regulations 2020 (S.I. 2020/617)	
Regulation 63(5) of the Somalia (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/642)	
Regulation 32(4) of the Global Human Rights Sanctions Regulations 2020 (S.I. 2020/680)	
Regulation 31(4) of the Unauthorised Drilling Activities in the Eastern Mediterranean (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/1474)	
Regulation 66(5) of the Libya (Sanctions) (EU Exit) Regulations 2020 (S.I. 2020/1665)	
Regulation 31(4) of the Global Anti-Corruption Sanctions Regulations 2021 (S.I. 2021/488)	
Regulation 60(5) of the Myanmar (Sanctions) Regulations 2021 (S.I. 2021/496)	
Regulation 31(4) of the Burundi (Sanctions) Regulations 2021 (S.I. 2021/1404)	

PART 3

Amendments of Welsh primary legislation

<i>Column 1</i>	<i>Column 2</i>
Paragraph 10(2) of Schedule A1 to the Welsh language text of the Learner Travel (Wales) Measure 2008 (nawm 2)	“cychwyn paragraff 24(2) o Atodlen 22 i Ddeddf Dedfrydu 2020”
Paragraph 9 of Schedule 5 to the Welsh language text of Mobile Homes (Wales) Act 2013 (anaw 6)	“i baragraff 24(2) o Atodlen 22 i Ddeddf Dedfrydu 2020 ddod i rym”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force on 2nd May 2022 provisions in the Criminal Justice Act 2003 (c. 44) (“the 2003 Act”) and the Sentencing Act 2020 (c. 17) (“the 2020 Act”).

Regulation 3(a) brings into force section 282 of the 2003 Act (increase in maximum term that may be imposed on summary conviction of offence triable either way). Section 282(1) amends section 32 of the Magistrates’ Courts Act 1980 (c. 43) (“the 1980 Act”) (penalties on summary conviction for offences triable either way) to increase the maximum penalty that a magistrates’ court can impose on summary conviction of an offence listed in Schedule 1 to the 1980 Act, from 6 months’ imprisonment to 12 months’. Section 282(2) and (3) together increase the maximum term of imprisonment to which a person is liable on summary conviction of an offence that is triable either way in the following circumstances: the offence is set out in legislation made before or during the same session as the 2003 Act, is punishable with imprisonment on summary conviction, and is not listed in Schedule 1 to the 1980 Act. Section 282(4) provides that only offences committed after the provision is commenced are affected. The maximum penalty is increased from 6 months’ imprisonment to 12 months’.

Regulation 3(b)(i) brings into force section 283(1)(b) and (3) of the 2003 Act (enabling powers: power to alter maximum penalties). Section 283(1)(b) confers a power on the Secretary of State to amend any enactment made before or in the same session as the 2003 Act, so as to make a person liable on summary conviction to a term of imprisonment as regards an offence triable either way. Section 283(3) provides that an order made under section 283(1)(b) may amend the enactment in question to increase the maximum penalty on summary conviction of an offence created under the power, to 12 months’ imprisonment.

Regulation 3(b)(ii) brings into force sections 283(4) and (7) insofar as they relate to paragraphs 6 and 7 of Schedule 27 to the 2003 Act (enabling powers: alteration of maximum penalties etc.). These provisions amend powers in the Environmental Protection Act 1990 (c. 43) and the Scotland Act 1998 (c. 46) to create offences to ensure they may provide for a maximum sentence of 12 months’ imprisonment on summary conviction of a triable either way offence.

Regulation 4 brings into force paragraph 24 of Schedule 22 to the 2020 Act (amendments of the Sentencing Code and related amendments of other legislation) for offences triable either way only. Paragraph 24 amends section 224 of the 2020 Act to increase the maximum penalty that a magistrates’ court can give on summary conviction of an offence triable either way from 6 months’ imprisonment to 12 months’.

Regulation 5 and the Schedule replace existing legislative references to the commencement of paragraph 24 of Schedule 22 to the 2020 Act and sections 154 and 282 of the Criminal Justice Act 2003 with the actual date of commencement (2nd May 2022). These replacements are made using the power in section 104(1)(a) of the Deregulation Act 2015 and spell out one of the effects of the amendments brought into force by regulations 3 and 4.

Regulation 6 amends section 224 of the 2020 Act to make clear on the face of that provision the effect of the amendment brought into force by regulation 4, namely the partial commencement of paragraph 24 of Schedule 22 to the 2020 Act. The amendments are made using the powers at section 419(1) and (2) of the 2020 Act. Regulation 6 comes into force one minute after the provisions commenced by regulation 4.

Regulation 7 inserts a new subsection into section 141 of the Environmental Protection Act 1990 to make transitional provision to ensure that where Regulations under the power conferred by that section make provision for a summary offence to be punishable with imprisonment for more than 6 months, those Regulations must also provide in relation to any offence committed before the day on which section 281(5) of the 2003 Act comes into force, any reference to a sentence of imprisonment of more than six months is to be read as six months.

Regulation 8 makes a comparable amendment to section 113 of the Scotland Act 1998.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Ministry of Justice, 102 Petty France, London, SW1H 9AJ and is published alongside the instrument on www.legislation.gov.uk

NOTE AS TO EARLIER COMMENCEMENT ORDERS AND REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Criminal Justice Act 2003 have been brought into force by commencement orders made before the date of these Regulations:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 1 and 2	20.1.2004	2004/81
Section 3	29.1.2004	2004/81
Section 4	20.1.2004	2004/81
Section 5 (partially)	1.8.2004	2004/1867
Section 5 (remainder)	1.12.2005	2005/3055
Sections 6 to 8	20.1.2004	2004/81
Section 9	5.4.2004	2004/829
Section 10	5.4.2004	2004/829
Section 11	20.1.2004	2004/81
Section 12	20.1.2004	2004/81
Section 13	5.4.2004	2004/829
Section 14 (partially)	1.1.2007	2006/3217
Section 15 (partially)	5.4.2004	2004/829
	1.1.2007	2006/3217
Sections 16 and 17	5.4.2004	2004/829
Section 18	4.4.2005	2005/950
Sections 19 to 21	5.4.2004	2004/829
Sections 22 to 24	3.7.2004	2004/1629
Section 25	29.1.2004	2004/81
Sections 26 and 27 (partially)	3.7.2004	2004/1629
Section 27 (remainder)	16.11.2009	2009/2775
Section 28	29.1.2004	2004/81
	3.7.2004	2004/1629
	1.10.2007	2007/2874
Sections 29 to 30 (partially)	25.7.2007	2007/1999
	9.6.2008	2008/1424
	1.11.2009	2009/2879
	1.1.2011	2010/3005

	6.9.2011	2011/2188
	3.10.2011	2011/2188
	19.3.2012	2012/825
	1.4.2014	2014/633
Section 31	29.1.2004	2004/81
Section 32 (partially)	4.4.2005	2005/950
Section 32 (remainder)	15.7.2005	2005/1817
Section 33 (partially)	4.4.2005	2005/950
	24.7.2006	2006/1835
	15.7.2005	2005/1817
Section 34 (partially)	1.5.2010	2010/1183
Sections 36 to 38 (partially)	4.4.2005	2005/950
Sections 36 to 38 (remainder)	15.7.2005	2005/1817
Section 39 (partially)	4.4.2005	2005/950
	15.7.2005	2005/1817
	1.5.2010	2010/1183
Section 40	5.4.2004	2004/829
Section 41 (partially)	4.4.2005	2005/950
	18.5.2012	2012/1320
	18.6.2012	2012/1320
	5.11.2012	2012/2574
	28.5.2013	2013/1103
Section 42	22.1.2004	2004/81
Sections 44, 45 (partially), 46, 47 and 48 (partially)	24.7.2006	2006/1835
Section 49	29.1.2004	2004/81
Section 50 (partially)	8.1.2007	2006/3422
Sections 51 to 52 (partially)	7.12.2007	2007/3451
Sections 51 to 52 (remainder)	26.4.2010	2010/1183
Section 53	26.4.2010	2010/1183
Section 54 (partially)	7.12.2007	2007/3451
Section 54 (remainder)	26.4.2010	2010/1183
Section 55	29.1.2004	2004/81
Section 56 (partially)	7.12.2007	2007/3451
	26.4.2010	2010/1183
Section 56 (remainder)		
Sections 57 to 61 and 67 to 72	4.4.2005	2005/950
Section 73	29.1.2004	2004/81
Sections 74 to 92	4.4.2005	2005/950
Section 93	29.1.2004	2004/81
Sections 94 and 95	4.4.2005	2005/950
Section 96	18.4.2005	2005/950
Section 97	7.3.2005	2005/373
Sections 98 to 110	15.12.2004	2004/3033
Section 111	29.1.2004	2004/81
Section 112	15.12.2004	2004/3033
Section 113	1.1.2005	2004/3033
Sections 114 to 131	4.4.2005	2005/950
Section 132	20.1.2004	2004/81
Sections 133 to 136	4.4.2005	2005/950
Sections 139 to 141	5.4.2004	2004/829

Sections 142 to 150, 152, 153 and 156 to 157	4.4.2005	2005/950
Sections 158 and 159 (partially)	7.3.2005	2005/373
Sections 158 to 159 (remainder), 160 and 162 to 166	4.4.2005	2005/950
Sections 167, 168 (partially) and 169 to 173	27.2.2004	2004/81
Section 174 (partially)	5.4.2004	2004/829
Section 174 (remainder)	4.4.2005	2005/950
Section 175	4.4.2005	2005/950
Section 176	5.4.2004	2004/829
Section 177	4.4.2005	2005/950
Section 178	7.3.2005	2005/373
Sections 179 and 180	4.4.2005	2005/950
Sections 182 (partially) and 183 to 187	26.1.2004	2003/3282
Sections 189 to 194	4.4.2005	2005/950
Section 195 (partially)	26.1.2004	2003/3282
Section 195 (remainder)	4.4.2005	2005/950
Section 196 (partially)	26.1.2004	2003/3282
	4.4.2005	2005/950
Section 197 (partially)	26.1.2004	2003/3282
	7.3.2005	2005/373
Section 197 (remainder)	4.4.2005	2005/950
Sections 198 to 199 (partially)	26.1.2004	2003/3282
Sections 198 to 199 (remainder)	4.4.2005	2005/950
Section 200 (partially)	26.1.2004	2003/3282
Section 200 (remainder)	4.4.2005	2005/950
Section 201 (partially)	26.1.2004	2003/3282
Section 201 (remainder)	4.4.2005	2005/950
Section 202 (partially)	26.1.2004	2003/3282
	7.3.2005	2005/373
Section 202 (remainder)	4.4.2005	2005/950
Section 203 (partially)	26.1.2004	2003/3282
Section 203 (remainder)	4.4.2005	2005/950
Section 204 (partially)	26.1.2004	2003/3282
	4.4.2005	2005/950
Section 205 to 212 (partially)	26.1.2004	2003/3282
Section 205 to 212 (remainder)	4.4.2005	2005/950
Section 213 (partially)	26.1.2004	2003/3282
	4.4.2005	2005/950
Section 214 (partially)	26.1.2004	2003/3282
Section 214 (remainder)	4.4.2005	2005/950
Section 215 (partially)	26.1.2004	2003/3282
	7.3.2005	2005/373
Section 215 (remainder)	4.4.2005	2005/950
Section 216 (partially)	26.1.2004	2003/3282
	4.4.2005	2005/950
Section 217 (partially)	26.1.2004	2003/3282
	7.3.2005	2005/373
Section 217 (remainder)	4.4.2005	2005/950
Section 218 (partially)	26.1.2004	2003/3282
Section 218 (remainder)	4.4.2005	2005/950
Section 219 (partially)	26.1.2004	2003/3282

Section 219 (remainder)	4.4.2005	2005/950
Section 220	4.4.2005	2005/950
Section 221 (partially)	26.1.2004	2003/3282
Section 221 (remainder)	4.4.2005	2005/950
Section 222 (partially)	26.1.2004	2003/3282
Section 222 (remainder)	7.3.2005	2005/373
Section 223 (partially)	26.1.2004	2003/3282
Section 223 (remainder)	7.3.2005	2005/373
Sections 224 to 236	4.4.2005	2005/950
Section 237 (partially)	26.1.2004	2003/3282
Section 237 (remainder)	4.4.2005	2005/950
Section 238	4.4.2005	2005/950
Section 239 (partially)	26.1.2004	2003/3282
	7.3.2005	2005/373
Section 239 (remainder)	4.4.2005	2005/950
Section 240 (partially)	7.3.2005	2005/373
Section 240 (remainder)	4.4.2005	2005/950
Section 241 (partially)	26.1.2004	2003/3282
Section 241 (remainder)	4.4.2005	2005/950
Sections 242 to 243	4.4.2005	2005/950
Section 244 (partially)	26.1.2004	2003/3282
	4.4.2005	2005/950
Section 245 (partially)	26.1.2004	2003/3282
Section 246 (partially)	26.1.2004	2003/3282
	7.3.2005	2005/373
Section 246 (remainder)	4.4.2005	2005/950
Section 247	4.4.2005	2005/950
Section 248 (partially)	26.1.2004	2003/3282
Section 248 (remainder)	4.4.2005	2005/950
Section 249 (partially)	26.1.2004	2003/3282
Section 249 (remainder)	4.4.2005	2005/950
Section 250 (partially)	26.1.2004	2003/3282
	7.3.2005	2005/373
	4.4.2005	2005/950
Section 251 (partially)	26.1.2004	2003/3282
Section 252 (partially)	26.1.2004	2003/3282
Section 252 (remainder)	4.4.2005	2005/950
Section 253 (partially)	26.1.2004	2003/3282
	7.3.2005	2005/373
Section 253 (remainder)	4.4.2005	2005/950
Sections 254 to 256 (partially)	26.1.2004	2003/3282
Sections 254 to 256 (remainder)	4.4.2005	2005/950
Section 257 (partially)	26.1.2004	2003/3282
	7.3.2005	2005/373
	4.4.2005	2005/950
	3.12.2012	2012/2905
Section 258	4.4.2005	2005/950
Section 259 (partially)	26.1.2004	2003/3282
Section 259 (remainder)	4.4.2005	2005/950
Section 260 (partially)	7.3.2005	2005/373
Section 260 (remainder)	4.4.2005	2005/950

Section 261	4.4.2005	2005/950
Section 262	14.6.2004	2004/829
Section 263 (partially)	26.1.2004	2003/3282
Section 263 (remainder)	4.4.2005	2005/950
Section 264 (partially)	26.1.2004	2003/3282
	4.4.2005	2005/950
Section 265 (partially)	26.1.2004	2003/3282
Section 265 (remainder)	4.4.2005	2005/950
Section 267	7.3.2005	2005/373
Section 268 (partially)	26.1.2004	2003/3282
Section 268 (remainder)	4.4.2005	2005/950
Section 278	4.4.2005	2005/950
Section 279	1.12.2004	2004/3033
Section 284	29.1.2004	2004/81
Section 285	27.2.2004	2004/81
Section 286	29.1.2004	2004/81
Sections 287 to 293	22.1.2004	2004/81
Sections 294 to 297	20.1.2004	2004/81
Section 299	1.5.2004	2004/829
Section 300 (partially)	7.3.2005	2005/373
Section 301 (partially)	7.3.2005	2005/373
Section 302 (partially)	26.1.2004	2003/3282
Section 302 (remainder)	4.4.2005	2005/950
Section 303 (partially)	4.4.2005	2005/950
Section 304 (partially)	26.1.2004	2003/3282
	22.1.2004	2004/81
	4.4.2005	2005/950
Section 305 (partially)	26.1.2004	2003/3282
Section 305 (remainder)	4.4.2005	2005/950
Section 306	20.1.2004	2004/81
Section 307	21.7.2005	2005/1817
Sections 308 to 312	4.4.2005	2005/950
Sections 313 and 314	1.9.2004	2004/1629
Section 315	4.4.2005	2005/950
Sections 316 and 317	1.9.2004	2004/1629
Section 318	1.9.2004	2004/1629
Section 319	4.4.2005	2005/950
Section 320	20.1.2004	2004/81
Section 321	5.4.2004	2004/829
Sections 322 and 323	1.5.2004	2004/829
Section 324	27.2.2004	2004/81
Sections 325 to 327	5.4.2004	2004/829
Section 328 (partially)	29.1.2004	2004/81
	6.4.2006	2006/751
	3.12.2007	2007/3340
Section 329	20.1.2004	2004/81
Section 331 (partially)	5.4.2004	2004/829
	1.9.2004	2004/1629
	15.12.2004	2004/3033
	1.1.2005	2004/3033
	4.4.2005	2005/950

	15.7.2005	2005/1817
	24.7.2006	2006/1835
	8.1.2007	2006/3422
	1.10.2007	2007/2874
	18.6.2012	2012/1320
Section 332 (partially)	20.1.2004	2004/81
	29.1.2004	2004/81
	27.2.2004	2004/81
	5.4.2004	2004/829
	15.12.2004	2004/3033
	4.4.2005	2005/950
	15.7.2005	2005/1817
	6.4.2006	2006/751
	3.12.2007	2007/3340
	18.6.2012	2012/1320
	4.11.2012	2012/2761
	5.11.2012	2012/2574
	28.5.2013	2013/1103
Section 333 (partially)	27.2.2004	2004/81
	4.4.2005	2005/950
Schedule 1	20.1.2004	2004/81
Schedule 2 (partially)	29.1.2004	2004/81
	3.7.2004	2004/1629
Schedule 2 (remainder)	1.10.2007	2007/2874
Schedule 3 (partially)	4.4.2005	2005/950
	9.5.2005	2005/1267
	18.5.2012	2012/1320
	18.6.2012	2012/1320
	4.11.2012	2012/2761
	5.11.2012	2012/2574
	28.5.2013	2013/1103
Schedule 5	4.4.2005	2005/950
	18.4.2005	2005/950
Schedule 6	1.1.2005	2004/3033
Schedules 7 to 9	4.4.2005	2005/950
Schedule 10	26.1.2004	2003/3282
Schedules 12 and 13	4.4.2005	2005/950
Schedule 14 (partially)	26.1.2004	2003/3282
Schedule 14 (remainder)	4.4.2005	2005/950
Schedules 15 to 18	4.4.2005	2005/950
Schedule 19 (partially)	26.1.2004	2003/3282
Schedule 19 (remainder)	4.4.2005	2005/950
Schedule 20	14.6.2004	2004/829
Schedule 23	4.4.2005	2005/950
Schedule 24	1.12.2004	2004/3033
Schedule 28	29.1.2004	2004/81
Schedule 29	22.1.2004	2004/81
Schedule 30	1.5.2004	2004/829
Schedule 31	7.3.2005	2005/373
Schedule 32 (partially)	26.1.2004	2003/3282
	22.1.2004	2004/81

	4.4.2005	2005/950
Schedule 33	5.4.2004	2004/829
Schedule 34	27.2.2004	2004/81
Schedule 35 (partially)	29.1.2004	2004/81
	6.4.2006	2006/751
	3.12.2007	2007/3340
Schedule 36 (partially)	1.4.2008	2008/694
	5.4.2004	2004/829
	1.9.2004	2004/1629
	15.12.2004	2004/2033
	1.1.2005	2004/3033
	4.4.2005	2005/950
	18.4.2005	2005/950
	15.7.2005	2005/1817
	24.7.2006	2006/1835
	1.1.2007	2006/3217
	8.1.2007	2006/3422
	1.10.2007	2007/2874
	18.6.2012	2012/1320
	Schedule 37 (partially)	20.1.2004
29.1.2004		2004/81
27.2.2004		2004/81
5.4.2004		2004/829
15.12.2004		2004/3033
4.4.2005		2005/950
15.7.2005		2005/1817
6.4.2006		2006/751
3.12.2007		2007/3340
18.6.2012		2012/1320
5.11.2012		2012/2574
3.12.2012		2012/2905
1.5.2013		2012/2905
28.5.2013	2013/1103	
Schedule 38 (partially)	27.2.2004	2004/81
Schedule 38 (remainder)	4.4.2005	2005/950
	18.4.2005	2005/950

The following provisions of the Sentencing Act 2020 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. or legislative provision</i>
Sections 1 to 406	1.12.2020	2020/1236
Section 407 (partially)	1.12.2020	2020/1236
Sections 408 to 420	1.12.2020	2020/1236
Schedules 1 to 21	1.12.2020	2020/1236
Schedule 22 (partially)	6.4.2022	2022/415
Schedule 23	1.12.2020	2020/1236
Schedule 24 (partially)	1.12.2020	2020/1236
Schedule 25 (partially)	1.12.2020	2020/1236
Schedule 26 (partially)	1.12.2020	2020/1236

Schedule 27	1.12.2020	2020/1236
Schedule 28 (partially)	1.12.2020	2020/1236
Schedule 29	1.12.2020	2020/1236

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