
STATUTORY INSTRUMENTS

2022 No. 520 (C. 23)

POLICE

CRIMINAL LAW

ELECTRONIC INFORMATION

FEES AND CHARGES, ENGLAND AND WALES

PUBLIC ORDER, ENGLAND AND WALES

ROADS, ENGLAND AND WALES

The Police, Crime, Sentencing and Courts
Act 2022 (Commencement No. 1 and
Transitional Provision) Regulations 2022

Made - - - -

9th May 2022

The Secretary of State, in exercise of the powers conferred by section 208(1), (2) and (6) of the Police, Crime, Sentencing and Courts Act 2022(1), makes the following Regulations.

Citation and interpretation

1.—(1) These Regulations may be cited as the Police, Crime, Sentencing and Courts Act 2022 (Commencement No. 1 and Transitional Provision) Regulations 2022.

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

Extent

2.—(1) These Regulations extend to England and Wales only, subject to the following provisions.

(2) Regulations 4(a) and 5(a), (h), (l) and (p) extend to England and Wales, Scotland and Northern Ireland.

(3) Regulation 5(c) and (i) extends to England and Wales and Scotland.

(4) Regulation 5(m) extends to England and Wales and Northern Ireland.

Application

- 3.—(1) These Regulations apply to England and Wales only, subject to paragraph (2).
 (2) Regulations 4(a), 5(a) and 5(h) apply to England and Wales and Scotland and Northern Ireland.

Provisions coming into force on 12th May 2022

4. The following provisions of the 2022 Act come into force on 12th May 2022—
- (a) section 42(1) to (7) (code of practice about the extraction of information from electronic devices);
 - (b) section 80 (wilful obstruction of highway).

Provisions coming into force on 28th June 2022

5. The following provisions of the 2022 Act come into force on 28th June 2022—
- (a) section 1 (police covenant report);
 - (b) section 4(1) and (2) (special constables and Police Federations: amendments to the Police Act 1996(2)) to the extent not already in force;
 - (c) section 4(3) to (8) (special constables and Police Federations: amendments to the Police Act 1996) to the extent not already in force;
 - (d) section 46 (arranging or facilitating commission of a child sex offence);
 - (e) section 48 (voyeurism: breast-feeding);
 - (f) section 49 (time limit for prosecution of common assault or battery in domestic abuse cases);
 - (g) sections 55 and 56(1) and Schedule 6 (search for material relating to human remains);
 - (h) sections 56(2) and 57 (special procedure for access to material relating to human remains and additional seizure powers);
 - (i) sections 73(1) to (6), 74(1) to (6) and 75 (public order);
 - (j) sections 73(7), 74(7), 76 to 79, 82 and Schedule 7 (public order);
 - (k) section 90 (charges for removal, storage and disposal of vehicles) to the extent not already in force;
 - (l) section 129(2) and (3)(b)(ii) (life sentence not fixed by law: minimum term);
 - (m) section 129(3)(b)(i) (life sentence not fixed by law: minimum term);
 - (n) section 129(1), (3)(a), (c) and (d) (life sentence not fixed by law: minimum term);
 - (o) sections 133, 134, 136(1) to (6), 137(1) to (2) and 139 (release on licence);
 - (p) sections 136(7) and 137(3) (release on licence);
 - (q) section 152 (removal of attendance centre requirements for adults);
 - (r) section 155 (duty to consult on unpaid work requirements);
 - (s) section 156 (assaults on those providing a public service etc.);
 - (t) section 167 (knife crime prevention order on conviction: adjournment of proceedings) to the extent not already in force;
 - (u) section 172(1) to (4) and (11) (list of countries).

(2) 1996 c. 16.

Provisions coming into force on 29th June 2022

6. The following provisions of the 2022 Act come into force on 29th June 2022—
- (a) section 190 (football banning orders: relevant offences) to the extent not already in force;
 - (b) section 192 (football banning orders: requirement to make order on conviction etc.).

Provisions coming into force on 1st August 2022

7. Sections 62 to 70 (offences relating to hares etc.) come into force on 1st August 2022.

Transitional provision

8. Section 80 of the 2022 Act (which is brought into force by regulation 4) does not apply in relation to an offence under section 137 of the Highways Act 1980⁽³⁾ before section 80 comes into force on 12th May 2022.

9th May 2022

Kit Malthouse
Minister of State
Home Office

(3) 1980 c. 66. Section 137 was amended by sections 38 and 46 of the Criminal Justice Act 1982 (c. 48) and by section 119 of and Part 1 of Schedule 5 to the Police and Criminal Evidence Act 1984 (c. 60).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are the first commencement regulations made under the Police, Crime, Sentencing and Courts Act 2022 (c. 32) (“the 2022 Act”).

Regulation 4 brings into force section 80 of the 2022 Act, which amends section 137 of the Highways Act 1980 (c. 66) so as to increase the maximum sentence for the offence. This provision is brought into force 12th May 2022

Regulation 4 also brings into force the provisions of section 42 of the 2022 Act relating to the code of practice about the extraction of information from electronic devices, on 12th May 2022.

Regulation 5 brings into force a range of provisions of the 2022 Act on 28th June 2022. They include those related to public order and provisions concerning human remains along with release on licence provisions.

Regulation 6 brings into force sections 190 and 192 of the 2022 Act concerning football banning orders on 29th June 2022.

Sections 62 to 70 of the 2022 Act concerning offences relating to hares are brought into force by regulation 7 on 1st August 2022.

Regulation 8 provides that section 80 of the 2022 Act will only apply to offences committed under section 137 of the Highways Act 1980 on or after the date on which section 80 comes into force.