

2024 No. 472 (C. 29)

PUBLIC ORDER

**The Public Order Act 2023 (Commencement No. 4) (England
and Wales) Regulations 2024**

Made - - - -

4th April 2024

The Secretary of State makes these Regulations in exercise of the power conferred by section 35(5) of the Public Order Act 2023(a).

Citation and extent

1. —(1) These Regulations may be cited as the Public Order Act 2023 (Commencement No. 4) (England and Wales) Regulations 2024.

(2) These Regulations extend to England and Wales only.

Commencement

2. The following provisions of the Public Order Act 2023 come into force on 5th April 2024—

- (a) section 20 (serious disruption prevention order made on conviction);
- (b) section 21 (serious disruption prevention order made on application);
- (c) sections 22 (provisions of serious disruption prevention order);
- (d) section 23 (requirements in serious disruption prevention order);
- (e) section 24 (notification requirements in serious disruption prevention order);
- (f) section 25 (duration of serious disruption prevention order);
- (g) section 26 (other information to be included in serious disruption prevention order);
- (h) section 27 (offences relating to a serious disruption prevention order);
- (i) section 28 (variation, renewal or discharge of serious disruption prevention order);
- (j) section 29 (appeal against serious disruption prevention order);
- (k) section 32 (interpretation of Part);
- (l) section 33 (consequential amendments).

4th April 2024

Chris Philp
Minister of State
Home Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force provisions of the Public Order Act 2023 (c. 15) (“the Act”). They are the fifth commencement regulations to be made under the Act, but the fourth which extend only to England and Wales.

Regulation 2 brings into force Part 2 of the Act, sections 20 to 33, save for sections 30 and 31 which have already been commenced. Part 2 introduces a new civil order, the Serious Disruption Prevention Order (SDPO). Section 20 provides the power for a court to make an SDPO following a conviction for a protest-related offence. Such an order can only be made where the court is satisfied on the balance of probabilities that the offender has committed another protest-related offence or has been found to be in contempt of court for a breach of a protest-related injunction in the preceding five years (provided the relevant conduct has taken place after the coming into force of this section).

Section 21 provides the power for a court to make an SDPO upon application by the police. Such an order can only be made where the court is satisfied on the balance of probabilities that a person has committed a protest-related offence or has been found to be in contempt of court for breach of a protest-related injunction on at least two occasions in the preceding five years (provided the relevant conduct has taken place after the coming into force of this section).

Sections 22 to 26 set out the provisions and requirements to be included in an SDPO, and make provision regarding the duration of SDPOs.

Section 27 makes it an offence for a person subject to an SDPO to fail to do anything required of them by the order without reasonable excuse, to do anything prohibited by the order without reasonable excuse or to provide information to the police, in purported compliance with the order, that they know to be false. Section 28 makes provision in relation to the variation, renewal and discharge of an SDPO, and section 29 sets out the appeal process where orders under sections 20, 21 or 28 are made or refused.

Section 32 defines the terms used in Part 2 of the Act and section 33 makes consequential amendments.

A full impact assessment has not been prepared for this instrument as the Regulations themselves have no impact on the private, voluntary or public sector. A full impact assessment has been prepared in relation to the Act, and a copy is available at <https://bills.parliament.uk/bills/3153/publications>. A hard copy can be obtained by writing to the Home Office, Direct Communications Unit, 2 Marsham Street, London, SW1P 4DF, United Kingdom.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Public Order Act 2023 (c. 15) 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	3rd May 2023	2023/502
section 2	3rd May 2023	2023/502
section 3	2nd July 2023	2023/733
section 4	2nd July 2023	2023/733
section 5	2nd July 2023	2023/733
section 6	2nd July 2023	2023/733
section 7 (remainder)	3rd May 2023	2023/502
section 8	3rd May 2023	2023/502
section 10	20th December 2023	2023/1418

section 11	20th December 2023	2023/1418
section 12	20th December 2023	2023/1418
section 13 (remainder)	20th December 2023	2023/1418
section 14	20th December 2023	2023/1418
section 15	3rd May 2023	2023/502
section 17	2nd July 2023	2023/733
section 30	1st December 2023	2023/1281
section 31	1st December 2023	2023/1281
section 34	3rd May 2023	2023/502

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