Draft Order laid before Parliament under section 38A(4) of the Police Reform Act 2002, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2007 No.

POLICE, ENGLAND AND WALES

The Police Reform Act 2002 (Standard Powers and Duties of Community Support Officers) Order 2007

Made - - - -	*2007*
Coming into force - -	*1st December 2007*

The Secretary of State makes the following Order in exercise of the powers conferred by section 38A(1) of and paragraph 1(3)(b) of Part 1 and paragraph 36(2) of Part 5 of Schedule 4 to the Police Reform Act 2002(**a**).

In accordance with section 38A(3) of that Act, he has consulted with the Association of Police Authorities and the Association of Chief Police Officers.

In accordance with section 38A(4) of that Act, a draft of this Order was laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) This Order may be cited as the Police Reform Act 2002 (Standard Powers and Duties of Community Support Officers) Order 2007 and shall come into force on 1st December 2007.

(2) This Order extends to England and Wales.

Standard powers and duties of community support officers

2. The provisions of Part 1 of Schedule 4 to the Police Reform Act 2002 mentioned in the Schedule to this Order shall apply to every person who under section 38 of that Act is designated as a community support officer (a "CSO").

3. For the purposes of paragraph 1(3)(b) of Part 1 of Schedule 4 to the Police Reform Act 2002, a CSO is designated to enforce the following offences under paragraph 1 of Part 1 of Schedule 4 to that Act—

(a) an offence under section 72 of the Highway Act 1835(**b**) (riding on a footway) committed by cycling;

(**a**) 2002 c.30. Section 38A was inserted by section 7(2) of the Police and Justice Act 2006 (c. 48). Paragraph 1(3)(b) was amended by paragraph 5(2)(b) of Schedule 5 to the Police and Justice Act 2006, but this amendment has not yet been brought into force. Paragraph 36(2) was substituted by paragraph 5(13) of Schedule 5 to the Police and Justice Act 2006, but this amendment has not yet been brought into force.

(**b**) 1835 c.50. Section 72 was amended by sections 37, 39 and 46 of and Schedule 3 to the Criminal Justice Act 1982 (c. 48).

(b) an offence under section 87 of the Environmental Protection Act 1990(**a**) (offence of leaving litter); and

(c) an offence under a dog control order within the meaning of section 55 of the Clean Neighbourhoods and Environment Act 2005.

Home Office

Minister of State

SCHEDULE

Article 2

STANDARD POWERS AND DUTIES OF COMMUNITY SUPPORT OFFICERS

The provisions of Part 1 of Schedule 4 to the Police Reform Act 2002 mentioned in this Schedule are—

(a) paragraph 1 (powers to issue fixed penalty notices)(**b**) in so far as it relates to the powers specified in the following provisions of that paragraph–

(i) sub-paragraph (2)(b) (power to give fixed penalty notices in respect of an offence of riding on a footway committed by cycling);

(ii) sub-paragraph (2)(d) (power to give fixed penalty notices in respect of litter); and

(iii) sub-paragraph (2)(e) (power to give fixed penalty notices in respect of offences under dog control orders);

(b) paragraph 1A (power to require name and address)(**c**);

(c) paragraph 3 (power to require name and address of person acting in an anti-social manner)(**d**);

(d) paragraph 3A (power to require name and address: road traffic offences)(**e**);

(e) paragraph 5 (alcohol consumption in designated public places);

(f) paragraph 6 (confiscation of alcohol);

(g) paragraph 7 (confiscation of tobacco etc);

(h) paragraph 7B (power to seize: controlled drugs)(**f**);

(i) paragraph 8 (entry to save life or limb or prevent serious damage to property);

(j) paragraph 9 (seizure of vehicles used to cause alarm etc);

(k) paragraph 10 (abandoned vehicles);

(l) paragraph 11A (power to stop cycles)(**a**);

(**a**) 1990 c.43. Section 87 was amended by section 18 of the Clean Neighbourhoods and Environment Act 2005 (c. 16).

(**b**) Paragraph 1(2)(e) was inserted by section 62(2) of the Clean Neighbourhoods and Environment Act 2005. Paragraph 1(3)(a) was amended by paragraph 5(2)(a) of Schedule 5 to the Police and Justice Act 2006, but this amendment has not yet been brought into force.

(**c**) Paragraph 1A was inserted by paragraph 2 of Part 1 of Schedule 8 to the Serious Organised Crime and Police Act 2005 (c. 15). It was amended by paragraph 5(3) of Schedule 5 to the Police and Justice Act 2006, but this amendment has not yet been brought into force.

(**d**) Paragraph 3 was amended by paragraph 5 of Part 1 of Schedule 8 to the Serious Organised Crime and Police Act 2005.

(**e**) Paragraph 3A was inserted by paragraph 6 of Part 1 of Schedule 8 to the Serious Organised Crime and Police Act 2005.

(**f**) Paragraph 7B was inserted by paragraph 8 of Part 1 of Schedule 8 to the Serious Organised Crime and Police Act 2005. It was amended by paragraph 5(9) of Schedule 5 to the Police and Justice Act 2006, but this amendment has not yet been brought into force.

(m) paragraph 11B (power to control traffic for purposes other than escorting a load of exceptional dimensions)(**b**);

(n) paragraph 13 (carrying out of road checks);

(o) paragraph 13A (power to place traffic signs)(**c**);

(p) paragraph 14 (cordoned areas);

(q) paragraph 15 (power to stop and search vehicles etc in authorised areas); and

(r) paragraph 15ZA (photographing of persons arrested, detained or given fixed penalty notices)(**d**).

(**a**) Paragraph 11A was inserted by section 89(3) of the Anti-social Behaviour Act 2003 (c. 38).
(**b**) Paragraph 11B was inserted by paragraph 10 of Part 1 of Schedule 8 to the Serious Organised Crime and Police Act 2005.
(**c**) Paragraph 13A was inserted by paragraph 11 of Part 1 of Schedule 8 to the Serious Organised Crime and Police Act 2005.
(**d**) Paragraph 15ZA was inserted by paragraph 12 of Part 1 of Schedule 8 to the Serious Organised Crime and Police Act 2005.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order applies the provisions of Part 1 of Schedule 4 to the Police Reform Act 2002 listed in the Schedule to every person who is designated as a community support officer under section 38 of that Act. The powers and duties contained within these provisions are known as the standard powers and duties of a community support officer.

Article 3 sets out the offences which a community support officer is designated to enforce under paragraph 1 of Part 1 of Schedule 4 to the Police Reform Act 2002 (powers to issue fixed penalty notices).

£3.00

© Crown copyright 2007

Corrected reprint

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.
E1419 10/2007 141419T 19585