STATUTORY INSTRUMENTS

2023 No. 1281 (C. 92)

PUBLIC ORDER

The Public Order Act 2023 (Commencement No. 2) (England and Wales) Regulations 2023

Made - - - - 29th November 2023

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. 2) (England and Wales) Regulations 2023.

(2) They extend to England and Wales only.

Commencement

2. The following provisions of the Public Order Act 2023 come into force on 1st December 2023—

(a) section 30 (guidance);

(b) section 31 (guidance: Parliamentary procedure).

Chris Philp
Minister of State
Home Office

29th November 2023

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 third commencement regulations to be made under the Act, but the second which extend only to England and Wales.

Regulation 2 brings into force sections 30 and 31 of the Act.

Section 30 confers powers on the Secretary of State to issue guidance to chief officers of police and the chief constables of the British Transport Police, the Civil Nuclear Constabulary and the Ministry of Defence Police in relation to serious disruption prevention orders. Chief officers of police and such chief constables must have regard to any such guidance issued.

(**a**) 2023 c. 15.

Section 31 requires the Secretary of State to lay a draft of any guidance proposed to be issued under section 30 before Parliament for 40 days (excluding any days during which Parliament is dissolved or prorogued or adjourned for more than 4 days). If within that 40 day period either House resolves not to approve the guidance it may not be issued.

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.

Provision	*Date of Commencement*	*S.I. No.*
Section 1	3rd May 2023	2023/502 (C. 26)
Section 2	3rd May 2023	2023/502 (C. 26)
Section 7 (remainder)	3rd May 2023	2023/502 (C. 26)
Section 8	3rd May 2023	2023/502 (C. 26)
Section 15	3rd May 2023	2023/502 (C. 26)
Section 34	3rd May 2023	2023/502 (C. 26)
Section 3	2nd July 2023	2023/733 (C. 38)
Section 4	2nd July 2023	2023/733 (C. 38)
Section 5	2nd July 2023	2023/733 (C. 38)
Section 6	2nd July 2023	2023/733 (C. 38)
Section 17	2nd July 2023	2023/733 (C. 38)

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