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STATUTORY INSTRUMENTS

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**2004 No. 3338 ( C.155 )**

**POLICE, ENGLAND AND WALES**

**The Police Reform Act 2002  
(Commencement No. 10) Order 2004**

*Made - - - - 14th December 2004*

The Secretary of State, in exercise of the powers conferred upon him by section 108(2) of the Police Reform Act 2002<sup>(1)</sup>, hereby makes the following Order:

1. This Order may be cited as the Police Reform Act 2002 (Commencement No. 10) Order 2004.
2. The following provisions of Schedule 4 to the Police Reform Act 2002 shall, to the extent not already in force, come into force on 23rd December 2004—
  - (a) paragraph 2 (power to detain etc.);
  - (b) paragraph 3(2) (power to require name and address of person acting in an anti-social manner); and
  - (c) paragraph 4 (power to use reasonable force to detain person).
3. The following provisions of the Police Reform Act 2002 shall come into force on 23rd December 2004—
  - (a) section 107 (1) (consequential amendments and repeals) to the extent not already in force and (2) in so far as it relates to the entries in Schedule 8 referred to in paragraph (c) below;
  - (b) Schedule 7 (minor and consequential amendments) to the extent not already in force; and
  - (c) in Schedule 8 (repeals) the entries relating to—
    - (i) the Road Traffic Offenders Act 1988<sup>(2)</sup>;
    - (ii) section 42(6)(a) of the Police Act 1997<sup>(3)</sup>;
    - (iii) sub-paragraphs (2), (3) and (9) of paragraph 22 of Schedule 4 to the Police (Northern Ireland) Act 1998<sup>(4)</sup>;
    - (iv) the Local Government Act 1999<sup>(5)</sup>;
    - (v) paragraph 90 of Schedule 27 to the Greater London Authority Act 1999<sup>(6)</sup>; and

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(1) 2002 c. 30.  
(2) 1988 c. 53.  
(3) 1997 c. 50.  
(4) 1998 c. 32.  
(5) 1999 c. 27.  
(6) 1999 c. 29.

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(vi) sections 122(3) and 123(3) of the Criminal Justice and Police Act 2001(7).

Home Office  
14th December 2004

*Hazel Blears*  
Minister of State

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

Paragraphs 2(3) to (6), 3(2) and 4 of Schedule 4 to the Police Reform Act 2002 were partially brought into force on 2nd December 2002 (see the Police Reform Act 2002 (Commencement No. 3) Order 2002 (S.I.2002/2740)). Community Support Officers in the police areas of Devon and Cornwall, Gwent, Lancashire, Northamptonshire, West Yorkshire and the metropolitan police district were given powers to detain people for 30 minutes, using reasonable force if necessary, in specified circumstances. Article 2 of the Order brings the power into force in the remaining police areas in England and Wales on 23rd December 2004.

Article 3 of the Order brings into force in England and Wales on 23rd December 2004 a number of minor and consequential amendments and repeals.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Police Reform Act 2002 have been brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 1 to 8	1st October 2002	<a href="#">2002/2306</a>
Section 9(2) to (4) and (6) (in part)	1st October 2002	<a href="#">2002/2306</a>
Section 9 (to the extent not already in force)	1st April 2003	<a href="#">2003/808</a>
Sections 10 to 12	1st April 2004	<a href="#">2004/913</a>
Section 13 (in part)	1st October 2002	<a href="#">2002/2306</a>
Section 13 (to the extent not already in force)	1st April 2004	<a href="#">2004/913</a>
Section 14 (in part)	1st October 2002	<a href="#">2002/2306</a>
Section 14 (to the extent not already in force)	1st April 2004	<a href="#">2004/913</a>
Sections 15 and 16	1st April 2004	<a href="#">2004/913</a>
Section 17 (in part)	1st October 2002	<a href="#">2002/2306</a>
Section 17 (to the extent not already in force)	1st April 2004	<a href="#">2004/913</a>
Section 18	1st April 2004	<a href="#">2004/913</a>
Section 19	1st October 2002	<a href="#">2002/2306</a>
Section 20 (in part)	1st October 2002	<a href="#">2002/2306</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 20 (to the extent not already in force)	1st April 2004	2004/913
Section 21 (in part)	1st October 2002	2002/2306
Section 21 (to the extent not already in force)	1st April 2004	2004/913
Section 22	1st April 2004	2004/913
Section 23	1st October 2002	2002/2306
Section 24 (in part)	1st October 2002	2002/2306
Section 24 (to the extent not already in force)	15th November 2003	2003/2593
Section 25 (in part)	1st October 2002	2002/2306
Section 25 (to the extent not already in force)	1st April 2004	2004/913
Sections 26 and 27	1st April 2004	2004/913
Sections 28 and 29	1st October 2002	2002/2306
Sections 30 to 33	1st June 2004	2004/1319
Sections 34 to 36	1st October 2002	2002/2306
Section 37	1st April 2004	2004/913
Section 38	2nd December 2002	2002/2750
Section 39 (in part)	1st October 2002	2002/2306
Section 39 (to the extent not already in force)	1st April 2003	2003/808
Sections 40 and 41	2nd December 2002	2002/2750
Section 42	1st April 2003	2003/808
Section 43	1st October 2002	2002/2306
Section 44	2nd December 2002	2002/2750
Section 46	2nd December 2002	2002/2750
Sections 47 to 49	1st October 2002	2002/2306
Section 50	2nd December 2002	2002/2750
Sections 51 to 53	1st April 2003	2003/808
Section 54 (in part)	1st October 2002	2002/2306
Section 54 (to the extent not already in force)	1st April 2003	2003/808
Section 55 (in part)	1st October 2002	2002/2306
Section 55 (to the extent not already in force)	1st April 2003	2003/808
Section 56	1st October 2002	2002/2306

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 57 (in part)	1st October 2002	2002/2306
Section 57 (to the extent not already in force)	1st April 2003	2003/808
Section 58 (in part)	1st October 2002	2002/2306
Section 58 (to the extent not already in force)	1st April 2003	2003/808
Section 59	1st January 2003	2002/2750
Section 60	1st October 2002	2002/2306
Sections 61 and 62	2nd December 2002	2002/2750
Section 63	1st April 2003	2003/808
Section 64	2nd December 2002	2002/2750
Section 65 (in part)	2nd December 2002	2002/2750
Section 65 (to the extent not already in force)	1st April 2003	2003/808
Section 66 (in part)	2nd December 2002	2002/2750
Section 66 (to the extent not already in force)	1st April 2003	2003/808
Sections 67 to 69	2nd December 2002	2002/2750
Sections 70 and 71 (as to Scotland)	1st October 2002	S.S.I. 2002/420
Sections 72 to 74	2nd December 2002	2002/2750
Sections 75 to 78	1st October 2002	2002/2306
Section 79	9th March 2004	2004/636
Sections 80 and 81	1st October 2002	2002/2306
Section 82 (in part)	1st October 2002	2002/2306
Section 82 (to the extent not already in force)	3rd February 2003	2002/2750
Section 83	1st October 2002	2002/2306
Section 84	1st November 2002	2002/2306
Section 85	1st October 2002	2002/2306
Section 86 (in part)	1st April 2003	2003/808
Section 87 (in part)	1st April 2003	2003/808
Section 87 (to the extent not already in force)	15th November 2003	2003/2593
Sections 88 and 89	1st October 2002	2002/2306
Section 90 (in part)	1st October 2002	2002/2306
Section 91 (in part)	1st October 2002	2002/2306

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 91 (to the extent not already in force)	15th November 2003	<a href="#">2003/2593</a>
Section 92 (in part)	1st October 2002	<a href="#">2002/2306</a>
Section 92 (to the extent not already in force)	1st November 2002	<a href="#">2002/2306</a>
Sections 93 and 94	1st October 2002	<a href="#">2002/2306</a>
Section 96	1st April 2003	<a href="#">2003/808</a>
Section 97 (as to Wales)	1st April 2003	<a href="#">2003/525</a>
Section 97 (as to England) (in part)	1st October 2002	<a href="#">2002/2306</a>
Section 97 (as to England) (in part)	1st April 2003	<a href="#">2003/808</a>
Section 97 (as to England) (in part)	23rd February 2004	<a href="#">2004/119</a>
Section 97 (as to England) (to the extent not already in force)	30th April 2004	<a href="#">2004/913</a>
Section 98 (as to England)	1st October 2002	<a href="#">2002/2306</a>
Section 98 (as to Wales)	1st April 2003	<a href="#">2003/525</a>
Section 99	1st October 2002	<a href="#">2002/2306</a>
Section 101	1st October 2002	<a href="#">2002/2306</a>
Section 102 (as to Scotland) (in part)	1st October 2002	<a href="#">S.S.I. 2002/420</a>
Section 102 (in part)	1st October 2002	<a href="#">2002/2306</a>
Section 103 (as to Scotland) (in part)	1st October 2002	<a href="#">S.S.I. 2002/420</a>
Section 103 (in part)	1st October 2002	<a href="#">2002/2306</a>
Section 104 (as to Scotland) (in part)	1st October 2002	<a href="#">S.S.I. 2002/420</a>
Section 104 (in part)	1st October 2002	<a href="#">2002/2306</a>
Section 107 (in part)	1st October 2002	<a href="#">2002/2306</a>
Section 107 (in part)	2nd December 2002	<a href="#">2002/2750</a>
Section 107 (in part)	1st April 2003	<a href="#">2003/808</a>
Section 107 (in part)	1st April 2004	<a href="#">2004/913</a>
Section 107 (in part)	1st April 2004	<a href="#">2004/913</a>
Section 107 (in part)	1st June 2004	<a href="#">2004/1319</a>
Schedule 1	1st October 2002	<a href="#">2002/2306</a>
Schedule 2 (in part)	1st October 2002	<a href="#">2002/2306</a>

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 2 (to the extent not already in force)	1st April 2003	2003/808
Schedule 3 (in part)	1st October 2002	2002/2306
Schedule 3 (to the extent not already in force)	1st April 2004	2004/913
Schedule 4 (in part)	2nd December 2002	2002/2750
Schedule 4 (in part)	15th November 2003	2003/2593
Schedule 5	2nd December 2002	2002/2750
Schedule 6	1st October 2002	2002/2306
Schedule 7 (in part)	1st October 2002	2002/2306
Schedule 7 (in part)	2nd December 2002	2002/2750
Schedule 7 (in part)	1st April 2004	2004/913
Schedule 8 (in part)	1st October 2002	2002/2306
Schedule 8 (in part)	2nd December 2002	2002/2750
Schedule 8 (in part)	1st April 2003	2003/808
Schedule 8 (in part)	1st April 2004	2004/913
Schedule 8 (in part)	30th April 2004	2004/913
Schedule 8 (in part)	1st June 2004	2004/1319