

2022 No. 856 (C. 51)

FORENSIC SCIENCE

The Forensic Science Regulator Act 2021 (Commencement No. 1 and Transitional Provision) Regulations 2022

Made - - - -

21st July 2022

The Secretary of State, in exercise of the powers conferred by section 13(4) and (7) of the Forensic Science Regulator Act 2021^(a), makes the following Regulations.

Citation, interpretation and extent

1.—(1) These Regulations may be cited as the Forensic Science Regulator Act 2021 (Commencement No. 1 and Transitional Provision) Regulations 2022.

(2) In these Regulations, “the Act” means the Forensic Science Regulator Act 2021.

(3) These Regulations extend to England and Wales subject to paragraph (4).

(4) Regulation 2(a), in so far as it relates to the coming into force of paragraphs 8 to 11 of the Schedule to the Act (the Regulator), has the same extent as the amendments made in those paragraphs.

Provisions coming into force on 25th July

2. The day appointed for the coming into force of the following provisions of the Act is 25th July 2022—

(a) section 1 (the Forensic Science Regulator) and the Schedule;

(b) sections 2 to 4 (code of practice);

(c) section 5 (investigations by the Regulator);

(d) sections 9 (other functions of the Regulator) and 10 (disclosure by the Regulator);

(e) section 12 (Crown application).

Transitional provision

3.—(1) Until the code prepared and published under section 2 of the Act comes into force, the references in section 5(1) and (2) to “the code” are to be read as a reference to the Codes of Practice and Conduct.

(2) In this regulation, “Codes of Practice and Conduct” means the Codes of Practice and Conduct issue 7 which was issued by the Forensic Science Regulator and was effective from 22nd March 2021.

21st July 2022

Tom Pursglove
Minister of State
Home Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force on 25th July 2022 sections 1 (the Forensic Science Regulator), 2 to 4 (code of practice), 5 (investigations by the Regulator), 9 (other functions of the Regulator), 10 (disclosure by the Regulator) and section 12 (Crown application) of the Act. The Regulations also bring the Schedule to the Act (the Regulator) into force on that date. Sections 11 (meaning of “forensic science activity”) and 13 (extent, commencement and short title) came into force on Royal Assent.

The transitional provision enables the Regulator to exercise the powers under section 5 in reliance on the existing non-statutory Codes of Practice and Conduct until the statutory code, which is prepared and published by the Regulator under section 2, comes into force.

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