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STATUTORY INSTRUMENTS

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**2023 No. 1418 (C. 100)**

**PUBLIC ORDER**

The Public Order Act 2023 (Commencement  
No. 3) (England and Wales) Regulations 2023

Made - - - - 19th December 2023

The Secretary of State makes these Regulations in exercise of the power conferred by section 35(5) of the Public Order Act 2023<sup>(1)</sup>.

**Citation and extent**

1.—(1) These Regulations may be cited as the Public Order Act 2023 (Commencement No. 3) (England and Wales) Regulations 2023.

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

**Commencement**

2. The following provisions of the Public Order Act 2023 come into force on 20th December 2023—

- (a) section 10 (powers to stop and search on suspicion);
- (b) section 11 (powers to stop and search without suspicion);
- (c) section 12 (further provisions about authorisations and directions under section 11);
- (d) section 13 (further provisions about searches under section 11) to the extent it is not already in force;
- (e) section 14 (offence relating to section 11).

19th December 2023

*Tom Tugendhat*  
Minister of State  
Home Office

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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

Regulation 2 brings into force sections 10, 11, 12, 13 (to the extent not already in force) and 14 of the Act.

Section 10 amends section 1(8) of the Police and Criminal Evidence Act 1984 (“PACE”) to extend police suspicion-led stop and search powers in relation to prohibited articles to include seven additional protest-related offences.

Section 11 makes provision for suspicion-less stop and search powers in relation to protest-related offences.

Section 12 makes provision about authorisations and directions under section 11, including a requirement for an inspector making an authorisation to inform a police officer of or above the rank of superintendent as soon as practicable.

Section 13 contains further provisions relating to searches under section 11.

Section 14 makes it an offence for a person to intentionally obstruct an officer in exercising their powers under section 11.

A revised PACE Code A containing safeguards in relation to police stop and search powers comes into force on the same day as the provisions being brought into force by these Regulations.

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

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 8	3rd May 2023	<a href="#">2023/502</a>
section 15	3rd May 2023	<a href="#">2023/502</a>
section 17	2nd July 2023	<a href="#">2023/733</a>
section 30	1st December 2023	<a href="#">2023/1281</a>
section 31	1st December 2023	<a href="#">2023/1281</a>
section 34	3rd May 2023	<a href="#">2023/502</a>