



# Police, Crime, Sentencing and Courts Act 2022

## 2022 CHAPTER 32

### PART 6

#### CAUTIONS

##### *Supplementary*

#### **119 Consequential amendments relating to Part 6**

Schedule 11 contains consequential amendments.

#### **120 Regulations under Part 6**

- (1) Regulations under this Part are to be made by the Secretary of State by statutory instrument.
- (2) Regulations under this Part may make—
  - (a) different provision for different purposes;
  - (b) consequential, supplementary, incidental, transitional and transitory provision and savings.
- (3) A statutory instrument containing the regulations specified in subsection (4) (with or without other provision) may not be made unless a draft of the instrument has been laid before, and approved by resolution of, each House of Parliament.
- (4) The regulations referred to in subsection (3) are—
  - (a) regulations under section 98(6)(b) or (c) (excluded offences);
  - (b) regulations under section 101(8) or 110(8);
  - (c) the first regulations under section 102(3) or 111(3) (maximum amount of financial penalty);

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*Status: This is the original version (as it was originally enacted).*

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- (d) any other regulations under section 102(3) or 111(3) which increase or decrease the maximum amount of a financial penalty by more than is necessary to reflect changes in the value of money;
  - (e) regulations under section 116(5) (commencement of code);
  - (f) regulations under section 117 (restriction on multiple cautions).
- (5) A statutory instrument containing regulations under this Part to which subsection (3) does not apply is subject to annulment in pursuance of a resolution of either House of Parliament.

## 121 Interpretation of Part 6

In this Part—

“the 1984 Act” means the Police and Criminal Evidence Act 1984;

“authorised person” has the meaning given by section 98(7);

“community remedy document” means the community remedy document (as revised from time to time) published under section 101 of the Anti-social Behaviour, Crime and Policing Act 2014 for the police area where the offence in question was committed;

“excluded offence” has the meaning given by section 98(6);

“indictable-only offence” means an offence which, if committed by an adult, is triable only on indictment;

“investigating officer” means—

- (a) an officer of Revenue and Customs appointed in accordance with section 2(1) of the Commissioners for Revenue and Customs Act 2005, or
- (b) a person designated as a policing support officer or a policing support volunteer under section 38 of the Police Reform Act 2002;

“police detention” has the same meaning as in the 1984 Act (see section 118(2) of that Act);

“prosecution authority” means—

- (a) the Attorney General;
- (b) the Director of Public Prosecutions;
- (c) the Director of the Serious Fraud Office;
- (d) the Secretary of State;
- (e) a person prescribed in regulations;

“victim”, in relation to an offence, means the particular person who appears to have been affected, or principally affected, by the offence.