



# Public Order Act 2023

## 2023 CHAPTER 15

### PART 1

#### PUBLIC ORDER

##### *Offences involving works and infrastructure*

#### **7 Interference with use or operation of key national infrastructure**

- (1) A person commits an offence if—
  - (a) they do an act which interferes with the use or operation of any key national infrastructure in England and Wales, and
  - (b) they intend that act to interfere with the use or operation of such infrastructure or are reckless as to whether it will do so.
- (2) It is a defence for a person charged with an offence under subsection (1) to prove that—
  - (a) they had a reasonable excuse for the act mentioned in paragraph (a) of that subsection, or
  - (b) the act mentioned in paragraph (a) of that subsection was done wholly or mainly in contemplation or furtherance of a trade dispute.
- (3) A person who commits an offence under subsection (1) is liable—
  - (a) on summary conviction, to imprisonment for a term not exceeding the general limit in a magistrates' court, to a fine or to both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 12 months, to a fine or to both.
- (4) For the purposes of subsection (1) a person's act interferes with the use or operation of key national infrastructure if it prevents the infrastructure from being used or operated to any extent for any of its intended purposes.
- (5) The cases in which infrastructure is prevented from being used or operated for any of its intended purposes include where its use or operation for any of those purposes is significantly delayed.

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*Status: This is the original version (as it was originally enacted).*

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- (6) In this section “key national infrastructure” means—
- (a) road transport infrastructure,
  - (b) rail infrastructure,
  - (c) air transport infrastructure,
  - (d) harbour infrastructure,
  - (e) downstream oil infrastructure,
  - (f) downstream gas infrastructure,
  - (g) onshore oil and gas exploration and production infrastructure,
  - (h) onshore electricity generation infrastructure, or
  - (i) newspaper printing infrastructure.

Section 8 makes further provision about these kinds of infrastructure.

- (7) The Secretary of State may by regulations made by statutory instrument—
- (a) amend subsection (6) to add a kind of infrastructure or to vary or remove a kind of infrastructure;
  - (b) amend section 8 to add, amend or remove provision about a kind of infrastructure which is in, or is to be added to, subsection (6) or is to be removed from that subsection.
- (8) Regulations under subsection (7)—
- (a) may make different provision for different purposes;
  - (b) may make consequential, supplementary, incidental, transitional, transitory or saving provision.
- (9) A statutory instrument containing regulations under subsection (7) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

- (10) In this section—

“England” includes the English inshore region within the meaning of the Marine and Coastal Access Act 2009 (see section 322 of that Act);

“trade dispute” has the same meaning as in Part 4 of the Trade Union and Labour Relations (Consolidation) Act 1992, except that section 218 of that Act is to be read as if—

- (a) it made provision corresponding to section 244(4) of that Act, and
- (b) in subsection (5), the definition of worker included any person falling within paragraph (b) of the definition of worker in section 244(5) of that Act;

“Wales” includes the Welsh inshore region within the meaning of the Marine and Coastal Access Act 2009 (see section 322 of that Act).