
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force sections 194 and 195 of the Police, Crime, Sentencing and Courts Act 2022 (c. 32).

The first provision commenced in regulation 2 extends the scope of the disregard scheme in Chapter 4, Part 5 of the Protection of Freedoms Act 2012 (c. 9) to include any offence that was used to criminalise same-sex sexual activity which has since been repealed or abolished by enactment. The second provision commenced in regulation 2 achieves the same effect in relation to posthumous pardons for certain convictions and pardons in sections 164 to 169 of the Policing and Crime Act 2017 (c. 3).

Regulation 3 provides that the amendments made by section 194 of the Police, Crime, Sentencing and Courts Act 2022 do not apply to the sections relevant to an application to disregard a conviction or caution under Chapter 4, Part 5 of the Protection of Freedoms Act 2012 where that application was received by the Secretary of State before the date on which section 194 came into force.