

*These notes refer to the Deregulation Act 2015 (c.20)
which received Royal Assent on 26 March 2015*

DEREGULATION ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 84: Removal of requirement that prison closures be made by order

388. *Subsection (2)* of this section amends section 37(1) of the Prison Act 1952 by removing the requirement for prison closures to be effected by an order made by the Secretary of State. The result is that the Secretary of State may close prisons without the need for a statutory instrument to be made, consistent with the way in which the Secretary of State may open any prison. *Subsection (2)* also omits section 37(2) and (3) of the Prison Act 1952, which made special provision in relation to the closure of the only prison in a particular county.
389. *Subsections (3) and (4)* make amendments to section 43 of the Prison Act 1952 consequential to the repeal of section 37(2) and (3) of that Act. *Subsection (5)* makes consequential amendments to section 52 of the Prison Act 1952, reflecting that prison closures no longer require the making of an order.
390. The section, like the provisions of the 1952 Act it amends, forms part of the law of England and Wales only. It comes into force at the end of the period of 2 months beginning with the day on which the Act is passed.