
STATUTORY INSTRUMENTS

2012 No. 2075 (C. 82)

**CHILDREN AND YOUNG
PERSONS, NORTHERN IRELAND
CRIMINAL LAW, ENGLAND AND WALES
INVESTIGATORY POWERS
PROTECTION OF VULNERABLE
ADULTS, NORTHERN IRELAND
ROAD TRAFFIC, ENGLAND AND WALES**

The Protection of Freedoms Act 2012
(Commencement No. 2) Order 2012

Made - - - - *7th August 2012*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 116(1) and 120(1) of the Protection of Freedoms Act 2012⁽¹⁾.

Citation and interpretation

1.—(1) This Order may be cited as the Protection of Freedoms Act 2012 (Commencement No. 2) Order 2012.

(2) In this Order “the Act” means the Protection of Freedoms Act 2012.

Provisions coming into force on 10th August 2012 for the purposes of making regulations

2. The day appointed for the coming into force of the following provisions of the Act is 10th August 2012—

- (a) section 78 (corresponding amendments in relation to Northern Ireland) insofar as it relates to the provisions of Schedule 7 specified in paragraph (b) below;
- (b) paragraphs 3(2) and 14(4) of Schedule 7 for the purposes of making regulations.

Provisions coming into force on 1st October 2012

3. The day appointed for the coming into force of the following provisions of the Act is 1st October 2012—

- (a) section 54 (offence of immobilising etc. vehicles);
- (b) section 55 (extension of powers to remove vehicles from land);
- (c) section 56 (recovery of unpaid parking charges) in relation to England;
- (d) section 115(1) (consequential amendments, repeals and revocations) insofar as it relates to the provisions of Schedule 9 specified in paragraph (g) below;
- (e) section 115(2) (consequential amendments, repeals and revocations) insofar as it relates to the provisions of Schedule 10 specified in paragraph (h) below;
- (f) Schedule 4 (recovery of unpaid parking charges) in relation to England;
- (g) Part 4 of Schedule 9 (consequential amendments);
- (h) Part 3 of Schedule 10 (repeals and revocations).

Provisions coming into force on 1st November 2012

4. The day appointed for the coming into force of the following provisions of the Act is 1st November 2012—

- (a) section 37 (judicial approval for obtaining or disclosing communications data);
- (b) section 38 (judicial approval for directed surveillance and covert human intelligence sources);
- (c) section 115(1) (consequential amendments, repeals and revocation) insofar as it relates to the provisions of Schedule 9 specified in paragraphs (d) and (e) below;
- (d) paragraphs 6 to 14 and 16 to 17 of Schedule 9 (consequential amendments);
- (e) paragraph 15 of Schedule 9 (consequential amendments) except insofar as it inserts the words “or 32A” into section 77A(1) of the Regulation of Investigatory Powers Act 2000⁽²⁾ and the heading preceding that section.

Provisions coming into force on 25th November 2012

5. The day appointed for the coming into force of the following provisions of the Act is 25th November 2012—

- (a) section 111 (offences in relation to stalking);
- (b) section 112 (power of entry in relation to stalking);
- (c) section 115(1) (consequential amendments, repeals and revocations) insofar as it relates to the provisions of Schedule 9 specified in paragraph (d) below;
- (d) Part 11 of Schedule 9 (consequential amendments).

Transitional provisions

6. Sections 37 and 38 of the Act only have effect in relation to—

- (a) authorisations granted or renewed under section 22(3), (3B) or (3F) of the Regulation of Investigatory Powers Act 2000 on or after 1st November 2012;
- (b) notices given or renewed under section 22(4) of that Act on or after 1st November 2012;

(2) 2000 c. 23.

(c) authorisations granted under section 28 or 29 of that Act on or after 1st November 2012.

Home Office
7th August 2012

Nick Herbert
Minister of State

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

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order commences various provisions in Schedule 7 to the Act which amend the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 (S.I. 2007/1351) (N.I. 11) for the purposes of making regulations under those provisions on 10th August 2012.

Article 3 of this Order commences the new offence of unlawfully immobilising vehicles on land, amendments to the Road Traffic Regulation Act 1984 (c. 27) and provisions to recover unpaid parking charges on 1st October 2012.

Article 4 of this Order commences amendments to the Regulation of Investigatory Powers Act 2000 (“RIPA”) on 1st November 2012.

Article 5 of this Order commences two new offences of stalking and associated powers of entry on 25th November 2012.

Article 6 of this Order provides that the commencement of the amendments to RIPA only has effect in relation to authorisations that are granted or renewed, and notices that are given, under the relevant provisions of RIPA on or after 1st November 2012.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Protection of Freedoms Act 2012 have been brought into force by commencement order made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 29	1st July 2012	2012/1205
Section 30	1st July 2012	2012/1205
Section 31	1st July 2012	2012/1205
Section 32	1st July 2012	2012/1205
Section 33	1st July 2012	2012/1205
Section 34	1st July 2012	2012/1205
Section 35	1st July 2012	2012/1205
Section 36	1st July 2012	2012/1205
Section 39(1)	1st July 2012	2012/1205
Section 40 in relation to England	1st July 2012	2012/1205
Section 41 in relation to England	1st July 2012	2012/1205
Section 42	1st July 2012	2012/1205
Section 43 in relation to England	1st July 2012	2012/1205
Section 44 in relation to England	1st July 2012	2012/1205

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 45 in relation to England	1st July 2012	2012/1205
Section 46 in relation to England	1st July 2012	2012/1205
Section 47	1st July 2012	2012/1205
Section 48	1st July 2012	2012/1205
Section 49	1st July 2012	2012/1205
Section 50	1st July 2012	2012/1205
Section 51	1st July 2012	2012/1205
Section 52	1st July 2012	2012/1205
Section 57	10th July 2012	2012/1205
Section 58	10th July 2012	2012/1205
Section 59	10th July 2012	2012/1205
Section 60	10th July 2012	2012/1205
Section 61	10th July 2012	2012/1205
Section 62	9th May 2012	2012/1205
Section 63	10th July 2012	2012/1205
Section 85	1st July 2012	2012/1205
Section 104	1st July 2012	2012/1205
Section 115(1) partially	1st July 2012	2012/1205
Section 115(1) partially	10th July 2012	2012/1205
Section 115(2) partially	1st July 2012	2012/1205
Section 115(2) partially	10th July 2012	2012/1205
Schedule 5	10th July 2012	2012/1205
Schedule 6	10th July 2012	2012/1205
Schedule 9 partially	1st July 2012	2012/1205
Schedule 9 partially	10th July 2012	2012/1205
Schedule 10 partially	1st July 2012	2012/1205
Schedule 10 partially	10th July 2012	2012/1205