



# Protection of Freedoms Act 2012

## 2012 CHAPTER 9

### PART 3

#### PROTECTION OF PROPERTY FROM DISPROPORTIONATE ENFORCEMENT ACTION

### CHAPTER 1

#### POWERS OF ENTRY

*Codes of practice in relation to powers of entry*

#### **48 Issuing of code**

- (1) The Secretary of State must lay before Parliament—
  - (a) a code of practice prepared under section 47, and
  - (b) a draft of an order providing for the code to come into force.
- (2) The Secretary of State must make the order and issue the code if the draft of the order is approved by a resolution of each House of Parliament.
- (3) The Secretary of State must not make the order or issue the code unless the draft of the order is so approved.
- (4) The Secretary of State must prepare another code of practice under section 47 if—
  - (a) the draft of the order is not so approved, and
  - (b) the Secretary of State considers that there is no realistic prospect that it will be so approved.
- (5) A code comes into force in accordance with an order under this section.
- (6) Such an order—
  - (a) is to be a statutory instrument, and
  - (b) may contain transitional, transitory or saving provision.

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**Changes to legislation:** Protection of Freedoms Act 2012, Section 48 is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (7) If a draft of an instrument containing an order under this section would, apart from this subsection, be treated as a hybrid instrument for the purposes of the standing orders of either House of Parliament, it is to proceed in that House as if it were not a hybrid instrument.

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**Commencement Information**

**II** S. 48 in force at 1.7.2012 by [S.I. 2012/1205](#), [art. 3\(r\)](#)

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2012/2234 art. 13 by [S.I. 2014/831 art. 2\(2\)](#)
- specified provision(s) transitional provisions and savings for commencing S.I. 2013/1814 by [S.I. 2013/1813 art. 2-9](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 1 para. 7A inserted by [2019 c. 3 Sch. 2 para. 20](#)