

Draft Order laid before Parliament under section 67(7A) of the Police and Criminal Evidence Act 1984, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2015 No.

POLICE, ENGLAND AND WALES

**The Police and Criminal Evidence Act 1984 (Codes of Practice)
(Revision of Code A) Order 2015**

Made - - - -

Coming into force in accordance with article 1

The Secretary of State makes the following Order in exercise of the powers conferred by section 67(5) of the Police and Criminal Evidence Act 1984(a).

The Secretary of State has consulted in accordance with section 67(4) of that Act(b).

The revised Code has been laid before Parliament in accordance with section 67(7B) of that Act.

A draft of this Order has been laid before Parliament and has been approved by each House of Parliament in accordance with section 67(7A) of that Act.

Citation and commencement

1. This Order may be cited as the Police and Criminal Evidence Act 1984 (Codes of Practice) (Revision of Code A) Order 2015, and comes into force on the twenty-first day after the day on which it is made.

Revision of Code of Practice

2. The revised code of practice laid before Parliament on 5th December 2014 in connection with the matters referred to in section 66(1)(a)(i) and (ii) of the Police and Criminal Evidence Act 1984 (exercise by police officers of statutory powers to search persons and vehicles without making an arrest – Code A)(c) comes into operation on the day on which this Order comes into force.

Home Office

Name

Date

Minister of State

-
- (a) 1984 c. 60; section 67(1) to (7D) was substituted by section 11 of the Criminal Justice Act 2003 (c. 44).
(b) Section 67(4)(a) and (b) was substituted by paragraph 1 of Schedule 4 to the Police and Justice Act 2006 (c. 48). Subsequently, section 67(4)(a), (aa) and (ab) was substituted for section 67(4)(a) by paragraphs 160, and 163(1) and (2) of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13).
(c) Section 66(1) is numbered as such by virtue of section 57(1) and (4) of the Criminal Justice and Court Services Act 2000 (c. 43). Section 66(1)(a)(i) was amended by sections 110(3)(a) and 174(2) of, and Part 2 of Schedule 17 to, the Serious Organised Crime and Police Act 2005 (c. 15).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force a revised code of practice under section 66(1)(a)(i) and (ii) of the Police and Criminal Evidence Act 1984, which will supersede the existing code of practice issued under that subsection.

The amendments to Code A clarify the meaning of “reasonable grounds for suspicion” in the context of stop and search powers and its application to individuals and groups. Further, they emphasize that the misuse of stop and search powers will lead to formal performance or disciplinary proceedings.

The codes of practice are published by the Stationery Office and copies may be obtained from its bookshops. The revised code of practice will also be available on the Police and Criminal Evidence Act 1984 codes of practice pages of the gov.uk website.

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