

**2003 No. 2315**

**DEFENCE**

**The Police and Criminal Evidence Act 1984 (Codes of Practice)  
(Armed Forces) Order 2003**

<i>Made</i> - - - -	<i>8th September 2003</i>
<i>Laid before Parliament</i>	<i>9th September 2003</i>
<i>Coming into force</i> - -	<i>30th September 2003</i>

Whereas—

(1) in pursuance of section 113(3)(a) of the Police and Criminal Evidence Act 1984<sup>(a)</sup> (“the 1984 Act”) the Secretary of State is under a duty to issue a code of practice, or a number of such codes, for persons other than police officers who are concerned with the exercise of the powers conferred by Part 2 of the Armed Forces Act 2001<sup>(b)</sup> (“the 2001 Act”);

(2) by section 113(4)(b) and (c) of the 1984 Act a code issued under section 113(3) may contain provisions, in connection with the powers conferred by Part 2 of the 2001 Act, as to searches of persons or premises and the seizure of things found on searches;

(3) in pursuance of section 113(5) of the 1984 Act the Secretary of State has laid drafts of three such codes of practice before both Houses of Parliament;

Now, therefore, the Secretary of State, in exercise of the powers conferred upon him by section 113(5) of the 1984 Act, hereby makes the following Order:

**Citation and Commencement**

1. This Order may be cited as the Police and Criminal Evidence Act 1984 (Codes of Practice) (Armed Forces) Order 2003 and shall come into force on 30th September 2003.

**Codes of Practice**

2. The codes of practice which were laid in draft before both Houses of Parliament on 5th September 2003 in connection with the matters referred to in section 113(3)(a) and (4)(b) and (c) of the 1984 Act shall come into operation on 30th September 2003.

8th September 2003

*Ivor Caplin*  
Parliamentary Under Secretary of State  
Ministry of Defence

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<sup>(a)</sup> 1984 c. 60. Section 113 was amended by section 13 of the Armed Forces Act 2001 (c. 19).  
<sup>(b)</sup> 2001 c. 19.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

This Order appoints 30th September 2003 as the date on which codes of practice issued under section 113(3) of the Police and Criminal Evidence Act 1984 (“the 1984 Act”) will come into operation.

The codes of practice are—

- (a) Code of Practice A – the exercise by the Service Police of statutory powers of stop and search;
- (b) Code of Practice B – the exercise by the Service Police of statutory powers for the entry and search of premises and the seizure of property found on persons and premises by the Service Police; and
- (c) the Commanding Officer’s Code of Practice.

As required by section 113(5) of the 1984 Act, drafts of the codes were laid before both Houses of Parliament on 5th September 2003.

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