

*Order made by the Secretary of State for Justice, laid before Parliament under section 77(5) of the Criminal Procedure and Investigations Act 1996, for approval by resolution of each House of Parliament.*

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STATUTORY INSTRUMENTS

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**2020 No. \*\*\***

**CRIMINAL LAW, ENGLAND AND WALES**

**The Criminal Procedure and Investigations Act 1996 (Code of Practice) Order 2020**

*Made - - - - 9th September 2020*

*Laid before Parliament 10th September 2020*

*Coming into force in accordance with article 1*

The Secretary of State makes the following Order in exercise of the power conferred by section 25(2) of the Criminal Procedure and Investigations Act 1996<sup>(a)</sup> (“the Act”).

The Secretary of State has revised the code of practice prepared under section 23 of the Act, in accordance with section 25(4).

In accordance with section 25 of the Act, the Secretary of State has—

- (a) published in draft the revised code of practice;
- (b) considered the representations made about the draft; and
- (c) laid the revised code of practice before each House of Parliament.

In accordance with section 77(5) of the Act, this Order was laid before Parliament and approved by a resolution of each House of Parliament.

**Citation and commencement**

1. This Order may be cited as the Criminal Procedure and Investigations Act 1996 (Code of Practice) Order 2020 and comes into force on 31st December 2020 or the day after the day on which it is approved by resolution of the second House to approve it, whichever is the later.

**Appointed day for bringing the revised code of practice into operation**

2. The revised code of practice laid before each House of Parliament on 7th September 2020 containing provisions referred to in section 23 of the Criminal Procedure and Investigations Act 1996 comes into operation on the same day as this Order comes into force.

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<sup>(a)</sup> 1996 c. 25.

9th September 2020

*Chris Philp*  
Parliamentary Under-Secretary of State  
Ministry of Justice

## **EXPLANATORY NOTE**

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

Article 2 of this Order brings the revised code of practice (“the Code”) prepared under section 23 of the Criminal Procedure and Investigations Act 1996 (c. 25), in accordance with section 25(4), and laid before each House of Parliament on 7th September 2020, into operation on the same day as this Order comes into force.

The Code sets out the manner in which police officers are to record, retain and reveal to the prosecutor material obtained in the course of a criminal investigation and which may be relevant to the investigation, and related matters.

The Code revises and replaces the code of practice that was brought into operation by the Criminal Procedure and Investigations Act 1996 (Code of Practice) Order 2015 (S.I. 2015/861). The revisions introduced by the Code implement certain recommendations of the Attorney General’s Review of the efficiency and effectiveness of disclosure in the criminal justice system, which was published in November 2018 and is available electronically at [www.gov.uk](http://www.gov.uk). Copies can be requested from the Attorney General’s Office at 5 -8 The Sanctuary, London, SW1P 3JS.

The Code and a copy of the Explanatory Memorandum are available at [www.justice.gov.uk](http://www.justice.gov.uk). Copies can be requested from the Ministry of Justice at 102 Petty France, London, SW1H 9AJ.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sector is foreseen

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