



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.

Status: This is the original version (as it was originally enacted).

- (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.