



Policing and Crime Act 2017

2017 CHAPTER 3

PART 4

POLICE POWERS

CHAPTER 5

MARITIME ENFORCEMENT: ENGLISH AND WELSH OFFENCES

Supplementary provision

94 Maritime enforcement powers: code of practice

- (1) The Secretary of State must prepare and issue a code of practice in respect of the practice to be followed by law enforcement officers when arresting a person under the power conferred by section 90.
- (2) The code must, in particular, provide guidance as to the information to be given to the person at the time of arrest (whether about procedural rights or other matters).
- (3) A failure of a law enforcement officer to comply with any provision of the code does not of itself render the law enforcement officer liable to any criminal or civil proceedings.
- (4) The code—
 - (a) is admissible in evidence in criminal and civil proceedings, and
 - (b) may be taken into account by a court or tribunal in any case in which it appears to the court or tribunal to be relevant.
- (5) The Secretary of State may at any time revise the whole or any part of the code.
- (6) The code, or any revision of the code, does not come into operation until the Secretary of State so provides by regulations.

Status: This is the original version (as it was originally enacted).

- (7) Regulations under this section are to be made by statutory instrument.
- (8) A statutory instrument containing regulations under this section that bring the code into operation may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (9) A statutory instrument containing regulations under this section that bring a revision of the code into operation must be laid before Parliament (if the regulations are made without a draft having been laid and approved as mentioned in subsection (8)).
- (10) Where a statutory instrument, or draft of a statutory instrument, is laid under this section, the code or revision of the code to which it relates must also be laid.