
STATUTORY INSTRUMENTS

1997 No. 1033

CRIMINAL LAW, ENGLAND AND WALES

**The Criminal Procedure and Investigations Act
1996 (Code of Practice) (No. 2) Order 1997**

Approved by both Houses of Parliament

Made - - - - 27th February 1997

Laid before Parliament 3rd March 1997

Coming into force in accordance with article 1(1)

Whereas—

(1) in pursuance of section 23 of the Criminal Procedure and Investigations Act 1996⁽¹⁾ (hereinafter referred to as “the Act”) the Secretary of State is under a duty to prepare a code of practice containing provisions designed to secure the matters specified in subsection (1) of that section:

(2) in pursuance of section 25(1) of the Act the Secretary of State published the code prepared by him under section 23 of the Act in the form of a draft and has considered representations made to him about the draft and modified the draft accordingly:

(3) in pursuance of section 25(2) of the Act the Secretary of State has laid the code referred to in paragraph (2) above before both Houses of Parliament:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 25 of the Act, hereby orders as follows:

1.—(1) This Order may be cited as the Criminal Procedure and Investigations Act 1996 (Code of Practice) (No. 2) Order 1997 and shall come into force on the day specified in article 2 below.

(2) This Order extends only to England and Wales.

2. The day hereby appointed for the purposes of section 25(2) of the Act is the day which shall be appointed for the purposes of Part I of the Act by order under section 1 of the Act; and the code of practice laid before Parliament on 27th February 1997 containing the provisions referred to in section 23 of the Act shall come into operation accordingly on that day.

3. The Criminal Procedure and Investigations Act 1996 (Code of Practice) (No. 1) Order 1997⁽²⁾ is hereby revoked.

⁽¹⁾ 1996 c. 25.

⁽²⁾ An Order made on 14th February 1997 but not yet numbered in accordance with section 2(1) of the Statutory Instruments Act 1946 (c. 36) by virtue of the first proviso to regulation 3 of the Statutory Instruments Regulations 1947 (S.I. 1948/1).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Home Office
27th February 1997

Michael Howard
One of Her Majesty's Principal Secretaries of
State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces the Criminal Procedure and Investigations Act 1996 (Code of Practice) (No. 1) Order 1997.

This Order appoints as the day on which the code of practice prepared under section 23 of the Criminal Procedure and Investigations Act 1996 (“the 1996 Act”) and laid before Parliament on 27th February 1997 is brought into operation in England and Wales the day which shall be appointed for the purposes of Part I of the 1996 Act (disclosure).

The code, which contains provisions relating to the conduct of criminal investigations, applies by virtue of section 25(3) of the 1996 Act in relation to suspected or alleged offences into which no criminal investigation has begun before the day on which the code comes into operation.

The code of practice will be published by The Statutory Office Limited; copies may be obtained from The Stationery Office Bookshops.