

2015 No. 861

CRIMINAL LAW, ENGLAND AND WALES

The Criminal Procedure and Investigations Act 1996 (Code of Practice) Order 2015

Approved by both Houses of Parliament

Made - - - - 28th January 2015

Laid before Parliament 29th January 2015

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(a) (“the Act”).

In accordance with section 25(1) and (2) of the Act, the Secretary of State has—

- (a) published in draft a code of practice to replace the code brought into operation on 4th April 2005(b);
- (b) considered representations made to him about the draft and modified the draft accordingly;
- (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 2015 and comes into force on the day after the day on which it is approved by resolution of the second House to approve it.

Appointed day for bringing the Code into operation

2. The code of practice laid before each House of Parliament on 28th January 2015 containing provisions referred to in section 23 of the Criminal Procedure and Investigations Act 1996 (requirement on the Secretary of State to prepare a code of practice) comes into operation on the same day as this Order comes into force.

Mike Penning

(a) 1996 c. 25. Section 25 is modified in relation to Northern Ireland by paragraph 34 of Schedule 14 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976).
(b) See S.I. 2005/985.

28th January 2015

Minister of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order brings the code of practice prepared under section 23(1) of the Criminal Procedure and Investigations Act 1996 (c. 25), and laid before each House of Parliament on 28th January 2015 (“the Code”), 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 replaces the code of practice that was brought into operation by the Criminal Procedure and Investigations Act 1996 (Code of Practice) Order 2005 (S.I. 2005/985). The revisions introduced by the Code implement certain recommendations of the Magistrates’ Court Disclosure Review, which was published by the Judiciary of England and Wales in May 2014.

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

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

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