

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Protection of Freedoms Act 2012, Paragraph 3 is up to date with all changes known to be in force on or before 26 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

PROSPECTIVE

SCHEDULE 3

CORRESPONDING CODE OF PRACTICE FOR WELSH DEVOLVED POWERS OF ENTRY

Alteration or replacement of code

- 3 (1) The Welsh Ministers—
- (a) must keep the devolved powers of entry code under review, and
 - (b) may prepare an alteration to the code or a replacement code.
- (2) Before preparing an alteration or a replacement code in relation to any powers, the Welsh Ministers must consult—
- (a) such persons appearing to the Welsh Ministers to be representative of the views of persons entitled to exercise the powers concerned as the Welsh Ministers consider appropriate, and
 - (b) such other persons as the Welsh Ministers consider appropriate.
- (3) The Welsh Ministers must lay before the National Assembly for Wales an alteration or a replacement code prepared under this paragraph.
- (4) If, within the 40-day period, the National Assembly for Wales resolves not to approve the alteration or the replacement code, the Welsh Ministers must not issue the alteration or code.
- (5) If no such resolution is made within that period, the Welsh Ministers must issue the alteration or replacement code.
- (6) The alteration or replacement code—
- (a) comes into force when issued, and
 - (b) may include transitional, transitory or saving provision.
- (7) Sub-paragraph (4) does not prevent the Welsh Ministers from laying a new alteration or replacement code before the National Assembly for Wales.
- (8) In this paragraph “the 40-day period” means the period of 40 days beginning with the day on which the alteration or replacement code is laid before the National Assembly for Wales.
- (9) In calculating the 40-day period, no account is to be taken of—
- (a) any period during which the National Assembly for Wales is dissolved, and
 - (b) any period of more than four days during which the National Assembly for Wales is in recess.

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(10) In this paragraph “the devolved powers of entry code” means any code of practice issued under paragraph 2(2) (as altered or replaced from time to time).

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2012/2234 art. 13 by [S.I. 2014/831 art. 2\(2\)](#)
- specified provision(s) transitional provisions and savings for commencing S.I. 2013/1814 by [S.I. 2013/1813 art. 2-9](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 1 para. 7A inserted by [2019 c. 3 Sch. 2 para. 20](#)