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**Changes to legislation:** Modern Slavery Act 2015, Paragraph 5 is up to date with all changes known to be in force on or before 21 March 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

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## SCHEDULES

### SCHEDULE 2

#### ENFORCEMENT POWERS IN RELATION TO SHIPS

#### PART 1

#### ENGLAND AND WALES

##### *Code of practice*

- 5 (1) The Secretary of State must prepare and issue a code in respect of the practice to be followed by English and Welsh constables and enforcement officers when arresting a person under the power conferred by paragraph 4.
- (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 constable or an enforcement officer to comply with any provision of the code does not of itself render the constable or 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 in regulations.
- (7) Regulations under this paragraph are to be made by statutory instrument.
- (8) An instrument containing regulations under this paragraph 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) An instrument containing regulations under this paragraph 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 sub-paragraph (8)).
- (10) Where an instrument, or a draft of an instrument, is laid, the code or revision of the code to which it relates must also be laid.

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#### **Commencement Information**

**II** Sch. 2 para. 5 in force at 8.8.2016 by S.I. 2016/740, reg. 2(e)

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**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):

- s. 50A(5A) inserted by [2023 c. 37 s. 28\(1\)](#)