

Changes to legislation: Modern Slavery Act 2015, Cross Heading: Code of practice is up to date with all changes known to be in force on or before 01 February 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

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.

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\(1\)](#)