



Policing and Crime Act 2017

2017 CHAPTER 3

PART 4

POLICE POWERS

CHAPTER 5

MARITIME ENFORCEMENT: ENGLISH AND WELSH OFFENCES

Supplementary provision

94 Maritime enforcement powers: code of practice

- (1) The Secretary of State must prepare and issue a code of practice in respect of the practice to be followed by law enforcement officers when arresting a person under the power conferred by section 90.
- (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 law enforcement officer to comply with any provision of the code does not of itself render the law enforcement 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 by regulations.

Changes to legislation: Policing and Crime Act 2017, Section 94 is up to date with all changes known to be in force on or before 09 April 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

- (7) Regulations under this section are to be made by statutory instrument.
- (8) A statutory instrument containing regulations under this section 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) A statutory instrument containing regulations under this section 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 subsection (8)).
- (10) Where a statutory instrument, or draft of a statutory instrument, is laid under this section, the code or revision of the code to which it relates must also be laid.

Commencement Information

- I1** [S. 94](#) in force for specified purposes at Royal Assent, see [s. 183](#)
- I2** [S. 94](#) in force at 1.3.2018 in so far as not already in force by [S.I. 2018/227](#), [reg. 2\(d\)](#)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2017/1139, reg. 2 by [S.I. 2017/1162 reg. 2](#)