

2008 No. 2638

POLICE, ENGLAND AND WALES

**The Police and Criminal Evidence Act 1984 (Codes of Practice)
(Revisions to Code A) Order 2008**

<i>Made</i>	- - - -	<i>6th October 2008</i>
<i>Laid before Parliament</i>		<i>6th October 2008</i>
<i>Coming into force</i>	- -	<i>27th October 2008</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 67(5) of the Police and Criminal Evidence Act 1984(a).

The Secretary of State has consulted in accordance with section 67(4) of that Act.

Citation, commencement and interpretation

1. This Order may be cited as the Police and Criminal Evidence Act 1984 (Codes of Practice) (Revisions to Code A) Order 2008 and shall come into force on 27 October 2008.
2. In this Order “PACE Code A” means the Police and Criminal Evidence Act 1984 Code of Practice for the exercise by: police officers of statutory powers of stop and search; police officers and police staff of requirements to record public encounters.

Revision of PACE Code A

- 3.—(1) The revision of PACE Code A which was laid before Parliament on 6 October 2008 and which relates to paragraph 4 of that Code (recording requirements including recording of encounters not governed by statutory powers) shall come into operation on 27 October 2008
- (2) For the purposes of paragraph (1), the reference to paragraph 4 of PACE Code A includes Annex E (replacement of the need to make or provide a record of the encounter with the ability to provide a receipt and to record only the person’s self-defined ethnicity) which is inserted for the purposes of that paragraph.

Home Office
6th October 2008

Vernon Coaker
Minister of State

(a) 1984 c.60; section 67(4) and (5) were substituted by section 11(1) of the Criminal Justice Act 2003 (c.44).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation on 27 October 2008 the revision of paragraph 4 of the Police and Criminal Evidence Act 1984 Code of Practice for the exercise by: police officers of statutory powers of stop and search; police officers and police staff of requirements to record public encounters (“PACE Code A”) which was laid before Parliament on 6 October 2008.

The revision of paragraph 4 of PACE Code A (recording requirements including recording of encounters not governed by statutory powers) enables constables in Leicestershire, Staffordshire, Surrey, West Midlands, Essex, Greater Manchester, Lancashire, Merseyside, Nottinghamshire, South Wales, West Yorkshire and Thames Valley to conduct a pilot study. This pilot will mean that constables in those force areas will no longer be required to record all encounters not governed by statutory powers in accordance with paragraph 4 of PACE Code A. The constables will only need to record information on the ethnicity of the person. A receipt will also be made available to the person. A new Annex E (replacement of the need to make or provide a record of the encounter with the ability to provide a receipt and to record only the person’s self-defined ethnicity) is inserted into PACE Code A.

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