

# PROTECTION OF FREEDOMS ACT 2012

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## EXPLANATORY NOTES

### THE ACT

#### *Commentary on Sections*

#### **Part 3: Protection of property from disproportionate enforcement action**

#### *Chapter 1: Powers of Entry*

#### *Section 48: Issuing of code*

203. This section sets out the parliamentary procedure for approving the first code of practice made under section 47. *Subsection (1)* requires the Secretary of State to lay before Parliament the proposed code together with a draft order bringing the code into force. Such an order is subject to the affirmative resolution procedure (*subsections (2) and (3)*). If the draft order bringing into force the first code of practice is not approved, the Secretary of State is required to prepare a revised code; the draft order bringing such a revised code into force is again subject to the affirmative procedure (*subsection (4)*).
204. *Subsection (7)* disapplies the hybridity procedure should such procedure apply to the first order made under this section. The hybridity procedure is explained in paragraph 155.