

# SCHEDULES

## SCHEDULE 1

### POWERS OF SEIZURE

#### PART 1

##### POWERS TO WHICH SECTION 50 APPLIES

###### *Police and Criminal Evidence Act 1984 (c. 60)*

- 1 Each of the powers of seizure conferred by the provisions of Part 2 or 3 of the 1984 Act (police powers of entry, search and seizure).

###### *Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989 1341 (N.I. 12))*

- 2 Each of the powers of seizure conferred by the provisions of Parts 3 and 4 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (police powers of entry, search and seizure).

###### *Official Secrets Act 1911 (c. 28)*

- 3 The power of seizure conferred by section 9(1) of the Official Secrets Act 1911 (seizure of evidence that an offence under that Act has been or is about to be committed).

###### *Children and Young Persons (Harmful Publications) Act 1955 (c. 28)*

- 4 The power of seizure conferred by section 3(1) of the Children and Young Persons (Harmful Publications) Act 1955 (seizure of copies of work to which that Act applies etc.).

###### *Obscene Publications Act 1959 (c. 66)*

- 5 Each of the powers of seizure conferred by section 3(1) and (2) of the Obscene Publications Act 1959 (power to search for and seize obscene materials and documents relating to a connected business).

###### *Betting, Gaming and Lotteries Act 1963 (c. 2)*

- 6 The power of seizure conferred by section 51(1) of the Betting, Gaming and Lotteries Act 1963 (seizure of evidence of offences under that Act).

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*Licensing Act 1964 (c. 26)*

- 7 The power of seizure conferred by section 54 of the Licensing Act 1964 (seizure of documents relating to club).

*Firearms Act 1968 (c. 27)*

- 8 The power of seizure conferred by section 46 of the Firearms Act 1968 (seizure of firearms etc.).

*Trade Descriptions Act 1968 (c. 29)*

- 9 Each of the powers of seizure conferred by section 28(1)(c) and (d) of the Trade Descriptions Act 1968 (seizure of evidence of offences under that Act etc.).

*Theft Act 1968 (c. 60)*

- 10 The power of seizure conferred by section 26(3) of the Theft Act 1968 (seizure of goods suspected of being stolen).

*Gaming Act 1968 (c. 65)*

- 11 The power of seizure conferred by section 43(5) of the Gaming Act 1968 (seizure of evidence of offences under that Act).

*Theft Act (Northern Ireland) 1969 (c. 16 (N.I.))*

- 12 The power of seizure conferred by section 25(3) of the Theft Act (Northern Ireland) 1969 (seizure of goods suspected of being stolen).

*Taxes Management Act 1970 (c. 9)*

- 13 The power of seizure conferred by section 20C of the Taxes Management Act 1970 (seizure of evidence of offences involving serious fraud).

*Misuse of Drugs Act 1971 (c. 38)*

- 14 Each of the powers of seizure conferred by the provisions of section 23(2) and (3) of the Misuse of Drugs Act 1971 (power to search for and seize controlled drugs and related documents).

*Immigration Act 1971 (c. 77)*

- 15 Each of the powers of seizure conferred by the provisions of sections 28D(3), 28E(5) and 28F(6) of the Immigration Act 1971 (seizure of evidence of offences under that Act).

*Fair Trading Act 1973 (c. 41)*

- 16 Each of the powers of seizure conferred by the provisions of section 29(1)(c) and (d) of the Fair Trading Act 1973 (seizure of evidence of offences under section 23 of that Act etc.).

*Biological Weapons Act 1974 (c. 6)*

- 17 Each of the powers of seizure conferred by the provisions of section 4(1)(b), (c) and (d) of the Biological Weapons Act 1974 (seizures under a warrant).

*Prices Act 1974 (c. 24)*

- 18 Each of the powers of seizure conferred by the provisions of paragraph 9(2) to the Schedule to the Prices Act 1974 (seizure of evidence of offences in connection with price regulation, price marking and price range notices).

*Consumer Credit Act 1974 (c. 39)*

- 19 Each of the powers of seizure conferred by the provisions of section 162(1)(c) and (d) of the Consumer Credit Act 1974 (seizure of evidence of offences under that Act etc.).

*Lotteries and Amusements Act 1976 (c. 32)*

- 20 The power of seizure conferred by section 19 of the Lotteries and Amusements Act 1976 (seizure of evidence of offences under that Act).

*Protection of Children Act 1978 (c. 37)*

- 21 The power of seizure conferred by section 4(2) of the Protection of Children Act 1978 (seizure of indecent photographs or pseudo-photographs of children).

*Protection of Children (Northern Ireland) Order 1978 (S.I. 1978 1047 (N.I. 17))*

- 22 The power of seizure conferred by Article 4(1) of the Protection of Children (Northern Ireland) Order 1978 (seizure of indecent photographs or pseudo-photographs of children).

*Customs and Excise Management Act 1979 (c. 2)*

- 23 The power of seizure conferred by section 118C(4) of the Customs and Excise Management Act 1979 (seizure of evidence of fraud offences).

*Estate Agents Act 1979 (c. 38)*

- 24 The power of seizure conferred by section 11(1)(c) of the Estate Agents Act 1979 (seizure of evidence of offences under that Act).

*Indecent Displays (Control) Act 1981 (c. 42)*

- 25 The power of seizure conferred by section 2(3) of the Indecent Displays (Control) Act 1981 (seizure of indecent matter believed to have been used in the commission of an offence under that Act).

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*Forgery and Counterfeiting Act 1981 (c. 45)*

- 26 Each of the powers of seizure conferred by the provisions of sections 7(1) and 24(1) of the Forgery and Counterfeiting Act 1981 (seizure of forgeries and counterfeits and of things used for making them etc.).

*Betting and Gaming Duties Act 1981 (c. 63)*

- 27 The power of seizure conferred by paragraph 16(2) of Schedule 1 to the Betting and Gaming Duties Act 1981 (seizure of evidence of offences in connection with general gaming duty).
- 28 The power of seizure conferred by paragraph 17(2) of Schedule 3 to that Act (seizure of evidence of offences in connection with bingo duty etc.).
- 29 The power of seizure conferred by paragraph 17(2) of Schedule 4 to that Act (seizure of evidence of offences in connection with the provision of amusement machines).

*Firearms (Northern Ireland) Order 1981 (S.I. 1981 155 (N.I. 2))*

- 30 The power of seizure conferred by Article 45 of the Firearms (Northern Ireland) Order 1981 (seizure of firearms etc.).

*Weights and Measures (Northern Ireland) Order 1981 (S.I. 1981 231 (N.I. 10))*

- 31 The power of seizure conferred by paragraph 4 of Schedule 9 to the Weights and Measures (Northern Ireland) Order 1981.

*Insurance Companies Act 1982 (c. 50)*

- 32 The power of seizure conferred by section 44A(3) of the Insurance Companies Act 1982 (seizure of documents which have not been produced in compliance with a requirement etc.).

*Dogs (Northern Ireland) Order 1983 (S.I. 1983 764 (N.I. 8))*

- 33 The power of seizure conferred by Article 25C(2) of the Dogs (Northern Ireland) Order 1983 (seizure of evidence of offences).

*Video Recordings Act 1984 (c. 39)*

- 34 The power of seizure conferred by section 17(2) of the Video Recordings Act 1984 (seizure of evidence of offences under that Act).

*Companies Act 1985 (c. 6)*

- 35 The power of seizure conferred by section 448(3) of the Companies Act 1985 (seizure of documents which have not been produced in compliance with a requirement etc.).

*Weights and Measures Act 1985 (c. 72)*

- 36 The power of seizure conferred by section 79(2)(b) of the Weights and Measures Act 1985 (seizure of evidence of offences under that Act, except Part 5).

- 37 The power of seizure conferred by paragraph 4 of Schedule 8 to that Act (seizure of evidence of offences under Part 5 of that Act).

*Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (S.I. 1985 1204 (N.I. 11))*

- 38 The power of seizure conferred by Article 180(4) of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (seizure of evidence of offences under that Order).

*Protection of Military Remains Act 1986 (c. 35)*

- 39 The power of seizure conferred by section 6(3) of the Protection of Military Remains Act 1986 (seizure of evidence of offences under that Act etc.)

*Financial Services Act 1986 (c. 60)*

- 40 The power of seizure conferred by section 199(3) of the Financial Services Act 1986 (seizure of documents which have not been produced in compliance with a requirement etc.).

*Greater London Council (General Powers) Act 1986 (c. iv)*

- 41 Any power of seizure conferred by virtue of section 12 of the Greater London Council (General Powers) Act 1986 (seizure of items which may be subject to forfeiture).

*Companies (Northern Ireland) Order 1986 (S.I. 1986 1032 (N.I. 6))*

- 42 The power of seizure conferred by Article 441(3) of the Companies (Northern Ireland) Order 1986 (seizure of evidence of offences etc.).

*Banking Act 1987 (c. 22)*

- 43 The power of seizure conferred by section 43(2) of the Banking Act 1987 (seizure of documents which have not been produced in compliance with a requirement etc.).

*Criminal Justice Act 1987 (c. 38)*

- 44 The power of seizure conferred by section 2(5) of the Criminal Justice Act 1987 (seizure of documents for the purposes of an investigation under section 1 of that Act).

*Consumer Protection Act 1987 (c. 43)*

- 45 Each of the powers of seizure conferred by the provisions of section 29(4), (5) and (6) of the Consumer Protection Act 1987 (seizure for the purposes of ascertaining whether safety provisions have been contravened etc.).

*Consumer Protection (Northern Ireland) Order 1987 (S.I. 1987 2049 (N.I. 20))*

- 46 Each of the powers of seizure conferred by the provisions of Article 22(3) and (4) of the Consumer Protection (Northern Ireland) Order 1987 (seizure for purposes of ascertaining whether safety provisions have been contravened).

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*Criminal Justice Act 1988 (c. 33)*

- 47 The power of seizure conferred by section 93I(5) of the Criminal Justice Act 1988 (seizure of material relevant to investigation of whether a person has benefited from criminal conduct).

*Copyright, Designs and Patents Act 1988 (c. 48)*

- 48 The power of seizure conferred by section 109(4) of the Copyright, Designs and Patents Act 1988 (seizure of evidence of making or dealing with articles infringing copyright).

*Criminal Justice (International Co-operation) Act 1990 (c. 5)*

- 49 The power of seizure conferred by sections 7(2) and 8(1) of the Criminal Justice (International Co-operation) Act 1990 (seizure of evidence of commission outside the United Kingdom of an arrestable offence or of an offence punishable in Scotland by imprisonment).

*Food Safety Act 1990 (c. 16)*

- 50 The power of seizure conferred by section 32(6) of the Food Safety Act 1990 (seizure of evidence for the purposes of proceedings under that Act).

*Computer Misuse Act 1990 (c. 18)*

- 51 The power of seizure conferred by section 14(4) of the Computer Misuse Act 1990 (seizure of evidence of offences under that Act).

*Human Fertilisation and Embryology Act 1990 (c. 37)*

- 52 The power of seizure conferred by section 40(2) of the Human Fertilisation and Embryology Act 1990 (seizure of evidence of offences under that Act).

*Property Misdescriptions Act 1991 (c. 29)*

- 53 The power of seizure conferred by paragraph 3(3) of the Schedule to the Property Misdescriptions Act 1991 (seizure of evidence of offences under section 1 of that Act).

*Dangerous Dogs Act 1991 (c. 65)*

- 54 The power of seizure conferred by section 5(2) of the Dangerous Dogs Act 1991 (seizure of evidence of offences under that Act).

*Food Safety (Northern Ireland) Order 1991 (S.I. 1991 762 (N.I. 7))*

- 55 The power of seizure conferred by Article 33(7) of the Food Safety (Northern Ireland) Order 1991 (seizure of evidence of offences under that Order).

*Timeshare Act 1992 (c. 35)*

- 56 The power of seizure conferred by paragraph 3(2) of Schedule 2 to the Timeshare Act 1992 (seizure of evidence of offences).

*Finance Act 1994 (c. 9)*

- 57 The power of seizure conferred by paragraph 4(3) of Schedule 7 to the Finance Act 1994 (seizure of evidence of offences relating to insurance premium tax).

*Value Added Tax Act 1994 (c. 23)*

- 58 The power of seizure conferred by paragraph 10(3) of Schedule 11 to the Value Added Tax Act 1994 (seizure of evidence of fraudulent evasion of VAT etc.).

*Drug Trafficking Act 1994 (c. 37)*

- 59 The power of seizure conferred by section 56(5) of the Drug Trafficking Act 1994 (seizure of material likely to be of substantial value to an investigation into drug trafficking).

*Chemical Weapons Act 1996 (c. 6)*

- 60 Each of the powers of seizure conferred by the provisions of section 29(2)(c), (d) and (e) of the Chemical Weapons Act 1996 (seizure of evidence of offences under that Act).

*Finance Act 1996 (c. 8)*

- 61 The power of seizure conferred by paragraph 5(2) of Schedule 5 to the Finance Act 1996 (seizure of evidence of offences relating to landfill tax).

*Proceeds of Crime (Northern Ireland) Order 1996 (S.I. 1996 1299 (N.I. 9))*

- 62 The power of seizure conferred by Article 51(5) of the Proceeds of Crime (Northern Ireland) Order 1996 (seizure of material relevant to investigation).

*Knives Act 1997 (c. 21)*

- 63 The power of seizure conferred by section 5(2) of the Knives Act 1997 (seizure of publications consisting of or containing prohibited material).

*Nuclear Explosions (Prohibitions and Inspections) Act 1998 (c. 7)*

- 64 Each of the powers of seizure conferred by the provisions of section 10(2)(c), (d) and (e) of the Nuclear Explosions (Prohibitions and Inspections) Act 1998 (seizure of evidence of offences under that Act).

*Data Protection Act 1998 (c. 29)*

- 65 The power of seizure conferred by paragraph 1 of Schedule 9 to the Data Protection Act 1998 (seizure of evidence of contravention of data protection principles etc.).

*Landmines Act 1998 (c. 33)*

- 66 Each of the powers of seizure conferred by the provisions of section 18(3)(c), (d) and (e) of the Landmines Act 1998 (seizure of evidence of offences under that Act).

*Competition Act 1998 (c. 41)*

- 67 Each of the powers of seizure conferred by section 28(2) of the Competition Act 1998 (seizure of documents or information).

*Nuclear Safeguards Act 2000 (c. 5)*

- 68 The power of seizure conferred by section 8(2) of the Nuclear Safeguards Act 2000 (seizure of evidence of offences under that Act etc.).

*Financial Services and Markets Act 2000 (c. 8)*

- 69 The power of seizure conferred by section 176(5) of the Financial Services and Markets Act 2000 (seizure of documents or information not supplied in compliance with a requirement etc.).

*Terrorism Act 2000 (c. 11)*

- 70 The power of seizure conferred by section 82(3) of the Terrorism Act 2000 (power of constable in Northern Ireland to seize items used or intended for use in the commission of certain offences).
- 71 Each of the powers of seizure conferred by the provisions of paragraphs 1, 3, 11, 15 and 19 of Schedule 5 to that Act (powers for use in terrorism investigations).

*Finance Act 2000 (c. 17)*

- 72 The power of seizure conferred by paragraph 130(2) of Schedule 6 to the Finance Act 2000 (seizure of evidence of offences relating to climate change levy).

*Freedom of Information Act 2000 (c. 36)*

- 73 The power of seizure conferred by paragraph 1 of Schedule 3 to the Freedom of Information Act 2000.