

SCHEDULES

SCHEDULE 3

SEARCH WARRANTS: ENGLAND AND WALES AND NORTHERN IRELAND

PART 2

SEARCH WARRANTS: APPLICATIONS AND SAFEGUARDS

Applications for warrants

- 2 (1) A person applying for a search warrant must—
- (a) state that the application is made under section 39 of this Act;
 - (b) specify the matters set out in sub-paragraph (2) or (3) (as the case may be);
 - (c) state what are the grounds for suspecting that relevant evidence is on the premises;
 - (d) identify, so far as is possible, the offence to which the relevant evidence relates.
- (2) If the person is applying for a specific-premises warrant, the person must specify each set of premises that it is desired to enter and search.
- (3) If the person is applying for an all-premises warrant, the person must specify—
- (a) as many of the sets of premises that it is desired to enter and search as it is reasonably practicable to specify;
 - (b) the person who is in occupation or control of those premises and any others that it is desired to enter and search;
 - (c) why it is necessary to search more premises than those specified under paragraph (a);
 - (d) why it is not reasonably practicable to specify all the premises that it is desired to enter and search.
- (4) If the person is applying for a search warrant authorising entry and search on more than one occasion, the person must also state—
- (a) the ground on which the person applies for such a warrant, and
 - (b) whether the person seeks a warrant authorising an unlimited number of entries, or (if not) the maximum number of entries desired.
- (5) In this paragraph “specific-premises warrant” and “all-premises warrant” have the meaning given by section 39(3).

Commencement Information

II Sch. 3 para. 2 in force at 26.5.2016 by S.I. 2016/553, reg. 2

Changes to legislation: There are currently no known outstanding effects for the Psychoactive Substances Act 2016, PART 2. (See end of Document for details)

Safeguards in connection with power of entry conferred by warrant

- 3 A search warrant authorises entry on one occasion only, unless it specifies that it authorises multiple entries.

Commencement Information

I2 Sch. 3 para. 3 in force at 26.5.2016 by S.I. 2016/553, reg. 2

- 4 (1) A search warrant must—
- (a) specify the name of the person who applies for it;
 - (b) specify the date on which it is issued;
 - (c) state that the warrant is issued under section 39 of this Act;
 - (d) specify each set of premises to be searched, or (in the case of an all-premises warrant) the person who is in occupation or control of premises to be searched, together with any premises to be searched that are under the person's occupation or control and can be specified;
 - (e) identify, so far as is possible, the offence to which the relevant evidence suspected to be on the premises relates.
- (2) In sub-paragraph (1)(d) “all-premises warrant” has the meaning given by section 39(3).

Commencement Information

I3 Sch. 3 para. 4 in force at 26.5.2016 by S.I. 2016/553, reg. 2

- 5 (1) Two copies must be made of a search warrant that specifies only one set of premises and does not authorise multiple entries.
- (2) As many copies as are reasonably required may be made of any other kind of search warrant.
- (3) The copies must be clearly certified as copies.

Commencement Information

I4 Sch. 3 para. 5 in force at 26.5.2016 by S.I. 2016/553, reg. 2

Changes to legislation:

There are currently no known outstanding effects for the Psychoactive Substances Act 2016, PART 2.