



Psychoactive Substances Act 2016

2016 CHAPTER 2

Powers of entry, search and seizure

43 Powers of seizure, etc

- (1) A police or customs officer who is exercising the power of search conferred by section 36 may seize and detain anything found in the course of the search.
- (2) This subsection applies where a relevant enforcement officer—
 - (a) is exercising a power of search conferred by section 37, 38 or 39 in relation to any premises, or
 - (b) is otherwise lawfully on premises.
- (3) Where subsection (2) applies, the officer may—
 - (a) seize and detain or remove any item found on the premises;
 - (b) take copies of or extracts from any document or record found on the premises.
- (4) A relevant enforcement officer to whom any document or record has been produced in accordance with a requirement imposed under section 42 may—
 - (a) seize and detain or remove that document or record;
 - (b) take copies of or extracts from that document or record.

In this subsection “document” includes anything falling within paragraph (a) or (b) of section 42(3).

- (5) The powers under this section may only be exercised—
 - (a) for the purposes of determining whether an offence under any of sections 4 to 9 or section 26 has been committed, or
 - (b) in relation to an item which a relevant enforcement officer reasonably believes to be—
 - (i) relevant evidence, or
 - (ii) a psychoactive substance (whether or not it is relevant evidence).
- (6) Nothing in this section confers power on a relevant enforcement officer to seize an item which is an excluded item (see section 44).