
STATUTORY INSTRUMENTS

1989 No. 1341

The Police and Criminal Evidence (Northern Ireland) Order 1989

PART III

POWERS OF ENTRY, SEARCH AND SEIZURE

Search warrants

Meaning of “excluded material”

13.—(1) Subject to the following provisions of this Article, in this Order “excluded material” means—

- (a) personal records which a person has acquired or created in the course of any trade, business, profession or other occupation or for the purposes of any paid or unpaid office and which he holds in confidence;
- (b) human tissue or tissue fluid which has been taken for the purposes of diagnosis or medical treatment and which a person holds in confidence;
- (c) journalistic material which a person holds in confidence and which consists—
 - (i) of documents; or
 - (ii) of records other than documents.

(2) A person holds material other than journalistic material in confidence for the purposes of this Article if he holds it subject—

- (a) to an express or implied undertaking to hold it in confidence; or
 - (b) to a restriction on disclosure or an obligation of secrecy contained in any statutory provision, including a statutory provision passed or made after the making of this Order.
- (3) A person holds journalistic material in confidence for the purposes of this Article if—
- (a) he holds it subject to such an undertaking, restriction or obligation; and
 - (b) it has been continuously held (by one or more persons) subject to such an undertaking, restriction or obligation since it was first acquired or created for the purposes of journalism.

Modifications etc. (not altering text)

- C1** [Art. 13](#) applied (with modifications) (18.5.2009) by [Police and Criminal Evidence \(Application to the Police Ombudsman\) Order \(Northern Ireland\) 2009 \(S.R. 2009/142\)](#), art. 3, [Sch. 1](#), Sch. 2

Changes to legislation:

The Police and Criminal Evidence (Northern Ireland) Order 1989, Section 13 is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

View outstanding changes

Changes and effects yet to be applied to :

- various legislation applied by 2016 c. 18 (N.I.) s. 161(2)(a)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Order applied by 2016 c. 18 (N.I.) s. 150(1)(a)
- Order excluded by 2012 c. 9 Sch. 1 para. 7(5)
- Order extended by 2003 c. 6 Sch. 4 para. 23A (as inserted) by S.I. 2007/912 (N.I.) Sch. 4 para. 5

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 2A para. 1(4) inserted by 2015 c. 9 (N.I.) s. 83(3)(a)(ii)
- Sch. 2A para. 2(2)(c) and word inserted by 2015 c. 9 (N.I.) s. 83(3)(b)(ii)
- Sch. 2A para. 9(4) inserted by 2015 c. 9 (N.I.) s. 83(3)(c)(ii)
- Sch. 2A para. 10(5) inserted by 2015 c. 9 (N.I.) s. 83(3)(d)(ii)
- Sch. 2A para. 2(2)(b) words substituted by 2015 c. 9 (N.I.) s. 83(3)(b)(i)
- art. 62(10)(ab) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 6(3)(b) by 2022 c. 4 (N.I.) s. 4(9)(e)
- art. 3(9ZA)(9ZB) inserted by 2019 c. 17 s. 12(5)
- art. 19(1)(cc) inserted by S.I. 2007/916 (N.I.) art. 18(2)
- art. 53(3A)(3B) inserted by 2013 c. 7 (N.I.) Sch. 3 para. 1(3)
- art. 53(3A) inserted by 2010 c. 17 s. 15(4)
- art. 53(4) inserted by 2010 c. 17 s. 9(6)
- art. 53B inserted by 2013 c. 7 (N.I.) Sch. 3 para. 3
- art. 56(13A)(b)(iii) and word substituted for word by 2015 c. 9 (N.I.) Sch. 2 para. 6(1)(b)
- art. 56(13A)(b)(iii) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 6(1)(b) by 2022 c. 4 (N.I.) s. 4(9)(e)
- art. 56A(9)(b)(iii) and word substituted for word by 2015 c. 9 (N.I.) Sch. 2 para. 6(2)(b)
- art. 56A(9)(b)(iii) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 6(2)(b) by 2022 c. 4 (N.I.) s. 4(9)(e)
- art. 61(5A) inserted by 2010 c. 17 s. 8(1)
- art. 61(5A)(b) words substituted by 2015 c. 9 (N.I.) s. 83(1)(a)
- art. 61(5B) inserted by 2010 c. 17 s. 8(2)
- art. 61(5B)(b) words substituted by 2015 c. 9 (N.I.) s. 83(1)(a)
- art. 61(5C) inserted by 2015 c. 9 (N.I.) s. 83(1)(b)
- art. 61(6)-(6ZD) substituted for art. 61(6) by 2010 c. 17 s. 8(3)
- art. 61(6D)-(6G) inserted by 2010 c. 17 s. 9(1)
- art. 61(6BA) inserted by 2008 c. 28 s. 12(2) (This amendment not applied to legislation.gov.uk. S. 12 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- art. 62(2A)(2B) inserted by 2010 c. 17 s. 9(2)
- art. 62(10)(ab) inserted by 2015 c. 9 (N.I.) Sch. 2 para. 6(3)(b)
- art. 62(10)(ab) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 6(3)(b) by 2022 c. 4 (N.I.) s. 4(9)(e)
- art. 63(3A)(c)(i) word substituted by 2013 c. 7 (N.I.) Sch. 3 para. 4
- art. 63(3B)-(3BD) substituted for art. 63(3B) by 2010 c. 17 s. 8(7)

- art. 63(3C) inserted by [2008 c. 28 s. 12\(3\)](#) (This amendment not applied to legislation.gov.uk. S. 12 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- art. 63(3D)-(3G) inserted by [2010 c. 17 s. 9\(4\)](#)
- art. 63(3AA) inserted by [2015 c. 9 \(N.I.\) s. 83\(2\)\(c\)](#)
- art. 63(3ZA) inserted by [2010 c. 17 s. 8\(5\)](#)
- art. 63(3ZA)(b)(iii) and word inserted by [2015 c. 9 \(N.I.\) s. 83\(2\)\(a\)](#)
- art. 63A(1E)(1F) inserted by [2010 c. 17 s. 11\(1\)](#)
- art. 63A(6A) inserted by [2008 c. 28 s. 12\(4\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S. 12 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- art. 63B-63R inserted by [2013 c. 7 \(N.I.\) Sch. 2](#)
- art. 63D(1)(a) substituted by [2019 c. 3 Sch. 2 para. 5\(2\)\(a\)](#)
- art. 63D(1)(a)(i) words inserted by [S.I. 2023/1386 Sch. para. 9\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. The insertions of ss. 63D and 63DA by 2013 c. 7 (N.I.), Sch. 2 and 2019 c. 3, Sch. 2 para. 5 respectively are still prospective)
- art. 63D(14) words inserted by [2019 c. 3 Sch. 2 para. 5\(2\)\(b\)](#)
- art. 63D(14) words inserted by [S.I. 2023/1386 Sch. para. 9\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. The insertions of ss. 63D and 63DA by 2013 c. 7 (N.I.), Sch. 2 and 2019 c. 3, Sch. 2 para. 5 respectively are still prospective)
- art. 63N substituted by [2015 c. 9 \(N.I.\) s. 86](#)
- art. 63R(4A) inserted by [2019 c. 3 Sch. 4 para. 20\(9\)](#)
- art. 63R(4B) inserted by [2023 c. 32 Sch. 18 para. 5\(8\)](#) (This amendment not applied to legislation.gov.uk. The insertion of art. 63R by 2013 c. 7 (N.I.) Sch. 2 remains prospective at 31.12.2023.)
- art. 63R(5) words substituted by [2015 c. 9 \(N.I.\) s. 87\(a\)](#)
- art. 63R(5A)(5B) inserted by [2015 c. 9 \(N.I.\) s. 87\(b\)](#)
- art. 63DA inserted by [2019 c. 3 Sch. 2 para. 5\(3\)](#)
- art. 63DA heading words inserted by [S.I. 2023/1386 Sch. para. 9\(6\)\(a\)](#) (This amendment not applied to legislation.gov.uk. The insertions of ss. 63D and 63DA by 2013 c. 7 (N.I.), Sch. 2 and 2019 c. 3, Sch. 2 para. 5 respectively are still prospective)
- art. 63DA(1)(a) words inserted by [S.I. 2023/1386 Sch. para. 9\(6\)\(b\)](#) (This amendment not applied to legislation.gov.uk. The insertions of ss. 63D and 63DA by 2013 c. 7 (N.I.), Sch. 2 and 2019 c. 3, Sch. 2 para. 5 respectively are still prospective)
- art. 63DA(4) words inserted by [S.I. 2023/1386 Sch. para. 9\(6\)\(c\)](#) (This amendment not applied to legislation.gov.uk. The insertions of ss. 63D and 63DA by 2013 c. 7 (N.I.), Sch. 2 and 2019 c. 3, Sch. 2 para. 5 respectively are still prospective)
- art. 63GA inserted by [2015 c. 9 \(N.I.\) s. 84](#)
- art. 63KA inserted by [2015 c. 9 \(N.I.\) s. 85](#)
- art. 64(1AA) inserted by [2008 c. 28 s. 12\(5\)](#) (This amendment not applied to legislation.gov.uk. S. 12 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- art. 64(1AB) inserted by [2008 c. 28 s. 15\(5\)](#)
- art. 89(2A) inserted by [2013 c. 7 \(N.I.\) Sch. 3 para. 5](#)