
STATUTORY INSTRUMENTS

1989 No. 1341

**The Police and Criminal Evidence
(Northern Ireland) Order 1989**

PART III

POWERS OF ENTRY, SEARCH AND SEIZURE

Entry and search without search warrant

Entry for purpose of arrest etc.

19.—(1) Subject to the following provisions of this Article, and without prejudice to any other statutory provision, a constable may enter and search any premises for the purpose—

- (a) of executing—
 - (i) a warrant of arrest issued in connection with or arising out of criminal proceedings; or
 - (ii) a warrant of commitment issued under Article 92 of the Magistrates' Courts (Northern Ireland) Order 1981(1);
- (b) of arresting a person for an arrestable offence;
- (c) of arresting a person for an offence under Article 9 or 21 of the Public Order (Northern Ireland) Order 1987(2);
- (d) of recapturing a person who is unlawfully at large and whom he is pursuing; or
- (e) of saving life or limb or preventing serious damage to property.

(2) Except for the purpose specified in paragraph (1)(e), the powers of entry and search conferred by this Article—

- (a) are only exercisable if the constable has reasonable grounds for believing that the person whom he is seeking is on the premises; and
- (b) are limited, in relation to premises consisting of two or more separate dwellings, to powers to enter and search—
 - (i) any parts of the premises which the occupiers of any dwelling comprised in the premises use in common with the occupiers of any other such dwelling; and
 - (ii) any such dwelling in which the constable has reasonable grounds for believing that the person whom he is seeking may be.

(3) The power of search conferred by this Article is only a power to search to the extent that is reasonably required for the purpose for which the power of entry is exercised.

(4) Subject to paragraph (5), all the rules of common law under which a constable has power to enter premises without a warrant are hereby abolished.

(5) Nothing in paragraph (4) affects any power of entry to deal with or prevent a breach of the peace.