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STATUTORY INSTRUMENTS

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**2007 No. 288 (N.I. 2)**

**NORTHERN IRELAND**

**The Police and Criminal Evidence  
(Amendment) (Northern Ireland) Order 2007**

*Made - - - - 7th February 2007  
Coming into operation in accordance with Article  
1(2) to (4)*

**THE POLICE AND CRIMINAL EVIDENCE  
(AMENDMENT) (NORTHERN IRELAND) ORDER 2007**

PART I

INTRODUCTORY

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2. Interpretation

PART II

POWERS TO STOP AND SEARCH

3. Power to stop and search for prohibited fireworks
4. Provisions relating to searches
5. Duty to make records concerning searches
6. Road checks

PART III

POWERS OF ENTRY, SEARCH AND SEIZURE

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9. Search warrants – safeguards
10. Execution of warrants
11. Entry for purposes of arrest, etc.
12. Entry and search after arrest
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## PART IV

### ARREST

15. Powers of arrest
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### CODES OF PRACTICE

37. Codes of practice

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## PART X SUPPLEMENTARY

40. Regulations
41. Minor amendment and repeals  
Signature

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### SCHEDULES

#### SCHEDULE 1 — POWERS OF ARREST: SUPPLEMENTARY

- *The Unlawful Drilling Act 1819* (c. 1)
- 1. In section 2 (power to disperse unlawful meeting), omit “,...  
— *The Railway Regulation Act 1842* (c. 55)
- 2. Section 17 (punishment of persons guilty of misconduct) shall cease...  
— *The Companies Clauses Consolidation Act 1845* (c. 16)
- 3. In section 156 (transient offenders) omit “, and all persons...  
— *The Railways Clauses Consolidation Act 1845* (c. 20)
- 4. Sections 104 (detention of offenders) and 154 (transient offenders) shall...  
— *The Vagrancy (Ireland) Act 1847* (c. 84)
- 5. Section 4 (power to apprehend offenders) shall cease to have...  
— *The Town Police Clauses Act 1847* (c. 89)
- 6. In section 28 (offences) omit the words from “and any...  
— *The Public Stores Act 1875* (c. 25)
- 7. In section 12 (powers of arrest and search) subsection (1)...  
— *The Military Lands Act 1892* (c. 43)
- 8. Section 17(2) (powers relating to breaches of byelaws) shall cease...  
— *The Summary Jurisdiction (Ireland) Act 1908* (c.24)
- 9. In Article 9(1) (persons found drunk in charge of children)...  
— *The Official Secrets Act 1911* (c. 28)
- 10. Section 6 (power of arrest) shall cease to have effect....  
— *The Game Preservation Act (Northern Ireland) 1928* (c. 25)
- 11. In section 2 (3) (power of police to enter on...  
— *The Criminal Justice (Northern Ireland) Act 1953* (c. 14)
- 12. Section 14 (proof of previous conviction by fingerprints) shall cease...  
— *The Criminal Law Act (Northern Ireland) 1967* (c. 18)
- 13. (1) In section 4 (penalties for assisting offenders)—  
— *The Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968* (c. 28)
- 14. Section 7(2) (power of arrest) shall cease to have effect....  
— *The Theft Act (Northern Ireland) 1969* (c. 16 (N.I.))
- 15. In section 24 (going equipped for stealing etc.) omit subsection...  
— *The Immigration Act 1971* (c. 77)
- 16. In section 28A (arrest without warrant), in each of subsections...  
— *The Theft (Northern Ireland) Order 1978* (NI 23)
- 17. In Article 5 (making off without payment) omit paragraph (4)...  
— *The Customs and Excise Management Act 1979* (c. 2)
- 18. In section 138 (provisions about arrest), in subsection (4)(c), after...  
— *The Diseases of Animals (Northern Ireland) Order 1981* (NI 22)
- 19. In Article 42 (functions of constables)— (a) in paragraph (4)...  
— *The Aviation Security Act 1982* (c. 36)
- 20. (1) In section 13 (power to require aerodrome managers to...

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- *The Housing (Northern Ireland) Order 1983 (NI 15)*
- 21. In Part I of Schedule 3 (which sets out grounds...
  - *The Wildlife (Northern Ireland) Order 1985 (NI 2)*
- 22. In Article 25 (enforcement), in paragraph (2), for “Article 27”...
  - *The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (NI 11)*
- 23. In Article 4 (persons found on premises used for betting...
  - *The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 (NI 15)*
- 24. In Schedule 2 (control of sex establishments), omit paragraph 24....
  - *The Public Order (Northern Ireland) Order 1987 (NI 7)*
- 25. In Article 24 (powers of arrest) omit paragraphs (1) and...
  - *The Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)*
- 26. (1) In Article 2(2) (general interpretation) omit the definitions of...
  - *The Aviation and Maritime Security Act 1990 (c. 31)*
- 27. In section 22 (power to require harbour authorities to promote...
  - *The Criminal Justice and Public Order Act 1994 (c. 33)*
- 28. (1) In section 68 (offence of aggravated trespass) omit subsection...
  - *The Trade Union and Labour Relations (Northern Ireland) Order 1995 (NI 12)*
- 29. In Article 125 (intimidation, etc.), omit paragraph (3).
  - *The Road Traffic (Northern Ireland) Order 1995 (NI 18)*
- 30. In Article 15 (driving etc. under influence of drink or...
  - *The Reserve Forces Act 1996 (c. 14)*
- 31. In Schedule 2 (deserters and absentees without leave), omit paragraph...
  - *The Public Processions (Northern Ireland) Act 1998 (c. 2)*
- 32. Section 15 (powers of arrest) shall cease to have effect...
  - *The Police (Northern Ireland) Act 1998 (c. 32)*
- 33. In section 66 (assaults, etc) omit subsection (3).
  - *The Criminal Justice (Children) (Northern Ireland) Order 1998 (NI 9)*
- 34. (1) In Article 2(2) (interpretation) omit the definitions of “arrestable...
  - *The Terrorism Act 2000 (c. 11)*
- 35. In Schedule 8 (detention), in paragraph 8 (which relates to...
  - *The International Criminal Court Act 2001 (c. 17)*
- 36. (1) In section 33 (entry, search and seizure), in subsection...
  - *The Crime (International Co-operation) Act 2003 (c. 32)*
- 37. (1) In section 16 (extension of statutory search powers in...
  - *The Gangmasters (Licensing) Act 2004 (c. 11)*
- 38. In Schedule 2 (application of Act to Northern Ireland), in...
  - *The Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)*
- 39. (1) In section 2 (entering U.K. without passport, etc.), in...

## SCHEDULE 2 — REPEALS

### Explanatory Note

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