



# Police and Criminal Evidence Act 1984

## 1984 CHAPTER 60

### PART II

#### POWERS OF ENTRY, SEARCH AND SEIZURE

##### *Search warrants*

#### **16 Execution of warrants**

- (1) A warrant to enter and search premises may be executed by any constable.
- (2) Such a warrant may authorise persons to accompany any constable who is executing it.
- (3) Entry and search under a warrant must be within one month from the date of its issue.
- (4) Entry and search under a warrant must be at a reasonable hour unless it appears to the constable executing it that the purpose of a search may be frustrated on an entry at a reasonable hour.
- (5) Where the occupier of premises which are to be entered and searched is present at the time when a constable seeks to execute a warrant to enter and search them, the constable—
  - (a) shall identify himself to the occupier and, if not in uniform, shall produce to him documentary evidence that he is a constable ;
  - (b) shall produce the warrant to him; and
  - (c) shall supply him with a copy of it.
- (6) Where—
  - (a) the occupier of such premises is not present at the time when a constable seeks to execute such a warrant; but
  - (b) some other person who appears to the constable to be in charge of the premises is present,subsection (5) above shall have effect as if any reference to the occupier were a reference to that other person.

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*Status: This is the original version (as it was originally enacted).*

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- (7) If there is no person present who appears to the constable to be in charge of the premises, he shall leave a copy of the warrant in a prominent place on the premises.
- (8) A search under a warrant may only be a search to the extent required for the purpose for which the warrant was issued.
- (9) A constable executing a warrant shall make an endorsement on it stating—
- (a) whether the articles or persons sought were found ; and
  - (b) whether any articles were seized, other than articles which were sought.
- (10) A warrant which—
- (a) has been executed ; or
  - (b) has not been executed within the time authorised for its execution,
- shall be returned—
- (i) if it was issued by a justice of the peace, to the clerk to the justices for the petty sessions area for which he acts; and
  - (ii) if it was issued by a judge, to the appropriate officer of the court from which he issued it.
- (11) A warrant which is returned under subsection (10) above shall be retained for 12 months from its return—
- (a) by the clerk to the justices, if it was returned under paragraph (i) of that subsection ; and
  - (b) by the appropriate officer, if it was returned under paragraph (ii).
- (12) If during the period for which a warrant is to be retained the occupier of the premises to which it relates asks to inspect it, he shall be allowed to do so.