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## SCHEDULES

### SCHEDULE 1

#### POWERS OF SEIZURE

#### PART 3

##### POWERS TO WHICH SECTION 55 APPLIES

###### *Police and Criminal Evidence Act 1984 (c. 60)*

- 84 The power of seizure conferred by section 8(2) of the 1984 Act (police power, on exercise of search warrant, to seize property searched for).

###### *Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989 1341 (N.I. 12))*

- 85 The power of seizure conferred by Article 10(2) of the Police and Criminal Evidence (Northern Ireland) Order 1989 (police power, on exercise of search warrant, to seize property searched for).

###### *Official Secrets Act 1911 (c. 28)*

- 86 The power of seizure conferred by section 9(1) of the Official Secrets Act 1911 (seizure of evidence that an offence under that Act has been or is about to be committed).

###### *Children and Young Persons (Harmful Publications) Act 1955 (c. 28)*

- 87 The power of seizure conferred by section 3(1) of the Children and Young Persons (Harmful Publications) Act 1955 (seizure of copies of work to which that Act applies etc.).

###### *Obscene Publications Act 1959 (c. 66)*

- 88 Each of the powers of seizure conferred by section 3(1) and (2) of the Obscene Publications Act 1959 (power to search for and seize obscene materials and documents relating to a connected business).

###### *Betting, Gaming and Lotteries Act 1963 (c. 2)*

- 89 F1 .....

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**Annotations:**

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**Amendments (Textual)**

**F1** Sch. 1 para. 89 repealed (1.9.2007) by [Gambling Act 2005 \(c. 19\)](#), ss. 356, 358, Sch. 16 para. 18(1)(c) (2), [Sch. 17](#) (with ss. 352, 354, Sch. 16 para. 21); S.I. 2006/3272, [art. 2\(4\)](#) (with transitional provisions in art. 6, Sch. 4)

90 **F2** .....

**Annotations:**

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**Amendments (Textual)**

**F2** Sch. 1 para. 90 repealed (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), ss. 199, 201, [Sch. 7](#) (with ss. 2(3),15(2), 195); S.I. 2005/3056, [art. 2\(2\)](#)

*Firearms Act 1968 (c. 27)*

91 The power of seizure conferred by section 46 of the Firearms Act 1968 (seizure of firearms etc.).

*Theft Act 1968 (c. 60)*

92 The power of seizure conferred by section 26(3) of the Theft Act 1968, (power to search for and seize goods suspected of being stolen).

*Gaming Act 1968 (c. 65)*

93 **F3** .....

**Annotations:**

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**Amendments (Textual)**

**F3** Sch. 1 para. 93 repealed (1.9.2007) by [Gambling Act 2005 \(c. 19\)](#), ss. 356, 358, Sch. 16 para. 18(1)(c) (2), [Sch. 17](#) (with ss. 352, 354, Sch. 16 para. 21); S.I. 2006/3272, [art. 2\(4\)](#) (with transitional provisions in art. 6, Sch. 4)

*Theft Act (Northern Ireland) 1969 (c. 16 (N.I.))*

94 The power of seizure conferred by section 25(3) of the Theft Act (Northern Ireland) 1969 (seizure of goods suspected of being stolen).

*Immigration Act 1971 (c. 77)*

95 The power of seizure conferred by section 28D(3) of the Immigration Act 1971 (seizure of evidence of offences under that Act).

*Biological Weapons Act 1974 (c. 6)*

96 Each of the powers of seizure conferred by the provisions of section 4(1)(b), (c) and (d) of the Biological Weapons Act 1974 (seizures under a warrant).

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*Lotteries and Amusements Act 1976 (c. 32)*

97 F4 .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 1 para. 97 repealed (1.9.2007) by [Gambling Act 2005 \(c. 19\)](#), ss. 356, 358, Sch. 16 para. 18(1)(c) (2), [Sch. 17](#) (with ss. 352, 354, Sch. 16 para. 21); S.I. 2006/3272, [art. 2\(4\)](#) (with transitional provisions in art. 6, Sch. 4)

*Protection of Children Act 1978 (c. 37)*

98 The power of seizure conferred by section 4(2) of the Protection of Children Act 1978 (seizure of indecent photographs or pseudo-photographs of children).

*Protection of Children (Northern Ireland) Order 1978 (S.I. 1978 1047 (N.I. 17))*

99 The power of seizure conferred by Article 4(1) of the Protection of Children (Northern Ireland) Order 1978 (seizure of indecent photographs or pseudo-photographs of children).

*Indecent Displays (Control) Act 1981 (c. 42)*

100 The power of seizure conferred by section 2(3) of the Indecent Displays (Control) Act 1981 (seizure of indecent matter believed to have been used in the commission of an offence under that Act).

*Forgery and Counterfeiting Act 1981 (c. 45)*

101 Each of the powers of seizure conferred by the provisions of sections 7(1) and 24(1) of the Forgery and Counterfeiting Act 1981 (seizure of forgeries and counterfeits and of things used for making them etc.).

*Firearms (Northern Ireland) Order 2004 (S.I. 2004/ (N.I.))*

[<sup>F5</sup>102 The power of seizure conferred by Article 52 of the Firearms (Northern Ireland) Order 2004 (seizure of firearms, etc.).]

**Annotations:**

**Amendments (Textual)**

**F5** Sch. 1 para. 102 substituted (1.2.2005) by [The Firearms \(Northern Ireland\) Order 2004 \(S.I. 2004/702 \(N.I. 3\)\)](#), arts. 1, 82(1), [Sch. 7 para. 25\(c\)](#) (with art. 81); S.R. 2005/4, [art. 3](#) (with arts. 4-7)

*Video Recordings Act 1984 (c. 39)*

103 The power of seizure conferred by section 17(2) of the Video Recordings Act 1984 (seizure of evidence of offences under that Act).

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*Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (S.I. 1985 1204 (N.I. 11))*

- 104 The power of seizure conferred by Article 180(4) of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (seizure of evidence of offences under that Order).

*Criminal Justice Act 1988 (c. 33)*

- 105 <sup>F6</sup> .....

**Annotations:**

**Amendments (Textual)**

- F6** Sch. 1 para. 105 repealed (24.3.2003) by Proceeds of Crime Act 2002 (c. 40), ss. 457, 458(1)(3), Sch. 12; S.I. 2003/333, art. 2, Sch. (subject to arts. 3-13 (as amended by S.I. 2003/531, arts. 3, 4))

*Copyright, Designs and Patents Act 1988 (c. 48)*

- [<sup>F7</sup>106 The powers of seizure conferred by sections 109(4), 200(3A) and 297B(4) of the Copyright, Designs and Patents Act 1988 (seizure of evidence relating to offences concerning infringing copies, illicit recordings and unauthorised decoders).]

**Annotations:**

**Amendments (Textual)**

- F7** Sch. 1 para. 106 substituted (1.4.2003) by The Criminal Justice and Police Act 2001 (Powers of Seizure) Order 2003 (S.I. 2003/934), art. 3(2)

*Computer Misuse Act 1990 (c. 18)*

- 107 The power of seizure conferred by section 14(4) of the Computer Misuse Act 1990 (seizure of evidence of offences under that Act).

*Trade Marks Act 1994 (c. 26)*

- [<sup>F8</sup>107A The power of seizure conferred by section 92A(4) of the Trade Marks Act 1994 (seizure of evidence relating to offences concerning unauthorised use of a trade mark, etc. in relation to goods).]

**Annotations:**

**Amendments (Textual)**

- F8** Sch. 1 para. 107A inserted (1.4.2003) by The Criminal Justice and Police Act 2001 (Powers of Seizure) Order 2003 (S.I. 2003/934), art. 3(3)

*Drug Trafficking Act 1994 (c. 37)*

- 108 The power of seizure conferred by section 56(5) of the Drug Trafficking Act 1994 (seizure of material likely to be of substantial value to an investigation into drug trafficking).

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### *Terrorism Act 2000 (c. 11)*

- 109 (1) Each of the powers of seizure conferred by the provisions of paragraphs 1 and 3 of Schedule 5 to the Terrorism Act 2000 (powers for use in terrorism investigations).
- (2) Each of the powers of seizure conferred by paragraphs 15 and 19 of Schedule 5 to that Act, so far only as the power in question is conferred by reference to paragraph 1 of that Schedule.

### *Proceeds of Crime Act 2002 (c. 29)*

- [<sup>F9</sup>110 The power of seizure conferred by section 352(4) of the Proceeds of Crime Act 2002 (seizure of material likely to be of substantial value to certain investigations).]

#### **Annotations:**

##### **Amendments (Textual)**

- F9** Sch. 1 para. 110 added (24.2.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), ss. 456, 458(1)(3), [Sch. 11 para. 40\(7\)](#); S.I. 2003/120, [art. 2](#), Sch. (subject to transitional provisions and savings in arts. 3-7 (as amended by S.I. 2003/333, art. 14))

### *Licensing Act 2003*

- [<sup>F10</sup>[<sup>F11</sup>111]The power of seizure conferred by section 90 of the Licensing Act 2003 (seizure of documents relating to club).]

#### **Annotations:**

##### **Amendments (Textual)**

- F10** Sch. 1 para. 110 inserted (24.11.2005) at the end of Sch. 1 Pt. 3 by virtue of [Licensing Act 2003 \(c. 17\)](#), ss. 198, 201, [Sch. 6 para. 128\(b\)](#) (with ss. 2(3), 15(2), 195); S.I. 2005/3056, [art. 2\(2\)](#); Sch. 1 para. 110 was subsequently renumbered as Sch. 1 para. 111 by [Gambling Act 2005 \(c. 19\)](#), Sch. 16 para. 18(1)(d)
- F11** Sch. 1 para. 110 renumbered (1.9.2007) as Sch. 1 para. 111 by [Gambling Act 2005 \(c. 19\)](#), ss. 356, 358, [Sch. 16 para. 18\(1\)\(d\)\(2\)](#) (with ss. 352, 354, Sch. 16 para. 21); S.I. 2006/3272, [art. 2\(4\)](#) (with transitional provisions in art. 6, Sch. 4)

### *Gambling Act 2005*

- [<sup>F12</sup>112 The powers conferred by section 317 of the Gambling Act 2005 (inspection powers).]

#### **Annotations:**

##### **Amendments (Textual)**

- F12** Sch. 1 para. 112 added (1.9.2007) by [Gambling Act 2005 \(c. 19\)](#), ss. 356, 358, [Sch. 16 para. 18\(1\)\(d\)\(2\)](#) (with ss. 352, 354, Sch. 16 para. 21); S.I. 2006/3272, [art. 2\(4\)](#) (with transitional provisions in art. 6, Sch. 4)

- [<sup>F13</sup>113 The power of seizure conferred by section 28 of the Terrorism Act 2006.]

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**Annotations:****Amendments (Textual)**

**F13** Sch. 1 para. 113 inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), [ss. 28\(6\)\(b\)](#), 39(2); S.I. 2006/1013, [art. 2](#)

**Changes to legislation:**

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

- Blanket amendment words substituted by S.I. 2011/1043 art. 3 6

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

- s. 2(1A) inserted by 2012 c. 10 Sch. 23 para. 3(3)
- s. 2(4A) (4B) inserted by 2012 c. 10 Sch. 23 para. 3(7)
- s. 2A inserted by 2012 c. 10 Sch. 23 para. 4
- s. 3(3A) inserted by 2012 c. 10 Sch. 23 para. 5(3)
- s. 4(6)-(10) inserted by 2012 c. 10 Sch. 23 para. 6(3)
- s. 5(2A) (2B) inserted by 2012 c. 10 Sch. 23 para. 7(3)
- s. 6(ba) inserted by 2012 c. 10 Sch. 23 para. 8
- s. 10(7) inserted by 2012 c. 10 Sch. 23 para. 10(3)
- s. 10A and cross-heading inserted by 2012 c. 10 Sch. 23 para. 11
- s. 57(1)(s) inserted by 2015 c. 15 Sch. 6 para. 62(b)
- s. 57(1)(t) inserted by 2018 c. 12 Sch. 19 para. 71(b)
- s. 59(13) inserted by 2015 c. 20 s. 82(5)
- s. 65(8B) inserted by 2015 c. 15 Sch. 6 para. 63(3)
- s. 66(4)(q)(r) inserted by S.I. 2008/1277 Sch. 2 para. 63
- s. 66(4)(q) omitted by 2015 c. 15 Sch. 6 para. 64(a)
- s. 66(4)(r) omitted by 2015 c. 15 Sch. 6 para. 64(a)
- s. 66(4)(s) inserted by S.I. 2010/2960 Sch. 6 para. 2(3)(b)
- s. 66(4)(s) omitted by 2015 c. 15 Sch. 6 para. 64(a)
- s. 66(4)(s) words substituted by S.I. 2011/1065 reg. 2(3)
- s. 66(4)(t) inserted by 2015 c. 15 Sch. 6 para. 64(d)
- s. 66(4)(ja) inserted by 2008 c. 22 Sch. 7 para. 20(a)
- s. 67A inserted by 2016 anaw 6 s. 185(2)
- s. 69(2A) inserted by S.I. 2010/976 Sch. 14 para. 46(3)
- s. 97(1A)(1B) inserted by 2014 c. 12 s. 123(5)(a)
- s. 97(4)(c)-(cb) substituted for s. 97(4)(c) by 2011 c. 13 Sch. 16 para. 271(b)
- s. 97(6)(c)(iv) and word inserted by 2017 c. 3 s. 40(2)(b)
- Sch. 1 para. 73M and cross-headings inserted by 2010 asp 5 s. 141(6)
- Sch. 1 para. 73O inserted by S.R. 2011/331 Sch. 1 Pt. 2 para. 20(b)
- Sch. 1 para. 73L and cross heading inserted by 2009 c. 23 s. 253(7)
- Sch. 1 para. 73M inserted by 2010 c. 11 Sch. 3 para. 1
- Sch. 1 para. 63A and cross-heading inserted by 2012 c. 9 Sch. 9 para. 145
- Sch. 1 para. 69A 69B inserted by 2012 c. 9 Sch. 9 para. 28
- Sch. 1 para. 82A inserted by 2012 c. 9 Sch. 9 para. 29
- Sch. 1 para. 73P and cross-heading inserted by 2015 c. 15 Sch. 6 para. 65(5)
- Sch. 1 para. 73Q and cross-heading inserted by 2017 c. 6 s. 23(9)
- Sch. 1 para. 73S inserted by 2018 c. 12 Sch. 19 para. 73(b)
- Sch. 1 para. 73N inserted by S.I. 2010/2960 Sch. 6 para. 2(4)(b)
- Sch. 1 para. 68A inserted by S.I. 2016/680 reg. 13(5)
- Sch. 1 para. 73R inserted by S.I. 2017/730 Sch. 3 para. 6
- Sch. 1 para. 73S inserted by S.I. 2018/435 art. 2
- Sch. 1 para. 73N omitted by 2015 c. 15 Sch. 6 para. 65(2)(k)
- Sch. 1 para. 73O omitted by 2015 c. 15 Sch. 6 para. 65(2)(l)
- Sch. 1 para. 73N words substituted by S.I. 2011/1065 reg. 2(4)
- Sch. 2 para. 4D 4E inserted by 2015 c. 15 Sch. 6 para. 66(5)
- Sch. 2 para. 9D inserted by 2015 c. 15 Sch. 6 para. 66(8)
- Sch. 2 para. 4B 4C inserted by S.I. 2008/1277 Sch. 2 para. 65(2)
- Sch. 2 para. 9B 9C inserted by S.I. 2008/1277 Sch. 2 para. 65(3)

- Sch. 2 para. 4B omitted by 2015 c. 15 Sch. 6 para. 66(2)
- Sch. 2 para. 4C omitted by 2015 c. 15 Sch. 6 para. 66(2)
- Sch. 2 para. 9B omitted by 2015 c. 15 Sch. 6 para. 66(2)
- Sch. 2 para. 9C omitted by 2015 c. 15 Sch. 6 para. 66(2)

**Commencement Orders yet to be applied to the Criminal Justice and Police Act 2001**

Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2003/3300 art. 2 commences (2003 c. 38)
- S.I. 2004/3338 art. 3(b) commences (2002 c. 30)
- S.I. 2008/755 art. 2 15-18 commences (2007 c. 27)
- S.I. 2008/790 art. 2 3 commences (2006 c. 48)
- S.I. 2008/1886 art. 2 commences (2006 c. 46)
- S.I. 2008/2504 art. 2 commences (2007 c. 27)
- S.I. 2008/2550 art. 2 Sch. commences (2007 c. 17)
- S.I. 2008/2860 art. 3 4 Sch. 1 commences (2006 c. 46)
- S.I. 2009/812 art. 3 commences (2006 c. 52)
- S.I. 2009/1167 art. 3 4 commences (2006 c. 52)
- S.I. 2009/2232 art. 2 commences (2008 c. 22)
- S.I. 2009/2565 art. 2 commences (2006 c. 15)
- S.I. 2009/3345 art. 2 Sch. commences (2009 c. 23)
- S.I. 2010/987 art. 2 commences (2008 c. 22)
- S.I. 2011/3019 art. 3 Sch. 1 commences (2011 c. 13)
- S.S.I. 2010/230 art. 2-4 commences (2010 asp 5)
- S.R. 2011/11 art. 2 Sch. commences (2008 c. 12 (N.I.))