



# Armed Forces Act 2001

## 2001 CHAPTER 19

### PART 2

#### POWERS OF ENTRY, SEARCH AND SEIZURE

##### *Seizure etc.*

#### **11 Power to make provision equivalent to that made by ss. 18 to 22 of Police and Criminal Evidence Act 1984**

- (1) The Secretary of State may by order make provision, in relation to premises occupied or controlled by a person who—
- (a) has been arrested under any of the services Acts, and
  - (b) is being held in military, air-force or naval custody without being charged,
- which is equivalent to that made by any provision of section 18 of the 1984 Act (entry and search after arrest), subject to such modifications as the Secretary of State thinks fit.
- (2) The Secretary of State may by order make provision, in relation to—
- (a) a service policeman who is on any premises in the exercise of any power conferred by or under this Part, or
  - (b) any power of seizure conferred by or under this Part,
- which is equivalent to that made by any provision of sections 19 to 21 of the 1984 Act (which relate to seizure) or section 22(1) to (4) of that Act (power to retain property seized), subject to such modifications as the Secretary of State thinks fit.
- (3) In subsection (1) “charged”—
- (a) in relation to a person held in military custody, is to be construed in accordance with section 75(4) of the Army Act [1955 \(c. 18\)](#),
  - (b) in relation to a person held in air-force custody, is to be construed in accordance with section 75(4) of the Air Force Act [1955 \(c. 19\)](#), and
  - (c) in relation to a person held in naval custody, is to be construed in accordance with section 47A(4) of the 1957 Act.

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*Status: This is the original version (as it was originally enacted).*

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(4) No provision made by virtue of this section affects the power conferred by section 12.