



Crime (International Co-operation) Act 2003

2003 CHAPTER 32

PART 1

MUTUAL ASSISTANCE IN CRIMINAL MATTERS

CHAPTER 2

MUTUAL PROVISION OF EVIDENCE

Assisting overseas authorities to obtain evidence in the UK

16 Extension of statutory search powers in England and Wales and Northern Ireland

- (1) Part 2 of the Police and Criminal Evidence Act 1984 (c. 60) (powers of entry, search and seizure) is to have effect as if references to [F1 indictable offences] in section 8 of, and Schedule 1 to, that Act included any conduct which—
 - (a) constitutes an offence under the law of a country outside the United Kingdom, and
 - (b) would, if it occurred in England and Wales, constitute [F2 an indictable offence].
- (2) But an application for a warrant or order by virtue of subsection (1) may be made only—
 - (a) in pursuance of a direction given under section 13, or
 - (b) if it is an application for a warrant or order under section 8 of, or Schedule 1 to, that Act by a constable for the purposes of an investigation by an international joint investigation team of which he is a member.

Changes to legislation: *Crime (International Co-operation) Act 2003, Section 16 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (3) Part 3 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I.12)) (powers of entry, search and seizure) is to have effect as if references to [F3 serious arrestable offences][F3 indictable offences] in Article 10 of, and Schedule 1 to, that Order included any conduct which—
- (a) constitutes an offence under the law of a country outside the United Kingdom, and
 - (b) would, if it occurred in Northern Ireland, constitute [F4 a serious arrestable offence][F4 an indictable offence].
- (4) But an application for a warrant or order by virtue of subsection (3) may be made only—
- (a) in pursuance of a direction given under section 13, or
 - (b) if it is an application for a warrant or order under Article 10 of, or Schedule 1 to, that Order, by a constable for the purposes of an investigation by an international joint investigation team of which he is a member.
- (5) In this section, “international joint investigation team” has the meaning given by section 88(7) of the Police Act 1996 (c. 16).

Textual Amendments

- F1** Words in s. 16(1) substituted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\), s. 178\(8\), Sch. 7 para. 51\(2\)\(a\)](#); S.I. 2005/3495, art. 2(1)(m)
- F2** Words in s. 16(1)(b) substituted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\), s. 178\(8\), Sch. 7 para. 51\(2\)\(b\)](#); S.I. 2005/3495, art. 2(1)(m)
- F3** Words in s. 16(3) substituted (N.I.) (1.3.2007) by [The Police and Criminal Evidence \(Amendment\) \(Northern Ireland\) Order 2007 \(S.I. 2007/288\), art. 1\(2\), Sch. 1 para. 37\(1\)\(a\)](#)
- F4** Words in s. 16(3)(b) substituted (N.I.) (1.3.2007) by [The Police and Criminal Evidence \(Amendment\) \(Northern Ireland\) Order 2007 \(S.I. 2007/288\), art. 1\(2\), Sch. 1 para. 37\(1\)\(b\)](#)

Modifications etc. (not altering text)

- C1** S. 16 functions of a constable made exercisable by a customs officer (E.W.N.I.) (23.3.2005) by [Crime \(International Co-operation\) Act 2003 \(Exercise of Functions\) Order 2005 \(S.I. 2005/425\), arts. 1\(1\), 9, 12](#)

Commencement Information

- I1** S. 16 in force at 26.4.2004 by [S.I. 2004/786, art. 3](#)

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

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

- s. 4A4B inserted by [2003 c. 44 Sch. 36 para. 16](#)