
Changes to legislation: Criminal Justice Act 2003, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 March 2019. 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)

SCHEDULES

SCHEDULE 1

Section 12

AMENDMENTS RELATED TO PART 1

The 1984 Act

- 1 The 1984 Act is amended as follows.
- 2 In section 18 (entry and search after arrest), for subsection (5) there is substituted—
- “(5) A constable may conduct a search under subsection (1)—
- (a) before the person is taken to a police station or released on bail under section 30A, and
 - (b) without obtaining an authorisation under subsection (4),
- if the condition in subsection (5A) is satisfied.
- (5A) The condition is that the presence of the person at a place (other than a police station) is necessary for the effective investigation of the offence.”
- 3 In section 21 (access and copying), at the end there is inserted—
- “(9) The references to a constable in subsections (1), (2), (3)(a) and (5) include a person authorised under section 16(2) to accompany a constable executing a warrant.”
- 4 In section 22 (retention), at the end there is inserted—
- “(7) The reference in subsection (1) to anything seized by a constable includes anything seized by a person authorised under section 16(2) to accompany a constable executing a warrant.”
- 5 In section 34 (limitation on police detention), for subsection (7) there is substituted—
- “(7) For the purposes of this Part a person who—
- (a) attends a police station to answer to bail granted under section 30A,
 - (b) returns to a police station to answer to bail granted under this Part, or
 - (c) is arrested under section 30D or 46A,
- is to be treated as arrested for an offence and that offence is the offence in connection with which he was granted bail.”
- 6 In section 35(1) (designated police stations), for “section 30(3) and (5) above” there is substituted “sections 30(3) and (5), 30A(5) and 30D(2)”.
- 7 In section 36 (custody officers at police stations), after subsection (7) there is inserted—

Changes to legislation: Criminal Justice Act 2003, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 March 2019. 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)

“(7A) Subject to subsection (7B), subsection (7) applies where a person attends a police station which is not a designated station to answer to bail granted under section 30A as it applies where a person is taken to such a station.

(7B) Where subsection (7) applies because of subsection (7A), the reference in subsection (7)(b) to the officer who took him to the station is to be read as a reference to the officer who granted him bail.”

8 In section 41(2) (calculation of periods of time), after paragraph (c) there is inserted

—
“(ca) in the case of a person who attends a police station to answer to bail granted under section 30A, the time when he arrives at the police station;”.

9 In section 45A(2)(a) (functions which may be performed by video-conferencing), after “taken to” there is inserted “, or answering to bail at, ”.

10 In section 47 (bail after arrest)—

- (a) in subsection (6), after “granted bail” there is inserted “ under this Part ”, and
- (b) in subsection (7), after “released on bail” there is inserted “ under this Part ”.

Criminal Justice Act 1987 (c. 38)

11 In section 2 of the Criminal Justice Act 1987 (director’s investigation powers), after subsection (6) there is inserted—

“(6A) Where an appropriate person accompanies a constable, he may exercise the powers conferred by subsection (5) but only in the company, and under the supervision, of the constable.”

12 In subsection (7) of that section (meaning of appropriate person), for “subsection (6) above” there is substituted “ this section ”.

13 In subsection (8D) of that section (references to evidence obtained by Director), after “by a constable” there is inserted “ or by an appropriate person ”.

Criminal Justice and Police Act 2001 (c. 16)

14 In section 56 of the Criminal Justice and Police Act 2001 (property seized by constables etc.), after subsection (4) there is inserted—

“(4A) Subsection (1)(a) includes property seized on any premises—

- (a) by a person authorised under section 16(2) of the 1984 Act to accompany a constable executing a warrant, or
- (b) by a person accompanying a constable under section 2(6) of the Criminal Justice Act 1987 in the execution of a warrant under section 2(4) of that Act.”

Armed Forces Act 2001 (c. 19)

15 F1

Changes to legislation: Criminal Justice Act 2003, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 March 2019. 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)

Annotations:

Amendments (Textual)

- F1** Sch. 1 para. 15 repealed (28.3.2009 for certain purposes, otherwise 31.10.2009) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(2), 383, [Sch. 17](#); S.I. 2009/812, [art. 3](#) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)

Police Reform Act 2002 (c. 30)

16 Schedule 4 to the Police Reform Act 2002 (powers exercisable by police civilians) is amended as follows.

^{F2}17

Annotations:

Amendments (Textual)

- F2** Sch. 1 paras. 17-19 omitted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 12 para. 16\(3\)](#); S.I. 2017/1139, [reg. 2\(k\)](#) (as amended by S.I. 2017/1162, [reg. 2](#))

^{F2}18

Annotations:

Amendments (Textual)

- F2** Sch. 1 paras. 17-19 omitted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 12 para. 16\(3\)](#); S.I. 2017/1139, [reg. 2\(k\)](#) (as amended by S.I. 2017/1162, [reg. 2](#))

^{F2}19

Annotations:

Amendments (Textual)

- F2** Sch. 1 paras. 17-19 omitted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 12 para. 16\(3\)](#); S.I. 2017/1139, [reg. 2\(k\)](#) (as amended by S.I. 2017/1162, [reg. 2](#))

20 In paragraph 34 (powers of escort officer to take arrested person to prison), in sub-paragraph (1)(a), for “subsection (1) of section 30” there is substituted “subsection (1A) of section 30”.

Changes to legislation:

Criminal Justice Act 2003, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 March 2019. 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.

Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2012/2574, Sch. by S.I. 2012/2761 art. 2

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. 117(4)(b)(iv) and word inserted by 2019 c. 5 s. 10(3)(b)
- s. 150(aa) inserted by 2012 c. 10 Sch. 26 para. 19(2) (This amendment not applied to legislation.gov.uk. Sch. 26 para. 19 omitted (11.12.2013) by virtue of 2013 c. 22, Sch. 16 para. 23(2); S.I. 2013/2981, art. 2(d))
- s. 150(ba) inserted by 2012 c. 10 Sch. 26 para. 19(3) (This amendment not applied to legislation.gov.uk. Sch. 26 para. 19 omitted (11.12.2013) by virtue of 2013 c. 22, Sch. 16 para. 23(2); S.I. 2013/2981, art. 2(d))
- s. 151(A1) inserted by 2008 c. 4 s. 11(3)
- s. 151(1A) inserted by 2008 c. 4 s. 11(5)
- s. 151(1A)(b) word substituted by 2008 c. 4 Sch. 4 para. 76(3) (This amendment not applied to legislation.gov.uk. S. 151(1A) is still only prospectively inserted by 2008 c. 4, s. 11(5))
- s. 151(1A)(c) substituted by 2009 c. 25 Sch. 17 para. 8(3) (This amendment not applied to legislation.gov.uk. S. 151(1A) is still only prospectively inserted by 2008 c. 4, s. 11(5))
- s. 151(4A) inserted by 2009 c. 25 Sch. 17 para. 8(5)
- s. 151(8)(c)-(f) inserted by 2009 c. 25 Sch. 17 para. 8(6)(c)
- s. 165(5) inserted by 2014 c. 12 s. 179(3)
- s. 237(1A) inserted by 2006 c. 48 s. 34(3)
- s. 239A inserted by 2015 c. 2 s. 8(1)
- s. 239A cross-heading inserted by 2015 c. 2 Sch. 3 para. 5
- s. 250(5C) inserted by 2015 c. 2 Sch. 3 para. 7(4)
- s. 255A(4A) inserted by 2015 c. 2 s. 9(2)
- s. 255B(3A) inserted by 2015 c. 2 s. 9(3)(b)
- s. 255B(4A)-(4C) inserted by 2015 c. 2 s. 9(3)(d)
- s. 255C(3A) inserted by 2015 c. 2 s. 9(4)(b)
- s. 255C(4A)-(4C) inserted by 2015 c. 2 s. 9(4)(d)
- s. 256A(1)-(1B) substituted for s. 256A(1) by 2015 c. 2 s. 9(6)(a)
- s. 256A(4A)(4B) inserted by 2015 c. 2 s. 9(6)(f)
- s. 256A(5)(6) substituted for s. 256A(5) by 2015 c. 2 s. 9(6)(g)
- s. 256AZA inserted by 2015 c. 2 s. 10(1)
- s. 257(3) inserted by 2006 c. 48 s. 34(4)
- s. 258(1A) inserted by 2006 c. 48 s. 34(5)
- s. 260(4)(aa) substituted for word by 2008 c. 4 s. 34(7)(b) (This amendment not applied to legislation.gov.uk. S. 34(2)(4)(b)(7)(10) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(b); S.I. 2012/2906, art. 2(d))
- Sch. 4 para. 33A33B inserted by 2018 c. 5 Sch. 12 para. 24
- Sch. 15 para. 63I-63M inserted by 2018 c. 5 Sch. 12 para. 25
- Sch. 15 Pt. 3 inserted by 2019 c. 3 s. 9(5)
- Sch. 18A para. 6A6B inserted by 2019 c. 3 s. 9(6)(a)
- Sch. 18A para. 9A-9C inserted by 2019 c. 3 s. 9(6)(b)
- Sch. 18A para. 13A13B inserted by 2019 c. 3 s. 9(6)(c)
- Sch. 18A para. 15A inserted by 2019 c. 3 s. 9(6)(d)

- Sch. 18A para. 7 words substituted by [2019 c. 3 Sch. 4 para. 9\(3\)\(a\)](#)
- Sch. 18A para. 14 words substituted by [2019 c. 3 Sch. 4 para. 9\(3\)\(b\)](#)
- Sch. 20B para. 34(6)(7) substituted for Sch. 20B para. 34(6) by [2015 c. 2 Sch. 3 para. 10](#)