
STATUTORY INSTRUMENTS

2009 No. 2056

**The Armed Forces (Powers of Stop and Search,
Search, Seizure and Retention) Order 2009**

PART 3

Seizure, copying and retention

General power of seizure

14.—(1) The powers conferred by paragraphs (2), (3) and (4) are exercisable by a service policeman who, in connection with the investigation of a service offence, is lawfully on premises which are searchable by virtue of Part 3 of the Act.

(2) The service policeman may seize anything which is on the premises if he has reasonable grounds for believing—

- (a) that it has been obtained in consequence of the commission of a service offence; and
- (b) that it is necessary to seize it in order to prevent it being concealed, lost, damaged, altered or destroyed.

(3) The service policeman may seize anything which is on the premises if he has reasonable grounds for believing—

- (a) that it is evidence in relation to an offence which he is investigating or any other service offence; and
- (b) that it is necessary to seize it in order to prevent the evidence being concealed, lost, altered or destroyed.

(4) The service policeman may require any information which is stored in any electronic form and is accessible from the premises to be produced in a form in which it can be taken away and in which it is visible and legible or from which it can readily be produced in a visible and legible form if he has reasonable grounds for believing—

- (a) that—
 - (i) it is evidence in relation to an offence which he is investigating or any other service offence; or
 - (ii) it has been obtained in consequence of the commission of a service offence; and
- (b) that it is necessary to do so in order to prevent it being concealed, lost, tampered with or destroyed.

(5) The powers conferred by this article are in addition to any power otherwise conferred.

(6) Subject to articles 19(5) and 20(5), nothing in this Order is to be taken to authorise the seizure of an item which the service policeman has reasonable grounds for believing is subject to legal privilege.