
STATUTORY INSTRUMENTS

2013 No. 1542

**The Police and Criminal Evidence Act 1984
(Application to immigration officers and designated
customs officials in England and Wales) Order 2013**

PART 2

INVESTIGATIONS CONDUCTED BY IMMIGRATION OFFICERS

Search of persons found on premises

8.—(1) This article applies where an immigration officer searches premises in reliance on a warrant under section 8 of, or paragraph 12 of Schedule 1 to, the Act⁽¹⁾, as applied by article 3.

(2) The immigration officer may search any person found on the premises where the immigration officer has reasonable cause to believe that person to be in possession of material which is likely to be of substantial value (whether by itself or together with other material) to the investigation of the offence for which the warrant was issued.

(3) The power to search conferred by paragraph (2) above is only a power to search to the extent that is reasonably required for the purpose of discovering any such material.

(4) The power to search conferred by paragraph (2) is not to be construed as authorising an immigration officer to require a person to remove any of his clothing, other than an outer coat, jacket or gloves but they do authorise a search of a person's mouth.

(5) No person may be searched except by a person of the same sex.

⁽¹⁾ Section 8 of the Act was amended by the Serious Organised Crime and Police Act 2005 (c.15), sections 113(3), (4), 114(2) and section 111, Schedule 7, Part 3, paragraph 43(1) and (3); the Immigration and Asylum Act 1999 (c.33), section 169(1), Schedule 14, paragraph 80(1) and (2); and the Finance Act 2007 (c.11), section 86. Paragraph 12 of Schedule 1 to the Act was amended by the Serious Organised Crime and Police Act 2005 (c.15), section 113(1), (10); and (13) and the Courts Act 2003 (c.39), section 65, Schedule 4, paragraph 6(1), but the latter amendment is not yet in force.