

SCHEDULE 1

Article 3(1)

Provisions of the Act applied to Revenue and Customs

- Section 8 (power of justice of the peace to authorise entry and search of premises)(1)
- Section 9 (special provisions as to access) and Schedule 1 (special procedure)(2)
- Section 15 (search warrants—safeguards)(3)
- Section 16 (execution of warrants)(4)
- Section 17(1)(a)(i), (1)(b), (1)(cb), (1)(d), (2), (4) (entry for purpose of arrest etc)(5)
- Section 18 (entry and search after arrest) (subject to the modification in article 8)(6)
- Section 19 (general power of seizure etc)(7)
- Section 20 (extension of powers of seizure to computerised information)(8)
- Section 21 (access and copying) (subject to the modification in article 5)(9)
- Section 22(1) to (4) and (7) (retention)(10)
- Section 24(2), (4), (5) (arrest without warrant: constables) (subject to the modification in article 17)(11)
- Section 28 (information to be given on arrest)
- Section 29 (voluntary attendance at police station etc)
- Section 30(1) to (4)(a) and (5) to (11) (arrest elsewhere than at police station) (subject to the modification in article 9)(12)
- Section 31 (arrest for further offence)
- Section 32(1) to (9) (search upon arrest) (subject to the modifications in article 5)(13)

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- (1) Section 8 of the Act was amended by sections 113(3), (4), 114(2) and 111 of, and paragraph 43(3) of Part 3 of Schedule 7 to, the Serious Organised Crime and Police Act 2005 (c.15); section 169(1) of, and paragraph 80(2) of Schedule 14 to, the Immigration and Asylum Act 1999 (c.33) and section 86 of the Finance Act 2007 (c.11).
 - (2) Section 9 of the Act was amended by section 86(1) of the Criminal Justice and Police Act 2001 (c.16) and section 65 of, and paragraph 5 of Schedule 4 to, the Courts Act 2003 (c.39) but the latter amendment is not yet in force. Schedule 1 of the Act was amended by section 70 of, and paragraph 14 of Part 2 of Schedule 4 to, the Criminal Justice and Police Act 2001 (c.16); section 111 of, and paragraph 43(13) of Part 3 of Schedule 7 to, the Serious Organised Crime and Police Act 2005 (c.15) and section 113(10) to (13) of the 2005 Act (c.15).
 - (3) Section 15 of the Act was amended by section 113(6) to (8), 114(4) to (7) and 174(2) of, and Part 2 of Schedule 17 to, the Serious Organised Crime and Police Act 2005 (c.15) and Article 7 of the Serious Organised Crime and Police Act 2005 (Amendment) Order 2005 (S.I. 2005/3496).
 - (4) Section 16 of the Act was amended by section 109(1) of, and paragraph 281(3) of Schedule 8 to the Courts Act 2003 (c.39); section 2 of the Criminal Justice Act 2003 (c.44); section 113(9) and 114(8) of the Serious Organised Crime and Police Act 2005 (c.15) and Article 8 of the Serious Organised Crime and Police Act 2005 (Amendment) Order 2005 (S.I. 2005/3496).
 - (5) Section 17(1)(b) of the 1984 Act was amended by paragraph 43(1) and (4) of Schedule 7 to the Serious Organised Crime and Police Act 2005 (c.15); section 17(1)(cb) was inserted by section 2(1) of the Prisoners (Return to Custody) Act 1995 (c.16) and amended by paragraph 95 of Schedule 9 to the Powers of Criminal Courts (Sentencing) Act 2000 (c.6); section 17(1)(d) of the Act was amended by section 2(1) of the Prisoners (Return to Custody) Act 1995.
 - (6) Section 18 of the Act was amended by section 111 of, and paragraph 43(1) and (5) of Part 3 of Schedule 7 to, the Serious Organised Crime and Police Act 2005 (c.15) and section 12 of, and paragraphs 1 and 2 of Schedule 1 to, the Criminal Justice Act 2003 (c.44).
 - (7) Section 19 of the Act was amended by section 70 of, and paragraph 13(1) and (2)(a) of Part 2 of Schedule 2 to the Criminal Justice and Police Act 2001 (c.16).
 - (8) Section 20 of the Act was amended by section 70 of, and paragraph 13(1) and (2)(a) of Part 2 of Schedule 2 to, the Criminal Justice and Police Act 2001 (c.16).
 - (9) Section 21(9) of the Act was inserted by section 12 of, and paragraphs 1 and 3 of Schedule 1 to, the Criminal Justice Act 2003 (c.44).
 - (10) Section 22(7) of the Act was inserted by section 12 of, and paragraphs 1 and 4 of Schedule 1 to, the Criminal Justice Act 2003 (c.44).
 - (11) Section 24 was substituted by section 110(1) of the Serious Organised Crime and Police Act 2005.
 - (12) Section 30 of the Act was amended by section 4(1) to (6) of the Criminal Justice Act 2003 (c.44).
 - (13) Section 32 of the Act was amended by section 59(2) of the Criminal Justice and Public Order Act 1994 (c.33) and section 111 of, and paragraph 43(6) of part 3 of Schedule 7 to, the Serious Organised Crime and Police Act 2005 (c.15).

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- Section 34(1) to (5) (limitations on police detention)(**14**)
- Section 35(1), (2), (3) and (4) (designated police stations) (subject to the modification in article 10)(**15**)
- Section 36(1), (2), (3), (4), (5), (6), (7), (8), (9) and (10) (custody officers at police stations) (subject to the modification in article 11)(**16**)
- Section 37 (duties of custody officer before charge)(**17**)
- Section 39 (responsibilities in relation to persons detained)(**18**)
- Section 40 (review of police detention)(**19**)
- Section 41(1), (2), (4) and (6) to (9) (limits on period of detention without charge) (subject to the modification in article 12)(**20**)
- Section 42(1), (2) and (4) to (11) (authorisation of continued detention)(**21**)
- Section 43(1) to (12) and (14) to (19) (warrants of further detention)(**22**)
- Section 44 (extension of warrants of further detention)
- Section 46A(1), (1A) (power of arrest for failure to answer to police bail)(**23**)
- Section 50 (records of detention) (subject to the modification in article 13)(**24**)
- Section 51(d) (savings)
- Section 54 (searches of detained persons)(**25**)
- Section 55 (intimate searches) (subject to the modifications in articles 5 and 14)(**26**)
- Section 56(1) to (9) (right to have someone informed when arrested)(**27**)

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- (14) Section 34 of the Act was amended by section 56(2) of the Criminal Justice and Court Services Act 2000 (c.43).
- (15) Section 35 of the Act was amended by section 12 of, and paragraphs 1 and 6 of Schedule 7 to, the Criminal Justice Act 2003 (c.44).
- (16) Section 36 of the Act was amended by section 101 of, and paragraphs 11, 13(1) and (2) of Schedule 7 to, the Anti-Terrorism, Crime and Security Act 2001 (c.24).
- (17) Section 37 of the Act was amended by section 108(7) of, and Schedule 15 to, the Children Act 1989 (c.41); sections 29(4)(a) and 168(3) of, and Schedule 11 to, the Criminal Justice and Public Order Act 1994 (c.33); section 28 of and paragraph 2 of Schedule 2 to, the Criminal Justice Act 2003 (c.44); section 23(1) of, and paragraph 2 of Schedule 1 to, the Drugs Act 2005 (c.17) and sections 11 and 52 of, and paragraph 9 of Schedule 14 to, the Police and Justice Act 2006 (c.48).
- (18) Section 39 of the Act was amended by section 108(5) of, and paragraph 54 of Schedule 13 to the Children Act 1989 (c.41). Section 39(5) was repealed by section 108(7) of, and Schedule 15 to, the Children Act 1989 (c.41).
- (19) Section 40 of the Act was amended by section 52 of the Police Reform Act 2002 (c.30) and section 28 of, and paragraph 4 of Schedule 2 to, the Criminal Justice Act 2003 (c.44).
- (20) Section 41 of the Act was amended by section 12 of, and paragraphs 1 and 8 of Schedule 1 to, the Criminal Justice Act 2003 (c.44) and section 29(4)(b) of the Criminal Justice and Public Order Act 1994 (c.33).
- (21) Section 42 of the Act was amended by section 29(4)(b) of the Criminal Justice and Public Order Act 1994 (c.33); section 7 of the Criminal Justice Act 2003 (c.44) and section 111 of, and paragraph 43(7) of Part 3 of Schedule 7 to, the Serious Organised Crime and Police Act (c.15).
- (22) Section 43 of the Act was amended by section 29(4)(b) of the Criminal Justice and Public Order Act 1994 (c.33) and section 111 of, and paragraph 43(8) of Part 3 of Schedule 7 to, the Serious Organised Crime and Police Act (c.15).
- (23) Section 46A of the Act was inserted by section 29(2) of the Criminal Justice and Public Order Act 1994. The section was amended by section 46(1) and (4) of the Police and Justice Act 2006.
- (24) Section 50 of the Act was amended by section 103 of, and paragraph 35 of Schedule 7 to, the Police Act 1996 (c.16).
- (25) Section 54 of the Act was amended by section 147 of the Criminal Justice Act 1988 (c.33); section 168(2) of, and paragraph 55 of Schedule 10 to, the Criminal Justice and Public Order Act 1994 (c.33) and section 8 of the Criminal Justice Act 2003 (c.44). There are further amendments to section 54 by section 46(1) and (6) of the Police and Justice Act 2006 (c.48) which are in force for some purposes only (see article 3(n) of the Police and Justice Act 2006 (Commencement No. 2, Transitional and Saving Provisions) Order 2007 (S.I. 2007/709)).
- (26) Section 55 of the Act was amended by section 170(1) of, and paragraphs 97 and 99 of Schedule 15 to, the Criminal Justice Act 1988 (c.33); section 103 of, and paragraph 36 of Schedule 7 to, the Police Act 1996 (c.16); section 79 of the Criminal Justice and Police Act 2001 (c.16) and section 3 of the Drugs Act 2005 (c.17).
- (27) Section 56 of the Act was amended by section 32(1) of the Drug Trafficking Offences Act 1986 (c.32); section 74 of the Criminal Justice and Police Act 2001 (c.16); section 456 of, and paragraph 14(2) of Schedule 11 to, the Proceeds of Crime Act 2002 (c.29) and section 111 of, and paragraph 43(9) of Part 3 of Schedule 7 to, the Serious Organised Crime and Police Act (c.15).

- Section 57 (additional rights of children and young persons)(**28**)
- Section 58(1) to (11) (access to legal advice)(**29**)
- Section 62 (intimate samples)(**30**)
- Section 63 (other samples)(**31**)
- Section 63D (destruction of fingerprints and DNA profiles)(**32**)
- Section 63E (retention of section 63D material pending investigation or proceeding)
- Section 63G (retention of section 63D material by virtue of section 63F(5): consent of Commissioner)
- Section 63H (retention of section 63D material: persons arrested for or charged with a minor offence)
- Section 63I (retention of material: persons convicted of a recordable offence)
- Section 63J (retention of material: persons convicted of an offence outside England and Wales)
- Section 63K (retention of section 63D material: exception for persons under 18 convicted of first minor offence)
- Section 63L (retention of section 63D material: persons given a penalty notice)
- Section 63M (retention of section 63D material for purposes of national security)
- Section 63N (retention of section 63D material given voluntarily)
- Section 63O (retention of section 63D material with consent)
- Section 63P (section 63D material obtained for one purpose and used for another)
- Section 63Q (destruction of copies of section 63D material)
- Section 63R (destruction of samples)
- Section 63S (destruction of impressions of footwear)
- Section 63T (use of retained material)
- Section 63U (exclusions for certain regimes)
- Section 66 (codes of practice)(**33**)
- Section 67 (codes of practice—supplementary)(**34**)

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- (**28**) Section 57 of the Act amends section 34 of the Children and Young Persons Act 1933.
 - (**29**) Section 58 of the Act was amended by section 32(2) of the Drug Trafficking Offences Act 1986 (c.32); section 456 of, and paragraph 14(1) and (3) of Schedule 11 to, the Proceeds of Crime Act 2002 (c.29) and section 111 of, and paragraph 43(10) of Part 3 of Schedule 7 to, the Serious Organised Crime and Police Act (c.15).
 - (**30**) Section 62 of the Act was amended by section 4 of, and paragraph 27 of Schedule 3 to, the Road Traffic (Consequential Provisions) Act 1988 (c.54); sections 54 and 168 of, and Schedule 9, paragraphs 57(a) and (b) and 62(4)(a) of Schedule 10 and Schedule 11 to, the Criminal Justice and Public Order Act 1994 (c.33); section 125(1) of, and paragraph 5(1) and (8) of Schedule 15 to, the Terrorism Act 2000 (c.11); section 74 of, and paragraphs 76 and 78 of Part II of Schedule 7 to, the Criminal Justice and Court Services Act 2000 (c.43); section 80(1) of the Criminal Justice and Police Act 2001 (c.16) and section 53(2) and 54(1) of the Police Reform Act 2002 (c.30).
 - (**31**) Section 63 of the Act was amended by section 55 of the Criminal Justice and Public Order Act 1994 (c.33) and section 168(2) of, and paragraphs 58(a) and (b) and 62(4)(b) of Schedule 10 to, the 1994 Act (c.33); sections 1(2) and 2(2) of the Criminal Evidence (Amendment) Act 1997 (c.17); section 125(1) of, and paragraph 5(1) and (9) of Schedule 15 to, the Terrorism Act 2000 (c.11); section 80(1) and (3) of the Criminal Justice and Police Act 2001 (c.16); section 107(1) of, and paragraph 9(4) of Schedule 7 to, the Police Reform Act 2002 (c.30); section 169(1) and (4) of the Extradition Act 2003 (c.41) and sections 10 and 332 of, and Part 1 of Schedule 7 to, the Criminal Justice Act 2003 (c.44).
 - (**32**) Sections 63D to 63U were inserted by the Protection of Freedoms Act 2012 (c.9), sections 1 to 17.
 - (**33**) Section 66 of the Act was amended by section 57(4) of the Criminal Justice and Court Services Act 2000 (c.43) and section 110(3) of the Serious Organised Crime and Police Act 2005 (c.15).
 - (**34**) Section 67 of the Act was amended by section 107(1) of, and paragraph 9(7) of Schedule 7 to, the Police Reform Act 2002 (c.30); section 107(2) of, and Schedule 8 to, the Police Reform Act 2002 (c.30); sections 11(1) and 332 of, and Part 1 of Schedule 37 to, the Criminal Justice Act 2003 (c.44); section 6(1) of, and paragraph 1 of Schedule 4 to, the Police and Justice Act 2006 (c.48). There are further amendments by section 38 of, and Part 1 of Schedule 7 to, the Armed Forces Act 2006 (c.52) and section 378(1) of, and paragraph 101 of Schedule 16 to, the 2006 Act (c.52). Section 67(8) was repealed by section 103 of, and Part II of Schedule 9 to, the Police Act 1996 (c.16).

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Section 77 (confessions by mentally handicapped persons) (subject to the modification in article 15)(**35**)

Section 107 (police officers performing duties of higher rank)(**36**)

(35) Section 77 of the Act was amended by section 103 of, and paragraph 38 of Schedule 7 to, the Police Act 1996 (c.16) and section 331 of, and paragraph 48 of Part 4 of Schedule 36 to, the Criminal Justice Act 2003 (c.44).

(36) Section 107 of the Act was amended by section 44 of, and paragraph 35 of Part II of Schedule 5 to, the Police and Magistrates' Courts Act 1994 (c.29).