
STATUTORY INSTRUMENTS

2007 No. 288

**The Police and Criminal Evidence
(Amendment) (Northern Ireland) Order 2007**

PART III

POWERS OF ENTRY, SEARCH AND SEIZURE

Search warrants

7.—(1) Article 10 of PACE (power of lay magistrate to authorise entry and search of premises) is amended as follows.

(2) In paragraph (1)(a) for “a serious arrestable offence” substitute “ an indictable offence ”.

(3) In paragraph (1)—

(a) in sub-paragraph (b), for “specified in the application” substitute “ mentioned in paragraph (1A) ”,

(b) in sub-paragraph (e), at the end add “ in relation to each set of premises specified in the application ”.

(4) After paragraph (1) insert—

“(1A) The premises referred to in paragraph (1)(b) are—

(a) one or more sets of premises specified in the application (in which case the application is for a “specific premises warrant”); or

(b) any premises occupied or controlled by a person specified in the application, including such sets of premises as are so specified (in which case the application is for an “all premises warrant”).

(1B) If the application is for an all premises warrant, the lay magistrate must also be satisfied—

(a) that because of the particulars of the offence referred to in sub-paragraph (a) of paragraph (1), there are reasonable grounds for believing that it is necessary to search premises occupied or controlled by the person in question which are not specified in the application in order to find the material referred to in sub-paragraph (b) of that paragraph; and

(b) that it is not reasonably practicable to specify in the application all the premises which he occupies or controls and which might need to be searched.

(1C) The warrant may authorise entry to and search of premises on more than one occasion if, on the application, the lay magistrate is satisfied that it is necessary to authorise multiple entries in order to achieve the purpose for which he issues the warrant.

(1D) If it authorises multiple entries, the number of entries authorised may be unlimited, or limited to a maximum.”.

(5) In paragraph (6) for “a serious arrestable offence” substitute “ an indictable offence ”.

Status:

Point in time view as at 01/03/2007.

Changes to legislation:

There are currently no known outstanding effects for the The Police and Criminal Evidence (Amendment) (Northern Ireland) Order 2007, Section 7.