
DRAFT STATUTORY INSTRUMENTS

2009 No. 0000

DEFENCE

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

Made - - - - *****
Coming into force *31st October 2009*

THE ARMED FORCES (POWERS OF STOP AND SEARCH,
SEARCH, SEIZURE AND RETENTION) ORDER 2009

PART 1

1. Citation and commencement
2. Interpretation

PART 2

3. Stop and search by a service policeman
4. Record of search by service policeman
5. Searches under section 76 of the Act
6. Access to excluded and special procedure material
7. Application for warrants or orders by live links
8. Search warrants – safeguards
9. Execution of warrants
10. Safeguards and execution of warrants – further provisions
11. Oaths and affirmations
12. Search of premises where person arrested
13. Entry and search after arrest

PART 3

14. General power of seizure
15. Extension of powers of seizure to computerised information
16. Access and copying
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PART 4

18. Interpretation
19. Additional powers of seizure from premises
20. Additional powers of seizure from the person
21. Notice of exercise of power under article 19 or 20
22. Examination and return of property seized under article 19 or 20
23. Obligation to return items subject to legal privilege
24. Obligation to return excluded and special procedure material
25. Authorised retention of property
26. Application of article 17 to property seized under this Part
27. Person to whom seized property is to be returned
28. Application to a judge advocate
29. Cases where duty to secure arises
30. The duty to secure
31. Use of inextricably linked property
32. Copies

PART 5

33. Relevant offences
34. Review by a judge advocate of searches and seizures under section 87 or 88 of the Act

PART 6

35. Transitional provisions
36. Reference to the Court of Judicature of Northern Ireland
Signature

SCHEDULE 1 — EXCLUDED AND SPECIAL PROCEDURE MATERIAL

SCHEDULE 2 — OATHS AND AFFIRMATIONS

SCHEDULE 3 — LIST OF SERVICE OFFENCES THAT ARE RELEVANT OFFENCES

SCHEDULE 4 — TRANSITIONAL PROVISIONS

Explanatory Note