



# Police and Criminal Evidence Act 1984

## 1984 CHAPTER 60

### PART II

#### POWERS OF ENTRY, SEARCH AND SEIZURE

##### *Search warrants*

#### 15 Search warrants—safeguards.

- (1) This section and section 16 below have effect in relation to the issue to constables under any enactment, including an enactment contained in an Act passed after this Act, of warrants to enter and search premises; and an entry on or search of premises under a warrant is unlawful unless it complies with this section and section 16 below.
  - (2) Where a constable applies for any such warrant, it shall be his duty—
    - (a) to state—
      - (i) the ground on which he makes the application; <sup>F1</sup> . . .
      - (ii) the enactment under which the warrant would be issued; <sup>F2</sup> and]
      - <sup>F3</sup>(iii) if the application is for a warrant authorising entry and search on more than one occasion, the ground on which he applies for such a warrant, and whether he seeks a warrant authorising an unlimited number of entries, or (if not) the maximum number of entries desired;]
    - <sup>F4</sup>(b) to specify the matters set out in subsection (2A) below; and]
    - (c) to identify, so far as is practicable, the articles or persons to be sought.
- <sup>F5</sup>(2A) The matters which must be specified pursuant to subsection (2)(b) above are—
- <sup>F6</sup>(a) if the application relates to one or more sets of premises specified in the application, each set of premises which it is desired to enter and search;]
  - (b) <sup>F7</sup>if the application relates to any premises occupied or controlled by a person specified in the application—
    - (i) as many sets of premises which it is desired to enter and search as it is reasonably practicable to specify;

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- (ii) the person who is in occupation or control of those premises and any others which it is desired to enter and search;
  - (iii) why it is necessary to search more premises than those specified under sub-paragraph (i); and
  - (iv) why it is not reasonably practicable to specify all the premises which it is desired to enter and search.]
- (3) An application for such a warrant shall be made ex parte and supported by an information in writing.
- (4) The constable shall answer on oath any question that the justice of the peace or judge hearing the application asks him.
- (5) A warrant shall authorise an entry on one occasion only [<sup>F8</sup>unless it specifies that it authorises multiple entries].
- [<sup>F9</sup>(5A) If it specifies that it authorises multiple entries, it must also specify whether the number of entries authorised is unlimited, or limited to a specified maximum.]
- (6) A warrant—
- (a) shall specify—
    - (i) the name of the person who applies for it;
    - (ii) the date on which it is issued;
    - (iii) the enactment under which it is issued; and
    - [<sup>F10</sup>(iv) each set of premises to be searched, or (in the case of an all premises warrant) the person who is in occupation or control of premises to be searched, together with any premises under his occupation or control which can be specified and which are to be searched; and]
  - (b) shall identify, so far as is practicable, the articles or persons to be sought.
- [<sup>F11</sup>(7) Two copies shall be made of a [<sup>F12</sup>warrant] which specifies only one set of premises and does not authorise multiple entries; and as many copies as are reasonably required may be made of any other kind of warrant.]
- (8) The copies shall be clearly certified as copies.

#### Textual Amendments

- F1** Word in s. 15(2)(a)(i) repealed (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 114(4)(a), 174(2), 178, [Sch. 17 Pt. 2](#); S.I. 2005/3495, [art. 2\(1\)\(n\)\(t\)\(u\)\(xxiv\)](#)
- F2** Word in s. 15(2)(a)(ii) inserted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 114(4)(b), 178; S.I. 2005/3495, [art. 2\(1\)\(n\)](#)
- F3** S. 15(2)(a)(iii) inserted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 114(4)(c), 178; S.I. 2005/3495, [art. 2\(1\)\(n\)](#)
- F4** S. 15(2)(b) substituted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 113(6), 178; S.I. 2005/3495, [art. 2\(1\)\(n\)](#)
- F5** S. 15(2A) inserted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 113(7), 178; S.I. 2005/3495, [art. 2\(1\)\(n\)](#)
- F6** S. 15(2A)(a) substituted (1.1.2006) by [The Serious Organised Crime and Police Act 2005 \(Amendment\) Order 2005 \(S.I. 2005/3496\)](#), [art. 7\(2\)\(a\)](#)
- F7** Words in s. 15(2A)(b) substituted (1.1.2006) by [The Serious Organised Crime and Police Act 2005 \(Amendment\) Order 2005 \(S.I. 2005/3496\)](#), [art. 7\(2\)\(b\)](#)

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- F8** Words in s. 15(5) inserted (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), **ss. 114(5), 178**; S.I. 2005/3495, **art. 2(1)(n)**
- F9** S. 15(5A) inserted (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), **ss. 114(6), 178**; S.I. 2005/3495, **art. 2(1)(n)**
- F10** S. 15(6)(a)(iv) substituted (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), **ss. 113(8)**; S.I. 2005/3495, **art. 2(1)(n)**
- F11** S. 15(7) substituted (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), **ss. 114(7), 178**; S.I. 2005/3495, **art. 2(1)(n)**
- F12** Words in s. 15(7) substituted (1.1.2006) by The Serious Organised Crime and Police Act 2005 (Amendment) Order 2005 (S.I. 2005/3496), **art. 7(3)**

#### **Modifications etc. (not altering text)**

- C1** S. 15(5)-(8) applied by S.I. 2010/906, reg. 33(7) (as inserted (1.7.2011) by The Credit Rating Agencies (Amendment) Regulations 2011 (S.I. 2011/1435), regs. 1, **4(e)** (with reg. 5))
- C2** Ss. 8, 9, 15, 16, 17(1)(b) (2) (4), 18-20, 21, 22(1)-(4), 28, 29, 30(1)-(4)(a)(5)-(11), 31, 32(1)-(9), 34(1)-(5), 35, 36, 37, 39, 40-44, 50, 51(d), 52, 54, 55, 64(1)-(4)(5)(6), Sch. 1 applied with modifications by S.I. 1985/1800, arts. 3-11, Schs. 1, 2
- C3** S. 15: power to apply (with modifications) conferred (24.2.2003) by Proceeds of Crime Act 2002 (c. 29), {ss. 355(1)-(3)(a)}, 458; S.I. 2003/120, **art. 2**, Sch. (subject to transitional provisions and savings in arts. 3-7 (as amended by S.I. 2003/333, **art. 14** which in turn is amended by S.I. 2003/531, arts. 3, 4))
- C4** S. 15 modified (2.12.2002) Police Reform Act 2002 (c. 30), s. 38, **Sch. 4 Pt. 2 para. 16(d)**; S.I. 2002/2750, **art. 2(a)(ii)(d)**  
S. 15 modified (20.1.2004) by Police Reform Act 2002 (c. 30), ss. 38, 108, Sch. 4 para. 17(bb) (as inserted by Criminal Justice Act 2003 (c. 44), **Sch. 1 para. 17**); S.I. 2004/81, **art. 2(1)(2)(a)**  
S. 15 modified (27.3.2007 for W. and 6.4.2007 for E.) by Animal Welfare Act 2006 (c. 45), ss. 53, 68, **Sch. 2 para. 1(1)** (with ss. 1(2), 58(1), 59, 60); S.I. 2007/1030, **art. 2(1)(g)**; S.I. 2007/499, **art. 2(2)(i)**  
S. 15 modified (21.8.2007) by The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (S.I. 2007/1842), **reg. 53(6)** (with reg. 3)
- C5** S. 15 applied (with modifications) (24.2.2003) by The Proceeds of Crime Act 2002 (Application of Police and Criminal Evidence Act 1984 and Police and Criminal Evidence (Northern Ireland) Order 1989) Order 2003 (S.I. 2003/174), arts. 2, 10, Sch. 1
- C6** S. 15 applied (25.7.2003) by The Advanced Television Services Regulations 2003 (S.I. 2003/1901), reg. 8, **Sch. para. 12**
- C7** S. 15(5)-(8) applied (7.6.2010) by The Credit Rating Agencies Regulations 2010 (S.I. 2010/906), **reg. 18(5)**
- C8** S. 15(5)-(8) applied (3.9.2001) by 2000 c. 8, s. **176(6)**; S.I. 2001/2632, art. 2, **Sch. 1 Pt. 2**
- C9** S. 15(5)-(8) applied (31.12.2009) by Banking Act 2009 (c. 1), **ss. 194(7), 263(1)** (with ss. 206, 247); S.I. 2009/3000, **art. 4**, Sch. para. 2
- C10** S. 15(5)-(8) applied by 2000 c. 8, s. **131FB(7)** (as inserted (1.11.2012) by The Financial Services and Markets Act 2000 (Short Selling) Regulations 2012 (S.I. 2012/2554), regs. 1(1), **2(5)**)

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