



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART II

POWERS OF ENTRY, SEARCH AND SEIZURE

Entry and search without search warrant

17 Entry for purpose of arrest etc.

- (1) Subject to the following provisions of this section, and without prejudice to any other enactment, a constable may enter and search any premises for the purpose—
- (a) of executing—
 - (i) a warrant of arrest issued in connection with or arising out of criminal proceedings ; or
 - (ii) a warrant of commitment issued under section 76 of the Magistrates' Courts Act 1980;
 - (b) of arresting a person for an arrestable offence ;
 - (c) of arresting a person for an offence under—
 - (i) section 1 (prohibition of uniforms in connection with political objects), 4 (prohibition of offensive weapons at public meetings and processions) or 5 (prohibition of offensive conduct conducive to breaches of the peace) of the Public Order Act 1936;
 - (ii) any enactment contained in sections 6 to 8 or 10 of the Criminal Law Act 1977 (offences relating to entering and remaining on property);
 - (d) of recapturing a person who is unlawfully at large and whom he is pursuing ; or
 - (e) of saving life or limb or preventing serious damage to property.
- (2) Except for the purpose specified in paragraph (e) of subsection (1) above, the powers of entry and search conferred by this section—
- (a) are only exercisable if the constable has reasonable grounds for believing that the person whom he is seeking is on the premises; and

Status: This is the original version (as it was originally enacted).

- (b) are limited, in relation to premises consisting of two or more separate dwellings, to powers to enter and search—
 - (i) any parts of the premises which the occupiers of any dwelling comprised in the premises use in common with the occupiers of any other such dwelling; and
 - (ii) any such dwelling in which the constable has reasonable grounds for believing that the person whom he is seeking may be.
- (3) The powers of entry and search conferred by this section are only exercisable for the purposes specified in subsection (1)(c)(ii) above by a constable in uniform.
- (4) The power of search conferred by this section is only a power to search to the extent that is reasonably required for the purpose for which the power of entry is exercised.
- (5) Subject to subsection (6) below, all the rules of common law under which a constable has power to enter premises without a warrant are hereby abolished.
- (6) Nothing in subsection (5) above affects any power of entry to deal with or prevent a breach of the peace.