Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART II

POWERS OF ENTRY, SEARCH AND SEIZURE

Search warrants

9 Special provisions as to access.

(1) A constable may obtain access to excluded material or special procedure material for the purposes of a criminal investigation by making an application under Schedule 1 below and in accordance with that Schedule.

(2) Any Act (including a local Act) passed before this Act under which a search of premises for the purposes of a criminal investigation could be authorised by the issue of a warrant to a constable shall cease to have effect so far as it relates to the authorisation of searches—

(a) for items subject to legal privilege; or

(b) for excluded material; or

(c) for special procedure material consisting of documents or records other than documents.

[[F1](2A) Section 4 of the Summary Jurisdiction (Process) Act 1881 (c. 24) (which includes provision for the execution of process of English courts in Scotland) and section 29 of the Petty Sessions (Ireland) Act 1851 (c. 93) (which makes equivalent provision for execution in Northern Ireland) shall each apply to any process issued by a circuit judge under Schedule 1 to this Act as it applies to process issued by a magistrates' court under the Magistrates' Courts Act 1980 (c. 43).**]**

Textual Amendments

F1 S. 9(2A) inserted (1.8.2001) by 2001 c. 16, **s. 86(1)**; S.I. 2001/2223, **art. 3(e)**

Status: *Point in time view as at 25/06/2013. This version of this provision has been superseded.*
Changes to legislation: *Police and Criminal Evidence Act 1984, Section 9 is up to date with all changes known to be in force on or before 26 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Modifications etc. (not altering text)

C1 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**

C2 S. 9(1) extended (2.12.2002) by Police Reform Act 2002 (c. 30), s. 38, **Sch. 4 Pt. 2 para. 17(a)**; S.I. 2002/2750, **art. 2(a)(ii)(d)**

C3 S. 9(1) applied (with modifications) (25.6.2013) by The Police and Criminal Evidence Act 1984 (Application to immigration officers and designated customs officials in England and Wales) Order 2013 (S.I. 2013/1542), arts. 1, 12(2)-(4), **Sch. 2** (with arts. 13-31)

C4 S. 9(1) applied (with modifications) (25.6.2013) by The Police and Criminal Evidence Act 1984 (Application to immigration officers and designated customs officials in England and Wales) Order 2013 (S.I. 2013/1542), arts. 1, 3(2)-(4), **Sch. 1** (with arts. 4-11)

C5 S. 9(2) extended by Cinemas Act 1985 (c. 13, SIF 45A), **s. 13(8)**

Status:
Point in time view as at 25/06/2013. This version of this provision has been superseded.

Changes to legislation:
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