

*These notes refer to the Extradition Act 2003 (c.41)
which received Royal Assent on 20th November 2003*

EXTRADITION ACT 2003

EXPLANATORY NOTES

TERRITORIAL APPLICATION: WALES

Part 4

Police Powers

Section 167: Searches and examination

486. This section applies if a person is arrested under an extradition arrest power and detained at a police station. The person may be searched or examined for the purpose of ascertaining his identity with the authorisation of a police officer of the rank of inspector or above. Ascertaining his identity includes establishing that he is not a particular person. (*subsection (7)*).
487. If, during the course of a search or examination, an identifying mark is found, it may be photographed with the person's consent. It may still be photographed without that consent if consent is withheld or it is not practicable to obtain consent (*subsection (3)*). Under *subsection (4)* the only people allowed to conduct a search or examination or take a photograph under this section are police constables or persons given this responsibility by the appropriate police officer. The appropriate officer is the chief police officer in the area in question for England and Wales. In Northern Ireland it is the Chief Constable of the Police Service of Northern Ireland (*subsection (10)*).
488. *Subsections (5)* and *(6)* explain that no one is allowed to conduct a search or examination or photograph any part (except the face) of a person of the opposite sex. Furthermore, this section does not allow an intimate search to be conducted.