



Serious Organised Crime and Police Act 2005

2005 CHAPTER 15

PART 1

THE SERIOUS ORGANISED CRIME AGENCY

CHAPTER 2

SOCA: SPECIAL POWERS OF DESIGNATED STAFF

Powers exercisable

46 Person having powers of a constable

- (1) This section applies to a member of SOCA's staff who is for the time being designated under section 43 as a person having the powers of a constable.
- (2) The designated person has all the powers and privileges of a constable.
- (3) Those powers and privileges are exercisable by the designated person—
 - (a) throughout England and Wales and the adjacent United Kingdom waters, and
 - (b) in accordance with section 47, in Scotland or Northern Ireland and the adjacent United Kingdom waters.
- (4) If any of those powers and privileges, when exercisable by a constable, are subject to any territorial restrictions on their exercise, they are similarly subject to those restrictions when exercised by the designated person.
- (5) If any of those powers and privileges, when exercisable by a constable, are exercisable elsewhere than in the United Kingdom or the adjacent United Kingdom waters, they are similarly exercisable by the designated person.

Status: Point in time view as at 01/04/2006. This version of this provision has been superseded.

Changes to legislation: Serious Organised Crime and Police Act 2005, Section 46 is up to date with all changes known to be in force on or before 02 June 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)

- (6) The designated person also has any powers exercisable by virtue of subsection (7).
- (7) Any enactment under which a constable may be authorised by warrant to exercise any power in relation to any matter has effect, for the purpose of enabling the designated person to be authorised to exercise the power in relation to any such matter, as if he were a constable.
- (8) Subsections (2) to (7) have effect subject to any limitation specified in the designation under section 43(2).
- (9) In this section references to the powers and privileges of a constable are references to the powers and privileges of a constable whether under any enactment or otherwise.

Commencement Information

II S. 46 in force at 1.4.2006 by S.I. 2006/378, art. 4(1), **Sch. para. 6** (with art. 4(2)-(7))

Status:

Point in time view as at 01/04/2006. This version of this provision has been superseded.

Changes to legislation:

Serious Organised Crime and Police Act 2005, Section 46 is up to date with all changes known to be in force on or before 02 June 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.