

SCHEDULES

SCHEDULE 3

SEARCH WARRANTS: ENGLAND AND WALES AND NORTHERN IRELAND

PART 3

EXECUTION OF SEARCH WARRANTS

Return and retention of warrant

- 13 (1) A search warrant must be returned to the appropriate person (see sub-paragraph (2))
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- (a) when the warrant has been executed, or
 - (b) on or before the expiry of the period of one month from the date of its issue, if the warrant is—
 - (i) a specific-premises warrant that has not been executed,
 - (ii) an all-premises warrant, or
 - (iii) a warrant authorising multiple entries.
- (2) The appropriate person is—
- (a) in the case of a warrant issued in England and Wales, the designated officer for the local justice area in which the justice of the peace was acting when issuing the warrant;
 - (b) in the case of a warrant issued in Northern Ireland, the clerk of petty sessions for the petty sessions district in which the lay magistrate was acting when issuing the warrant.
- (3) The appropriate person must retain a search warrant returned under sub-paragraph (1) for 12 months from the date of its return.
- (4) If during that period the occupier of premises to which the search warrant relates asks to inspect it, the occupier must be allowed to do so.
- (5) In this paragraph “specific-premises warrant” and “all-premises warrant” have the meaning given by section 39(3).

Commencement Information

II Sch. 3 para. 13 in force at 26.5.2016 by S.I. 2016/553, reg. 2

Changes to legislation:

There are currently no known outstanding effects for the Psychoactive Substances Act 2016,
Cross Heading: Return and retention of warrant.