



Police Act 1997

1997 CHAPTER 50

PART III

AUTHORISATION OF ACTION IN RESPECT OF PROPERTY

Authorisations

95 Authorisations: form and duration etc.

- (1) An authorisation shall be in writing, except that in an urgent case an authorisation (other than one given by virtue of section 94) may be given orally.
- (2) An authorisation shall, unless renewed under subsection (3), cease to have effect—
 - (a) if given orally or by virtue of section 94, at the end of the period of 72 hours beginning with the time when it took effect;
 - (b) in any other case, at the end of the period of three months beginning with the day on which it took effect.
- (3) If at any time before an authorisation would cease to have effect the authorising officer who gave the authorisation, or in whose absence it was given, considers it necessary for the authorisation to continue to have effect for the purpose for which it was issued, he may, in writing, renew it for a period of three months beginning with the day on which it would cease to have effect.
- (4) A person shall cancel an authorisation given by him if satisfied that [^{F1}the authorisation is one in relation to which the requirements of paragraphs (a) and (b) of section 93(2) are no longer satisfied.]
- (5) An authorising officer shall cancel an authorisation given in his absence if satisfied that [^{F1}the authorisation is one in relation to which the requirements of paragraphs (a) and (b) of section 93(2) are no longer satisfied].
- (6) If the authorising officer who gave the authorisation is within paragraph (b) [^{F2}[^{F3}, (d), (e)]^{F4}or (f)] of section 93(5), the power conferred on that person by subsections

Status: Point in time view as at 10/09/2015.

Changes to legislation: Police Act 1997, Section 95 is up to date with all changes known to be in force on or before 19 September 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)

(3) and (4) above shall also be exercisable by each of the other persons within the paragraph concerned.

(7) Nothing in this section shall prevent a designated deputy from exercising the powers conferred on an authorising officer within paragraph (a) [^{F5}, (c) [^{F6} or (d)]][^{F5} or (c)] of section 93(5) by subsections (3), (4) and (5) above.

Textual Amendments

- F1** Words in s. 95(4)(5) substituted (25.9.2000) by 2000 c. 23, s. 82(1), **Sch. 4 para. 8(6)(a)** (with s. 82(3)); S.I. 2000/2543, **art. 2**
- F2** Words in s. 95(6) substituted (25.9.2000) by 2000 c. 23, s. 82(1), **Sch. 4 para. 8(6)(b)** (with s. 82(3)); S.I. 2000/2543, **art. 2**
- F3** Words in s. 95(6) substituted (E.W.N.I) (1.4.2013) by virtue of **The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013** (S.I. 2013/602), art. 1(2), **Sch. 1 para. 6(4)**; and (S.) (1.4.2013) by virtue of **Police and Fire Reform (Scotland) Act 2012** (asp 8), s. 129(2), **sch. 7 para. 14(4)(a)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F4** Words in s. 95(6) substituted (1.4.2006) by **Serious Organised Crime and Police Act 2005** (c. 15), s. 178(8), **Sch. 4 para. 99(2)**; S.I. 2006/378, art. 4(1), Sch. para. 10
- F5** Words in s. 95(7) substituted (S.) (1.4.2013) by **Police and Fire Reform (Scotland) Act 2012** (asp 8), s. 129(2), **sch. 7 para. 14(4)(b)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F6** Words in s. 95(7) substituted (1.4.2006) by **Serious Organised Crime and Police Act 2005** (c. 15), s. 178(8), **Sch. 4 para. 99(3)**; S.I. 2006/378, art. 4(1), Sch. para. 10

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