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*Status: Point in time view as at 27/11/2008.*

**Changes to legislation:** *There are currently no known outstanding effects for the Counter-Terrorism Act 2008, Cross Heading: Entry to premises under warrant. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 7

#### TERRORIST FINANCING AND MONEY LAUNDERING

##### PART 5

##### ENFORCEMENT: INFORMATION POWERS

##### *Entry to premises under warrant*

- 21 (1) A justice may issue a warrant under this paragraph if satisfied on information on oath given by an enforcement officer that there are reasonable grounds for believing that the first, second or third set of conditions is satisfied.
- (2) The first set of conditions is—
- (a) that there is on the premises specified in the warrant a document in relation to which a requirement could be imposed under paragraph 19(1)(b), and
  - (b) that if such a requirement were to be imposed—
    - (i) it would not be complied with, or
    - (ii) the document to which it relates would be removed, tampered with or destroyed.
- (3) The second set of conditions is—
- (a) that a person on whom a requirement has been imposed under paragraph 19(1)(b) has failed (wholly or in part) to comply with it, and
  - (b) that there is on the premises specified in the warrant a document that has been required to be produced.
- (4) The third set of conditions is—
- (a) that an enforcement officer has been obstructed in the exercise of a power under paragraph 20, and
  - (b) that there is on the premises specified in the warrant a document that could be inspected under paragraph 20(1)(d).
- (5) A justice may issue a warrant under this paragraph if satisfied on information on oath given by an officer that there are reasonable grounds for suspecting that—
- (a) an offence under this Schedule has been, is being or is about to be committed by a relevant person, and
  - (b) there is on the premises specified in the warrant a document relevant to whether that offence has been, or is being or is about to be committed.
- (6) A warrant issued under this paragraph shall authorise an enforcement officer—
- (a) to enter the premises specified in the warrant;

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- (b) to search the premises and take possession of anything appearing to be a document specified in the warrant or to take, in relation to any such document, any other steps which may appear to be necessary for preserving it or preventing interference with it;
  - (c) to take copies of, or extracts from, any document specified in the warrant;
  - (d) to require any person on the premises to provide an explanation of any document appearing to be of the kind specified in the warrant or to state where it may be found;
  - (e) to use such force as may reasonably be necessary.
- (7) Where a warrant is issued by a justice under sub-paragraph (1) or (5) on the basis of information on oath given by an officer of the FSA, for “an enforcement officer” in sub-paragraph (6) substitute “a constable”.
- (8) In sub-paragraphs (1), (5) and (7), “justice” means—
- (a) in relation to England and Wales, a justice of the peace;
  - (b) in relation to Scotland, a justice within the meaning of section 307 of the Criminal Procedure (Scotland) Act 1995 (c. 46) (interpretation);
  - (c) in relation to Northern Ireland, a lay magistrate.
- (9) In the application of this paragraph to Scotland, the references in sub-paragraphs (1), (5) and (7) to information on oath are to be read as references to evidence on oath.

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