



Serious Crime Act 2015

2015 CHAPTER 9

PART 4

SEIZURE AND FORFEITURE OF DRUG-CUTTING AGENTS

Warrants

52 Applications for search and seizure warrants

- (1) A justice of the peace may issue a warrant (a “search and seizure warrant”) authorising a police or customs officer—
 - (a) to enter premises, and
 - (b) to search them for substances that appear to be intended for use as drug-cutting agents,if the justice is satisfied that there are reasonable grounds to suspect that a substance intended for such use is on the premises.
- (2) In this Part “police or customs officer” means—
 - (a) a constable,
 - (b) a National Crime Agency officer, or
 - (c) a person designated as a general customs official under section 3(1) of the Borders, Citizenship and Immigration Act 2009.
- (3) A search and seizure warrant may be either—
 - (a) a warrant that relates to any premises occupied or controlled by a person specified in the warrant (an “all-premises warrant”), or
 - (b) a warrant that relates only to premises specified in the warrant (a “specific-premises warrant”).
- (4) A search and seizure warrant may be issued only on the application of a police or customs officer.

Status: This is the original version (as it was originally enacted).

- (5) The application may be made without notice being given to persons who might be affected by the warrant.
- (6) The application must be supported—
 - (a) in England and Wales, by an information in writing;
 - (b) in Scotland, by evidence on oath;
 - (c) in Northern Ireland, by a complaint on oath.
- (7) The police or customs officer must answer on oath any question that the justice of the peace hearing the application asks him or her.
- (8) A police or customs officer applying for a search and seizure warrant must—
 - (a) state that the application is made under this section;
 - (b) specify the premises or (as the case may be) each set of premises that it is desired to enter and search;
 - (c) state what are the grounds for suspecting that a substance intended for use as a drug-cutting agent is on the premises;
 - (d) identify, so far as is possible, the substance or substances to be sought.
- (9) If the police or customs officer is applying for a search and seizure warrant authorising entry and search on more than one occasion, the officer must also state—
 - (a) the ground on which the officer applies for such a warrant;
 - (b) whether the officer seeks a warrant authorising an unlimited number of entries, or (if not) the maximum number of entries desired.
- (10) If the police or customs officer is applying for an all-premises warrant, the officer must also specify—
 - (a) as many of the sets of premises that it is desired to enter and search as it is reasonably practicable to specify;
 - (b) the person who is in occupation or control of those premises and any others that it is desired to enter and search;
 - (c) why it is necessary to search more premises than those specified under paragraph (a);
 - (d) why it is not reasonably practicable to specify all the premises that it is desired to enter and search.