
STATUTORY INSTRUMENTS

1989 No. 1341

**The Police and Criminal Evidence
(Northern Ireland) Order 1989**

PART II

POWERS TO STOP AND SEARCH

Duty to make records concerning searches

5.—(1) Where a constable has carried out a search in the exercise of any such power as is mentioned in Article 4(2), other than a search under a power conferred by any of the provisions mentioned in Article 4(3), he shall make a record of it in writing unless it is not practicable to do so.

(2) If—

- (a) a constable is required by paragraph (1) to make a record of a search; but
- (b) it is not practicable to make the record on the spot,

he shall make it as soon as practicable after the completion of the search.

(3) The record of a search of a person shall include a note of his name, if the constable knows it, but a constable may not detain a person to find out his name.

(4) If a constable does not know the name of a person whom he has searched, the record of the search shall include a note otherwise describing that person.

(5) The record of a search of a vehicle shall include a note describing the vehicle.

(6) The record of a search of a person or a vehicle—

(a) shall state—

- (i) the object of the search;
- (ii) the grounds for making it;
- (iii) the date and time when it was made;
- (iv) the place where it was made;
- (v) whether anything, and if so what, was found;
- (vi) whether any, and if so what, injury to a person or damage to property appears to the constable to have resulted from the search; and

(b) shall identify by reference to his [F¹name and] police number the constable making it.

(7) If a constable who conducted a search of a person made a record of it, the person who was searched shall be entitled to a copy of the record if he asks for one before the end of the period specified in paragraph (9).

(8) If—

- (a) the owner of a vehicle which has been searched or the person who was in charge of the vehicle at the time when it was searched asks for a copy of the record of the search before the end of the period specified in paragraph (9); and

Status: Point in time view as at 19/05/2015.

Changes to legislation: The Police and Criminal Evidence (Northern Ireland) Order 1989, Section 5 is up to date with all changes known to be in force on or before 22 July 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)

(b) the constable who conducted the search made a record of it,
the person who made the request shall be entitled to a copy.

(9) The period mentioned in paragraphs (7) and (8) is the period of 12 months beginning with the date on which the search was made.

(10) The requirements imposed by this Article with regard to records of searches of vehicles shall apply also to records of searches of vessels, aircraft and hovercraft.

F1 Words in art. 5(6)(b) inserted (1.3.2007) by [Police and Criminal Evidence \(Amendment\) \(Northern Ireland\) Order 2007 \(S.I. 2007/288 \(N.I. 2\)\)](#), arts. 1(2), **5(2)**

Modifications etc. (not altering text)

C1 [Art. 5](#) applied (with modifications) (18.5.2009) by [Police and Criminal Evidence \(Application to the Police Ombudsman\) Order \(Northern Ireland\) 2009 \(S.R. 2009/142\)](#), art. 3, **Sch. 1**, Sch. 2

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