

**POLICING (MISCELLANEOUS PROVISIONS)  
(NORTHERN IRELAND) ORDER 2007**

**S.I. 2007 No. 912 (N.I. 6)**

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**EXPLANATORY MEMORANDUM**

**COMMENTARY ON ARTICLES**

*Article 13: Powers to examine documents or records*

19. *Article 13* provides police with the power to examine documents and electronic records in order to establish whether or not they contain evidence that someone has committed or is preparing to commit serious crime. Police will be able to take documents and records away for further examination for up to 48 hours (extendable to 96 hours), if that is necessary. This power is also currently contained in Part VII of the Terrorism Act 2000.
20. It is necessary to continue this power because of the increasingly sophisticated nature of serious crime. The evidential value of a document or electronic record may not be immediately apparent and an item cannot be seized as evidence under the Police and Criminal Evidence (Northern Ireland) Order 1989 unless the police officer has reasonable suspicion that it is evidence and its retention is necessary. For example, a document or record may require translation from a foreign language before a police officer can make a judgement about its evidential value. This Article will enable this work to be carried out.
21. This Article also creates appropriate safeguards to protect the rights of the public. As well as the time limit on the retention of documents, items believed to be subject to legal privilege are exempted from examination and a record must be made of any examination.