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DRAFT STATUTORY INSTRUMENTS

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**2013 No.**

**IMMIGRATION, ENGLAND AND WALES  
IMMIGRATION, NORTHERN IRELAND  
REVENUE AND CUSTOMS,  
ENGLAND AND WALES  
REVENUE AND CUSTOMS,  
NORTHERN IRELAND**

The Police and Criminal Evidence Act 1984  
(Application to immigration officers and designated  
customs officials in England and Wales) Order 2013

*Made* - - - - - \*\*\*

*Coming into force* \*\*\*

**THE POLICE AND CRIMINAL EVIDENCE ACT 1984  
(APPLICATION TO IMMIGRATION OFFICERS AND DESIGNATED  
CUSTOMS OFFICIALS IN ENGLAND AND WALES) ORDER 2013**

PART 1

GENERAL

1. Citation and commencement
2. Interpretation

PART 2

INVESTIGATIONS CONDUCTED BY IMMIGRATION OFFICERS

3. Application of the Police and Criminal Evidence Act 1984
4. Exceptions
5. Authorisation
6. Use of reasonable force
7. Arrest without warrant

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Police and Criminal Evidence Act 1984 (Application to immigration officers and designated customs officials in England and Wales) Order 2013 No. 1542*

8. Search of persons found on premises
9. Seizure and retention of things found upon search
10. Modification of section 18 of the Act (entry and search after arrest)
11. Modification of section 22 of the Act (retention)

### PART 3

#### INVESTIGATIONS CONDUCTED, AND PERSONS DETAINED, BY DESIGNATED CUSTOMS OFFICIALS

12. Application of the Police and Criminal Evidence Act 1984
13. Exceptions
14. Detention
15. Use of reasonable force
16. Arrest without warrant
17. Search of persons found on premises
18. Seizure and retention of things found upon search
19. Modification of section 8 of the Act (power of justice of the peace to authorise entry and search of premises)
20. Modification of section 18 of the Act (entry and search after arrest)
21. Modification of section 30 of the Act (arrest elsewhere than at a police station)
22. Modification of section 35 of the Act (designated police stations)
23. Modification of section 36 of the Act (custody officers at police stations)
24. Modification of section 41 of the Act (limits on period of detention without charge)
25. Modification of section 42 of the Act (authorisation of continued detention)
26. Modification of section 43 of the Act (warrants of further detention)
27. Modification of section 46 of the Act (detention after charge)
28. Modification of section 50 of the Act (records of detention)
29. Modification of section 54 of the Act (searches of detained persons)
30. Modification of section 55 of the Act (intimate searches)
31. Modification of section 64 of the Act (destruction of fingerprints and samples)

### PART 4

#### AMENDMENTS

32. Amendment of section 22 of the Borders, Citizenship and Immigration Act 2009  
Signature

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#### SCHEDULE 1 —

PART 1 — Provisions of the Act applied to investigations conducted by immigration officers

Section 8(1) to (6) (power of justice of the peace...

PART 2 — Substitution of Equivalent Words and Phrases in the Act

PART 3 — Equivalent Titles of immigration officers

#### SCHEDULE 2 —

PART 1 — Provisions of the Act applied to investigations conducted, and to persons detained, by designated customs officials

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Section 8 (power of justice of the peace to authorise...

PART 2 — Substitution of Equivalent Words and Phrases in the Act

PART 3 — Equivalent Titles of designated customs officials

Explanatory Note