

## 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 to authorise entry and search of premises) (subject to the modification in article 8)

Section 9(1) (special provisions as to access)(1) and Schedule 1 (special procedure)(2)

Section 15 (search warrants-safeguards)(3)

Section 16 (execution of warrants)(4)

Section 17(1)(a)(i), (1)(b), (1)(cb)(i), (1)(d), (2) and (4) (entry for purpose of arrest etc)(5)

Section 18 (entry and search after arrest) (subject to the modification in article 10)

Section 19 (general power of seizure etc)(subject to the modification in article 9(1))

Section 20 (extension of powers of seizure to computerised information)(6)

Section 21 (access and copying)(subject to the modification in article 9(3))

Section 22(1) to (4) and (7) (retention) (subject to the modification in article 11)

Section 24(1) to (5)(c)(iii) and (5)(d) to (5)(f) (arrest without warrant: constables) (subject to the modification in article 7)

Section 28 (information to be given on arrest)

Section 29 (voluntary attendance at police station etc)

Section 30(1) to (4)(a) and (5) to (13) (arrest elsewhere than at police station)

Section 31 (arrest for further offence)

Section 32(1) to (9) (search upon arrest)(7)

Section 46A(1) and (1A) to (3) (power of arrest for failure to answer to police bail)(8)

Section 51(b) (savings)(9)

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(1) There are amendments to section 9 of the Act not relevant to this Order.

(2) Schedule 1 to the Act was amended by the Criminal Justice and Police Act 2001 (c.16), section 70, Schedule 2, Part 2, paragraph 14; the Serious Organised Crime and Police Act 2005 (c.15), sections 111, Schedule 7, Part 3, paragraph 43(1), (13) and sections 113, 114(1) and (9) and 174(2), Schedule 17, Part 2; the Armed Forces Act 2011 (c.18), section 26, Schedule 2, Part 2, paragraph 11 and (13); and the Courts Act 2003 (c.39), section 65, Schedule 4, paragraph 6. Some of these amendments are not yet in force.

(3) Section 15 of the Act was amended by the Serious Organised Crime and Police Act 2005 (c.15), sections 113, 114 and 174(2), Schedule 17, Part 2; and the Serious Organised Crime and Police Act (Amendment) Order 2005 (S.I. 2005/3496), Article 7.

(4) Section 16 of the Act was amended by the Courts Act 2003 (c.39), section 109(1), Schedule 8, paragraph 281; the Criminal Justice Act 2003 (c.44), section 2; the Serious Organised Crime and Police Act 2005 (c.15), sections 113 and 114; and the Serious Organised Crime and Police Act 2005 (Amendment) Order 2005 (S.I.2005/3496), Article 8.

(5) Section 17 of the Act was amended by the Prisoners (Return to Custody) Act 1995 (c.16), section 2(1); and the Serious Organised Crime and Police Act 2005 (c.15), section 111, Schedule 7, Part 3, paragraph 43. There are other amendments not relevant to this Order.

(6) Section 20 of the Act was amended by the Criminal Justice and Police Act 2001 (c.16), section 70, Schedule 2, Part 2, paragraphs 13(1) and 2(a).

(7) Section 32 of the Act was amended by the Criminal Justice and Public Order Act 1994 (c.33), section 59(2); and the Serious Organised Crime and Police Act 2005 (c.15), section 111, Schedule 7, Part 3, paragraph 43(6). There is another amendment not relevant to this Order.

(8) Section 46A of the Act was inserted by the Criminal Justice and Public Order Act 1994 (c.33), section 29(2); and amended by the Criminal Justice Act 2003 (c.44), section 28, Schedule 2, paragraphs 1 and 5; and the Police and Justice Act 2006(c.48), section 10, Schedule 6, Part 1, paragraph 1 and Part 3, paragraph 7. There are further amendments not relevant to this Order.

(9) Section 51(b) of the Act was amended by the Terrorism Act 2000 (c.11), section 125(1), Schedule 15, paragraph 5(1) and (4). There is another amendment to section 51 not relevant to this Order.

**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*

Section 107(2) (police officers performing duties of higher rank)(10)

## PART 2

### Substitution of Equivalent Words and Phrases in the Act

<i>Column 1</i>	<i>Column 2</i>
constable (all references)	immigration officer
officer/police officer/officer of a force maintained by a local policing body  (all references, except those in sections 16(10A) and (11), section 18(8), paragraphs 9 to 10 of Schedule 1 and except any references to custody officer or officer of Revenue and Customs)	immigration officer
Rank (all references)	Grade
the police (all references)	the Secretary of State or immigration officers

## PART 3

### Equivalent Titles of immigration officers

<i>Column 1</i>	<i>Column 2</i>
RANK OF CONSTABLE	GRADE OF IMMIGRATION OFFICER
Sergeant	Immigration officer
Inspector	Chief immigration officer
Chief Inspector	Chief immigration officer
Superintendent	Immigration inspector

(10) Section 107 of the Act was amended by the Police and Magistrates' Courts Act 1994 (c.29), section 44, Schedule 5, Part 2, paragraph 35.