



Customs and Excise Management Act 1979

1979 CHAPTER 2

PART XII

GENERAL AND MISCELLANEOUS

General powers, etc.

^{F1}161A Power to search premises: search warrant.

- (1) If a justice of the peace is satisfied by information upon oath given by an officer that there are reasonable grounds to suspect that anything liable to forfeiture under the customs and excise Acts is kept or concealed in any building or place, he may by warrant under his hand authorise any officer, and any person accompanying an officer, to enter and search the building or place named in the warrant.
- (2) An officer or other person so authorised has power—
 - (a) to enter the building or place at any time, whether by day or night, on any day, and search for, seize, and detain or remove any such thing, and
 - (b) so far as is necessary for the purpose of such entry, search, seizure, detention or removal, to break open any door, window or container and force and remove any other impediment or obstruction.

^{F2}(2A) The power in subsection (2)(a) includes power to search for and remove documents relating to any such thing (including documents about title, storage and movement).]

- (3) Where there are reasonable grounds to suspect that any still, vessel, utensil, spirits or materials for the manufacture of spirits is or are unlawfully kept or deposited in any building or place, [^{F3}subsections (1), (2) and (2A)] above apply in relation to any constable as they would apply in relation to an officer.
- (4) The powers conferred by a warrant under this section are exercisable until the end of the period of one month beginning with the day on which the warrant is issued.

Status: Point in time view as at 01/04/2011.

Changes to legislation: Customs and Excise Management Act 1979, Section 161A is up to date with all changes known to be in force on or before 26 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)

- (5) A person other than a constable shall not exercise the power of entry conferred by this section by night unless accompanied by a constable.

Textual Amendments

- F1** S. 161 and s. 161A substituted for s. 161 (28.7.2000) by **2000 c. 17, s. 25**
- F2** **S. 161A(2A)** inserted (1.4.2011) by **Finance (No. 3) Act 2010 (c. 33), s. 29(2), Sch. 13 para. 16(2); S.I. 2011/777, art. 2**
- F3** Words in **s. 161A(3)** substituted (1.4.2011) by **Finance (No. 3) Act 2010 (c. 33), s. 29(2), Sch. 13 para. 16(3); S.I. 2011/777, art. 2**

Status:

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