



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART II

POWERS OF ENTRY, SEARCH AND SEIZURE

Seizure etc.

21 Access and copying.

- (1) A constable who seizes anything in the exercise of a power conferred by any enactment, including an enactment contained in an Act passed after this Act, shall, if so requested by a person showing himself—
 - (a) to be the occupier of premises on which it was seized; or
 - (b) to have had custody or control of it immediately before the seizure, provide that person with a record of what he seized.
- (2) The officer shall provide the record within a reasonable time from the making of the request for it.
- (3) Subject to subsection (8) below, if a request for permission to be granted access to anything which—
 - (a) has been seized by a constable; and
 - (b) is retained by the police for the purpose of investigating an offence, is made to the officer in charge of the investigation by a person who had custody or control of the thing immediately before it was so seized or by someone acting on behalf of such a person, the officer shall allow the person who made the request access to it under the supervision of a constable.
- (4) Subject to subsection (8) below, if a request for a photograph or copy of any such thing is made to the officer in charge of the investigation by a person who had custody or control of the thing immediately before it was so seized, or by someone acting on behalf of such a person, the officer shall—

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- (a) allow the person who made the request access to it under the supervision of a constable for the purpose of photographing or copying it; or
 - (b) photograph or copy it, or cause it to be photographed or copied.
- (5) A constable may also photograph or copy, or have photographed or copied, anything which he has power to seize, without a request being made under subsection (4) above.
- (6) Where anything is photographed or copied under subsection (4)(b) above, the photograph or copy shall be supplied to the person who made the request.
- (7) The photograph or copy shall be so supplied within a reasonable time from the making of the request.
- (8) There is no duty under this section to grant access to, or to supply a photograph or copy of, anything if the officer in charge of the investigation for the purposes of which it was seized has reasonable grounds for believing that to do so would prejudice—
- (a) that investigation;
 - (b) the investigation of an offence other than the offence for the purposes of investigating which the thing was seized; or
 - (c) any criminal proceedings which may be brought as a result of—
 - (i) the investigation of which he is in charge; or
 - (ii) any such investigation as is mentioned in paragraph (b) above.
- [^{F1}(9) The references to a constable in subsections (1), (2), (3)(a) and (5) include a person authorised under section 16(2) to accompany a constable executing a warrant.]
- [^{F2}(10) The references to a constable in subsections (1) and (2) do not include a constable who has seized a thing under paragraph 19ZE of Schedule 3 to the Police Reform Act 2002.]

Textual Amendments

- F1** S. 21(9) inserted (20.1.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 12, 336, [Sch. 1 para. 3](#); S.I. 2004/81, [art. 2\(1\)\(2\)\(a\)](#)
- F2** S. 21(10) inserted (31.1.2017 for specified purposes) by [Policing and Crime Act 2017 \(c. 3\)](#), ss. [20\(2\)](#), [183\(1\)\(5\)\(e\)](#)

Modifications etc. (not altering text)

- C1** Pt. II applied (8.3.2018) by [The United Nations \(International Residual Mechanism for Criminal Tribunals\) Order 2018 \(S.I. 2018/187\)](#), arts. 1(1), [16\(1\)](#) (with [art. 3](#))
- C2** Ss. 8, 9, 15, 16, 17(1)(b) (2) (4), 18-20, 21, 22(1)-(4), 28, 29, 30(1)-(4)(a) (5)-(11), 31, 32(1)-(9), 34(1)-(5), 35, 36, 37, 39, 40-44, 50, 51(d), 52, 54, 55, 64(1)-(4)(5)(6), Sch. 1 applied with modifications by [S.I. 1985/1800](#), arts. 3-11, Schs. 1, 2
- C3** Ss. 21, 22 amended by [Drug Trafficking Offences Act 1986 \(c. 32, SIF 39:1\)](#), s. [29\(1\)](#)
 S. 21 modified: (3.2.1995) by [1994 c. 37](#), ss. [57\(1\)](#), 69(2); (1.11.1995) by [1995 c. 11](#), s. [15\(2\)](#) and S.I. 1995/2650, [art.2](#)
 S. 21 modified (19.2.2001) by [2000 c. 11](#), s. 37, [Sch. 5 para. 17](#); S.I. 2001/421, [art. 2](#)
 S. 21 extended (1.11.1995) by [1988 c. 33](#), s. [93H](#) (as inserted by [1995 c. 11](#), s. [11](#); S.I. 1995/2650, [art.2](#))
- C4** S. 21 modified (1.9.2001) by S.I. 1996/716, [art 17D](#) (as inserted by S.I. 2001/2563, [art. 2](#))
- C5** S. 21 modified (1.9.2001) by [2001 c. 17](#), s. 37, [Sch. 5 Pt. I para. 6\(5\)](#); S.I. 2001/2161, [art. 2](#) (subject to [art. 3](#))
 S. 21 modified (2.12.2002) by [2002 c. 30](#), s. 38, [Sch. 4 Pt. 2 para. 20](#); S.I. 2002/2750, [art. 2\(a\)\(ii\)\(d\)](#)

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- C6** S. 21: power to apply (with modifications) conferred (24.2.2003) by [Proceeds of Crime Act 2002 \(c. 29\), ss. 355\(1\)\(2\)\(3\)\(c\), 458\(1\)\(3\); S.I. 2003/120, art. 2, Sch.](#) (subject to transitional provisions and savings in arts. 3-7 (as amended by S.I. 2003/333, art. 14 which in turn is amended by S.I. 2003/531, arts. 3, 4))
- C7** S. 21 applied (with modifications) (24.2.2003) by [The Proceeds of Crime Act 2002 \(Application of Police and Criminal Evidence Act 1984 and Police and Criminal Evidence \(Northern Ireland\) Order 1989\) Order 2003 \(S.I. 2003/174\), {arts. 4}, 10, Sch. 1](#)
- C8** S. 21 applied (25.7.2003) by [The Advanced Television Services Regulations 2003 \(S.I. 2003/1901\), reg. 8, Sch. para. 12 \(with reg. 2\(2\)\)](#)
- C9** S. 21 applied (31.3.2008) by [UK Borders Act 2007 \(c. 30\), ss. 46\(5\), 59; S.I. 2008/309, art. 3](#) (subject to art. 6)
- C10** S. 21 applied (with modifications) (25.6.2013) by [The Police and Criminal Evidence Act 1984 \(Application to immigration officers and designated customs officials in England and Wales\) Order 2013 \(S.I. 2013/1542\), arts. 1, 12\(2\)-\(4\), Sch. 2 \(with arts. 13-31\)](#)
- C11** S. 21 applied (with modifications) (25.6.2013) by [The Police and Criminal Evidence Act 1984 \(Application to immigration officers and designated customs officials in England and Wales\) Order 2013 \(S.I. 2013/1542\), arts. 1, 3\(2\)-\(4\), Sch. 1 \(with arts. 4-11\)](#)
- C12** S. 21 applied (with modifications) (1.6.2015) by [The Proceeds of Crime Act 2002 \(Application of Police and Criminal Evidence Act 1984\) Order 2015 \(S.I. 2015/759\), arts. 1\(1\), 4 \(as amended \(31.1.2018 for specified purposes, 16.4.2018 in so far as not already in force\) by The Proceeds of Crime Act 2002 \(Application of Police and Criminal Evidence Act 1984\) \(Amendment\) Order 2017 \(S.I. 2017/1222\), arts. 1\(2\)\(3\), 2\(4\)\)](#)
- C13** S. 21 applied (with modifications) (4.11.2015) by [The Police and Criminal Evidence Act 1984 \(Application to Revenue and Customs\) Order 2015 \(S.I. 2015/1783\), arts. 1, 3\(1\), Sch. 1 \(with art. 3\(2\), \(3\), 4-19, Sch. 2\)](#)
- C14** S. 21 applied by [2007 c. 30, s. 46B\(3\) \(as inserted \(31.1.2017 for specified purposes\) by Policing and Crime Act 2017 \(c. 3\), ss. 160, 183\(1\)\(5\)\(e\)\)](#)
- C15** S. 21 modified (31.7.2017) by [The Criminal Justice \(European Investigation Order\) Regulations 2017 \(S.I. 2017/730\), regs. 1\(1\), 39\(11\) \(with reg. 3\)](#)
- C16** Ss. 21, 22 applied by [1994 c. 33, s. 139\(10A\)\(b\) \(as inserted \(31.1.2017 for specified purposes, 1.3.2018 in so far as not already in force\) by Policing and Crime Act 2017 \(c. 3\), s. 183\(1\)\(5\)\(e\), Sch. 17 para. 4\(9\); S.I. 2018/227, art. 2\(g\)\)](#)
- C17** S. 21 applied (with modifications) (8.3.2018) by [The United Nations \(International Residual Mechanism for Criminal Tribunals\) Order 2018 \(S.I. 2018/187\), arts. 1\(1\), 21\(4\) \(with art. 3\)](#)
- C18** S. 21 applied (with modifications) (1.4.2018) by [The Welsh Revenue Authority \(Powers to Investigate Criminal Offences\) Regulations 2018 \(S.I. 2018/400\), regs. 1\(2\), 3\(1\)\(3\), Sch. \(with regs. 4-8\)](#)
- C19** S. 21(1) modified (2.12.2002) by [Police Reform Act 2002 \(c. 30\), s. 38, Sch. 4 Pt. 2 para. 16\(h\); S.I. 2002/2750, art. 2\(a\)\(ii\)\(d\)](#)
S. 21(1) modified (2.12.2002) by [Police Reform Act 2002 \(c. 30\), s. 38, Sch. 4 Pt. 2 para. 17\(e\); S.I. 2002/2750, art. 2\(a\)\(ii\)\(d\)](#)
S. 21(1) modified (2.12.2002) by [Police Reform Act 2002 \(c. 30\), s. 38, Sch. 4 Pt. 2 para. 18\(e\); S.I. 2002/2750, art. 2\(a\)\(ii\)\(d\)](#)
S. 21(1) modified (2.12.2002) by [Police Reform Act 2002 \(c. 30\), s. 38, Sch. 4 Pt. 2 para. 19\(d\); S.I. 2002/2750, art. 2\(a\)\(ii\)\(d\)](#)
- C20** S. 21(1)(2) modified by [2002 c. 30, Sch. 4 para. 2B\(d\) \(as inserted \(13.5.2014\) by Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\), s. 185\(1\), Sch. 10 para. 4 \(with ss. 21, 33, 42, 58, 75, 93\); S.I. 2014/949, art. 3, Sch. para. 22\)](#)
- C21** S. 21(1)-(9) applied (with modifications) (30.4.2017) by [The Police and Criminal Evidence Act 1984 \(Application to Labour Abuse Prevention Officers\) Regulations 2017 \(S.I. 2017/520\), regs. 1, 2, 3\(1\), Sch. \(with reg. 4\)](#)
- C22** S. 21(2) modified (2.12.2002) by [Police Reform Act 2002 \(c. 30\), s. 38, Sch. 4 Pt. 2 para. 16\(h\); S.I. 2002/2750, art. 2\(a\)\(ii\)\(d\)](#)

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- S. 21(2) modified (2.12.2002) by Police Reform Act 2002 (c. 30), s. 38, **Sch. 4 Pt. 2 para. 17(e)**; S.I. 2002/2750, **art. 2(a)(ii)(d)**
- S. 21(2) modified (2.12.2002) by Police Reform Act 2002 (c. 30), s. 38, **Sch. 4 Pt. 2 para. 18(e)**; S.I. 2002/2750, **art. 2(a)(ii)(d)**
- S. 21(2) modified (2.12.2002) by Police Reform Act 2002 (c. 30), s. 38, **Sch. 4 Pt. 2 para. 19(d)**; S.I. 2002/2750, **art. 2(a)(ii)(d)**
- C23** S. 21(3)-(8) modified (2.12.2002) by Police Reform Act 2002 (c. 30), s. 38, **Sch. 4 Pt. 2 para. 16(i)**; S.I. 2002/2750, **art. 2(a)(ii)(d)**
- S. 21(3)-(8) modified (2.12.2002) by Police Reform Act 2002 (c. 30), s. 38, **Sch. 4 Pt. 2 para. 17(f)**; S.I. 2002/2750, **art. 2(a)(ii)(d)**
- S. 21(3)-(8) modified (2.12.2002) by Police Reform Act 2002 (c. 30), s. 38, **Sch. 4 Pt. 2 para. 18(f)**; S.I. 2002/2750, **art. 2(a)(ii)(d)**
- S. 21(3)-(8) modified (2.12.2002) by Police Reform Act 2002 (c. 30), s. 38, **Sch. 4 Pt. 2 para. 19(e)**; S.I. 2002/2750, **art. 2(a)(ii)(d)**
- C24** S. 21(3)-(8) modified by 2002 c. 30, Sch. 4 para. 2B(e) (as inserted (13.5.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), **Sch. 10 para. 4** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 22)

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