



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART I

POWERS TO STOP AND SEARCH

3 Duty to make records concerning searches.

- (1) Where a constable has carried out a search in the exercise of any such power as is mentioned in section 2(1) above, other than a search—
- (a) under section 6 below; or
 - (b) under section 27(2) of the ^{M1}Aviation Security Act 1982, [^{F1}a record of the search shall be made] in writing unless it is not practicable to do so.

[^{F2}(2) If a record of a search is required to be made by subsection (1) above—

- (a) in a case where the search results in a person being arrested and taken to a police station, the constable shall secure that the record is made as part of the person's custody record;
- (b) in any other case, the constable shall make the record on the spot, or, if that is not practicable, as soon as practicable after the completion of the search.]

^{F3}(3)

^{F3}(4)

^{F3}(5)

(6) The record of a search of a person or a vehicle—

- (a) shall state—
 - (i) the object of the search;
 - (ii) the grounds for making it;
 - (iii) the date and time when it was made;
 - (iv) the place where it was made;

Status: Point in time view as at 07/08/2021.

Changes to legislation: Police and Criminal Evidence Act 1984, Section 3 is up to date with all changes known to be in force on or before 01 August 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)

- [^{F4}(v) except in the case of a search of an unattended vehicle, the ethnic origins of the person searched or the person in charge of the vehicle searched (as the case may be); and;]
- (b) shall identify the constable [^{F5}who carried out the search].
- [^{F6}(6A) The requirement in subsection (6)(a)(v) above for a record to state a person's ethnic origins is a requirement to state—
- (a) the ethnic origins of the person as described by the person, and
- (b) if different, the ethnic origins of the person as perceived by the constable.]
- (7) [^{F7}If a record of a search of a person has been made under this section,] the person who was searched shall be entitled to a copy of the record if he asks for one before the end of the period specified in subsection (9) below.
- (8) If—
- (a) the owner of a vehicle which has been searched or the person who was in charge of the vehicle at the time when it was searched asked for a copy of the record of the search before the end of the period specified in subsection (9) below; and
- [^{F8}(b) a record of the search of the vehicle has been made under this section,] the person who made the request shall be entitled to a copy.
- (9) The period mentioned in subsections (7) and (8) above is the period of [^{F9}3 months] beginning with the date on which the search was made.
- (10) The requirements imposed by this section with regard to records of searches of vehicles shall apply also to records of searches of vessels, aircraft and hovercraft.

Textual Amendments

- F1** Words in s. 3(1) substituted (7.3.2011) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 1(2)**, 59(1); S.I. 2011/414, art. 2(a)
- F2** S. 3(2) substituted (7.3.2011) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 1(3)**, 59(1); S.I. 2011/414, art. 2(a)
- F3** S. 3(3)-(5) repealed (7.3.2011) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 1(4)**, 59(1); S.I. 2011/414, art. 2(a)
- F4** S. 3(6)(a)(v) substituted for s. 3(6)(a)(v)(vi) (7.3.2011) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 1(5)(a)**, 59(1); S.I. 2011/414, art. 2(a)
- F5** Words in s. 3(6)(b) substituted (7.3.2011) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 1(5)(b)**, 59(1); S.I. 2011/414, art. 2(a)
- F6** S. 3(6A) inserted (7.3.2011) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 1(6)**, 59(1); S.I. 2011/414, art. 2(a)
- F7** Words in s. 3(7) substituted (7.3.2011) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 1(7)**, 59(1); S.I. 2011/414, art. 2(a)
- F8** S. 3(8)(b) substituted (7.3.2011) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 1(8)**, 59(1); S.I. 2011/414, art. 2(a)
- F9** Words in s. 3(9) substituted (7.3.2011) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 1(9)**, 59(1); S.I. 2011/414, art. 2(a)

Modifications etc. (not altering text)

- C1** S. 3(1)(2) 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(c), **Sch.**

Status: Point in time view as at 07/08/2021.

Changes to legislation: Police and Criminal Evidence Act 1984, Section 3 is up to date with all changes known to be in force on or before 01 August 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)

- C2** S. 3(6)(6A) 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(c), Sch.
- C3** S. 3(7) 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(c), Sch.
- C4** S. 3(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(c), Sch.

Marginal Citations

- M1** 1982 c. 36.

Status:

Point in time view as at 07/08/2021.

Changes to legislation:

Police and Criminal Evidence Act 1984, Section 3 is up to date with all changes known to be in force on or before 01 August 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.