



Criminal Justice and Public Order Act 1994

1994 CHAPTER 33

PART X

CROSS-BORDER ENFORCEMENT

136 Execution of warrants.

- (1) A warrant issued in England, Wales or Northern Ireland for the arrest of a person charged with an offence may (without any endorsement) be executed in Scotland by any constable of any police force of the country of issue or of the country of execution [^{F1}or by a constable appointed under section 53 of the British Transport Commission Act 1949] as well as by any other persons within the directions in the warrant.
- (2) A warrant issued in—
 - (a) Scotland; or
 - (b) Northern Ireland,for the arrest of a person charged with an offence may (without any endorsement) be executed in England or Wales by any constable of any police force of the country of issue or of the country of execution [or by a constable appointed under section 53 of the British Transport Commission Act 1949] as well as by any other persons within the directions in the warrant.
- (3) A warrant issued in—
 - (a) England or Wales; or
 - (b) Scotland,for the arrest of a person charged with an offence may (without any endorsement) be executed in Northern Ireland by any constable of any police force of the country of issue or of the country of execution as well as by any other persons within the directions in the warrant.

Status: Point in time view as at 19/07/2007. This version of this provision has been superseded.

Changes to legislation: Criminal Justice and Public Order Act 1994, Section 136 is up to date with all changes known to be in force on or before 27 June 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)

- (4) A person arrested in pursuance of a warrant shall be taken, as soon as reasonably practicable, to any place to which he is committed by, or may be conveyed under, the warrant.
- (5) A constable executing a warrant—
- (a) under subsection (1), (2)(b) or (3)(a) of this section may use reasonable force and shall have the powers of search conferred by section 139;
 - (b) under subsection (2)(a) or (3)(b) of this section shall have the same powers and duties, and the person arrested the same rights, as they would have had if execution had been in Scotland by a constable of a police force in Scotland.
- (6) Any other person within the directions in a warrant executing that warrant under this section shall have the same powers and duties, and the person arrested the same rights, as they would have had if execution had been in the country of issue by the person within those directions.
- (7) This section applies as respects—
- (a) a warrant of commitment and a warrant to arrest a witness issued by a judicial authority in England, Wales or Northern Ireland as it applies to a warrant for arrest; and
 - (b) a warrant for committal, a warrant to imprison (or to apprehend and imprison) and a warrant to arrest a witness issued by a judicial authority in Scotland as it applies to a warrant for arrest.
- [^{F2}(7A) This section applies as respects a warrant issued under paragraph 3(2) of Schedule 1 to [^{F3}the Powers of Criminal Courts (Sentencing) Act 2000] (warrant for arrest of offender referred back to court by youth offender panel) as it applies to a warrant issued in England or Wales for the arrest of a person charged with an offence.]
- (8) In this section “judicial authority” means any justice of the peace or the judge of any court exercising jurisdiction in criminal proceedings; and any reference to a part of the United Kingdom in which a warrant may be executed includes a reference to the adjacent sea and other waters within the seaward limits of the territorial sea.
- [^{F4}(9) Powers under this section and sections 137 to 139 may be exercised by an officer of Revenue and Customs in accordance with section 87 of the Finance Act 2007.]

Textual Amendments

- F1** Words in s. 136(1)(2) inserted (14.12.2001) by 2001 c. 24, ss. 101, 127, **Sch 7 para. 17**
- F2** S. 136(7A) inserted (26.6.2000) by 1999 c. 23, s. 67, **Sch. 4, paras. 21, 23** (with Sch. 7 para. 5(2)); S.I. 2000/1587, **art. 2(b)**
- F3** Words in s. 136(7A) substituted (25.8.2000) by 2000 c. 6, ss. 165, 168, **Sch. 9 para. 161**
- F4** S. 136(9) inserted (19.7.2007) by Finance Act 2007 (c. 11), **s. 87(6)**

Modifications etc. (not altering text)

- C1** S. 136 applied (with modifications) (19.7.2007) by Finance Act 2007 (c. 11), **s. 87(2)-(5)**

Status:

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