



# Chemical Weapons Act 1996

## 1996 CHAPTER 6

### *Offences: miscellaneous*

#### **29 Power to search and obtain evidence**

(1) If—

- (a) a justice of the peace is satisfied on information on oath that there is reasonable ground for suspecting that an offence under this Act is being, has been or is about to be committed on any premises or that evidence of the commission of such an offence is to be found there, or
- (b) in Scotland a justice, within the meaning of section 307 of the <sup>M1</sup>Criminal Procedure (Scotland) Act 1995, is satisfied by evidence on oath as mentioned in paragraph (a) above,

he may issue a warrant in writing authorising a person acting under the authority of the Secretary of State to enter the premises, if necessary by force, at any time within one month from the time of the issue of the warrant and to search them.

(2) A person who enters the premises under the authority of the warrant may—

- (a) take with him such other persons and such equipment as appear to him to be necessary;
- (b) inspect any document found on the premises which he has reasonable cause to believe may be required as evidence for the purposes of proceedings in respect of an offence under this Act;
- (c) take copies of, or seize and remove, any such document;
- (d) inspect, seize and remove any device or equipment found on the premises which he has reasonable cause to believe may be required as such evidence;
- (e) inspect, sample, seize and remove any substance found on the premises which he has reasonable cause to believe may be required as such evidence;
- (f) search or cause to be searched any person found on the premises whom he has reasonable cause to believe to be in possession of any document, device, equipment or substance;

but no woman or girl shall be searched except by a woman.

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*Changes to legislation: There are currently no known outstanding effects for the Chemical Weapons Act 1996, Section 29. (See end of Document for details)*

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- (3) The powers conferred by a warrant under this section shall only be exercisable, if the warrant so provides, in the presence of a constable.

**Modifications etc. (not altering text)**

- C1** S. 29 extended (with modifications) (Jersey) (21.12.1998) by [S.I. 1998/2565](#), art. 4, **Sch.**
- C2** S. 29(2)(c)(d)(e) powers of seizure extended (1.4.2003) by [Criminal Justice and Police Act 2001](#) (c. 16), ss. 50, 138(2), **Sch. 1 para. 60** (with ss. 52-54, 68); [S.I. 2003/708](#), art. 2(a)

**Marginal Citations**

- M1** 1995 c. 46.

**Changes to legislation:**

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