



Police Act 1997

1997 CHAPTER 50

PART III

AUTHORISATION OF ACTION IN RESPECT OF PROPERTY

Authorisations requiring approval

97 Authorisations requiring approval

- (1) An authorisation to which this section applies shall not take effect until—
 - (a) it has been approved in accordance with this section by a Commissioner appointed under section 91(1)(b), and
 - (b) the person who gave the authorisation has been notified under subsection (4).
- (2) Subject to subsection (3), this section applies to an authorisation if, at the time it is given, the person who gives it believes—
 - (a) that any of the property specified in the authorisation—
 - (i) is used wholly or mainly as a dwelling or as a bedroom in a hotel, or
 - (ii) constitutes office premises, or
 - (b) that the action authorised by it is likely to result in any person acquiring knowledge of—
 - (i) matters subject to legal privilege,
 - (ii) confidential personal information, or
 - (iii) confidential journalistic material.
- (3) This section does not apply to an authorisation where the person who gives it believes that the case is one of urgency.
- (4) Where a Commissioner receives a notice under section 96 which specifies that this section applies to the authorisation, he shall as soon as is reasonably practicable—
 - (a) decide whether to approve the authorisation or refuse approval, and
 - (b) give written notice of his decision to the person who gave the authorisation.

Status: This is the original version (as it was originally enacted).

- (5) A Commissioner shall approve an authorisation if, and only if, he is satisfied that there are reasonable grounds for believing the matters specified in section 93(2).
- (6) Where a Commissioner refuses to approve an authorisation, he shall, as soon as is reasonably practicable, make a report of his findings to the authorising officer who gave it or in whose absence it was given (and paragraph 7 of Schedule 7 shall apply for the purposes of this subsection as it applies for the purposes of that Schedule).
- (7) This section shall apply in relation to a renewal of an authorisation as it applies in relation to an authorisation (the references in subsection (2)(a) and (b) to the authorisation being construed as references to the authorisation renewed).
- (8) In this section—
 - “office premises” has the meaning given in section 1(2) of the Offices, Shops and Railway Premises Act 1963;
 - “hotel” means premises used for the reception of guests who desire to sleep in the premises.