

*Status: Point in time view as at 14/07/2014.*

*Changes to legislation: Freedom of Information Act 2000, Cross Heading: Execution of warrants is up to date with all changes known to be in force on or before 28 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)*

## SCHEDULES

### SCHEDULE 3

#### POWERS OF ENTRY AND INSPECTION

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

- C1** [Sch. 3](#) applied (with modifications) (31.12.2009) by [The INSPIRE Regulations 2009 \(S.I. 2009/3157\)](#), {reg. 11(1)-(3)(9)}

##### *Execution of warrants*

- 4 A person executing a warrant issued under this Schedule may use such reasonable force as may be necessary.

##### Commencement Information

- I1** [Sch. 3 para. 4](#) wholly in force at 1.1.2005; [Sch. 3 para. 4](#) not in force at Royal Assent, see [s. 87\(3\)](#); [Sch. 3 para. 4](#) in force for certain purposes at 30.11.2002 by [S.I. 2002/2812](#), [art. 2\(d\)\(e\)](#); [Sch. 3 para. 4](#) in force for certain further purposes at 1.1.2005 by [S.I. 2004/1909](#), [art. 2](#) and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), [art. 2](#)

- 5 A warrant issued under this Schedule shall be executed at a reasonable hour unless it appears to the person executing it that there are grounds for suspecting that the evidence in question would not be found if it were so executed.

##### Commencement Information

- I2** [Sch. 3 para. 5](#) wholly in force at 1.1.2005; [Sch. 3 para. 5](#) not in force at Royal Assent, see [s. 87\(3\)](#); [Sch. 3 para. 5](#) in force for certain purposes at 30.11.2002 by [S.I. 2002/2812](#), [art. 2\(d\)\(e\)](#); [Sch. 3 para. 5](#) in force for certain further purposes at 1.1.2005 by [S.I. 2004/1909](#), [art. 2](#) and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), [art. 2](#)

- 6 (1) If the premises in respect of which a warrant is issued under this Schedule are occupied by a public authority and any officer or employee of the authority is present when the warrant is executed, he shall be shown the warrant and supplied with a copy of it; and if no such officer or employee is present a copy of the warrant shall be left in a prominent place on the premises.
- (2) If the premises in respect of which a warrant is issued under this Schedule are occupied by a person other than a public authority and he is present when the warrant is executed, he shall be shown the warrant and supplied with a copy of it; and if that person is not present a copy of the warrant shall be left in a prominent place on the premises.

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#### Commencement Information

- I3** Sch. 3 para. 6 wholly in force at 1.1.2005; Sch. 3 para. 6 not in force at Royal Assent, see s. 87(3); Sch. 3 para. 6 in force for certain purposes at 30.11.2002 by S.I. 2002/2812, art. 2(d)(e); Sch. 3 para. 6 in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

- 7 (1) A person seizing anything in pursuance of a warrant under this Schedule shall give a receipt for it if asked to do so.
- (2) Anything so seized may be retained for so long as is necessary in all the circumstances but the person in occupation of the premises in question shall be given a copy of anything that is seized if he so requests and the person executing the warrant considers that it can be done without undue delay.

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

- C1** Sch. 3 para. 7(2) applied (1.4.2003) by 2001 c. 16, ss. 57(1)(p), 138(2) (with s. 57(2)-(4)); S.I. 2003/708, art. 2

#### Commencement Information

- I4** Sch. 3 para. 7 wholly in force at 1.1.2005; Sch. 3 para. 7 not in force at Royal Assent, see s. 87(3); Sch. 3 para. 7 in force for certain purposes at 30.11.2002 by S.I. 2002/2812, art. 2(d)(e); Sch. 3 para. 7 in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

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