

Status: Point in time view as at 01/12/2006.

Changes to legislation: Serious Organised Crime and Police Act 2005, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 10 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)



Serious Organised Crime and Police Act 2005

2005 CHAPTER 15

PART 2

INVESTIGATIONS, PROSECUTIONS, PROCEEDINGS AND PROCEEDS OF CRIME

CHAPTER 1

INVESTIGATORY POWERS OF DPP, ETC.

Supplementary

68 Procedure applicable to search warrants

In Part 1 of Schedule 1 to the Criminal Justice and Police Act 2001 (c. 16) (powers of seizure to which section 50 applies) after paragraph 73E (inserted by the Human Tissue Act 2004 (c. 30)) insert—

“**Serious Organised Crime and Police Act 2005**

73F The power of seizure conferred by section 66 of the Serious Organised Crime and Police Act 2005 (seizure of documents for purposes of investigation by DPP or other Investigating Authority).”

Commencement Information

- I1** S. 68 in force at 1.4.2006 for S. by [S.S.I. 2006/166, art. 2\(1\)\(a\)](#)
I2 S. 68 in force at 1.4.2006 except to the extent that it extends to S. by [S.I. 2005/1521, art. 5\(1\)](#)

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69 Manner in which disclosure notice may be given

- (1) This section provides for the manner in which a disclosure notice may be given under section 62.
- (2) The notice may be given to a person by—
 - (a) delivering it to him,
 - (b) leaving it at his proper address,
 - (c) sending it by post to him at that address.
- (3) The notice may be given—
 - (a) in the case of a body corporate, to the secretary or clerk of that body;
 - (b) in the case of a partnership, to a partner or a person having the control or management of the partnership business;
 - (c) in the case of an unincorporated association (other than a partnership), to an officer of the association.
- (4) For the purposes of this section and section 7 of the Interpretation Act 1978 (c. 30) (service of documents by post) in its application to this section, the proper address of a person is his usual or last-known address (whether residential or otherwise), except that—
 - (a) in the case of a body corporate or its secretary or clerk, it is the address of the registered office of that body or its principal office in the United Kingdom,
 - (b) in the case of a partnership, a partner or a person having the control or management of the partnership business, it is that of the principal office of the partnership in the United Kingdom, and
 - (c) in the case of an unincorporated association (other than a partnership) or an officer of the association, it is that of the principal office of the association in the United Kingdom.
- (5) This section does not apply to Scotland.

Modifications etc. (not altering text)

C1 S. 69 extended (Northern Ireland) (1.12.2006) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), **ss. 26(1), 31(3)**; S.I. 2006/2966, art. 3

Commencement Information

I3 S. 69 in force at 1.4.2006 except to the extent that it extends to S. by [S.I. 2005/1521](#), **art. 5(1)**

70 Interpretation of Chapter 1

- (1) In this Chapter—
 - “^{F1}act of terrorism” includes anything constituting an action taken for the purposes of terrorism, within the meaning of the Terrorism Act 2000 (see section 1(5) of that Act);]
 - “appropriate person” has the meaning given by section 62(2);
 - “the Investigating Authority” is to be construed in accordance with section 60(5) and (6);
 - “disclosure notice” has the meaning given by section 62(3);
 - “document” includes information recorded otherwise than in legible form.

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[^{F2}‘terrorism’ has the same meaning as in the Terrorism Act 2000 (see section 1(1) to (4) of that Act);

‘terrorist investigation’ has the meaning given by section 60(7).]

- (2) In relation to information recorded otherwise than in legible form, any reference in this Chapter to the production of documents is a reference to the production of a copy of the information in legible form.

Textual Amendments

- F1** Words in s. 70(1) inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), **ss. 33(4)(a)**, 39(2); S.I. 2006/1013, **art. 2(2)(b)**
- F2** Words in s. 70(1) inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), **ss. 33(4)(b)**, 39(2); S.I. 2006/1013, **art. 2(2)(b)**

Modifications etc. (not altering text)

- C2** S. 70 extended (Northern Ireland) (1.12.2006) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), **ss. 26(1)**, 31(3); S.I. 2006/2966, **art. 3**

Commencement Information

- I4** S. 70 in force at 1.4.2006 for S. by [S.S.I. 2006/166](#), **art. 2(1)(a)**
- I5** S. 70 in force at 1.4.2006 except to the extent that it extends to S. by [S.I. 2005/1521](#), **art. 5(1)**

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