

Status: Point in time view as at 28/12/2022.

Changes to legislation: Serious Organised Crime and Police Act 2005, Cross Heading: Police and Criminal Evidence Act 1984 (c. 60) is up to date with all changes known to be in force on or before 15 July 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 7

POWERS OF ARREST: SUPPLEMENTARY

PART 3

AMENDMENTS RELATING TO REFERENCES TO ARRESTABLE OFFENCES AND SERIOUS ARRESTABLE OFFENCES

Police and Criminal Evidence Act 1984 (c. 60)

- 43 (1) The Police and Criminal Evidence Act 1984 is amended as follows.
- (2) In section 4 (road checks)—
- (a) for “a serious arrestable offence”, in each place where it occurs, substitute “an indictable offence”,
 - (b) in subsection (14), for “serious arrestable offence” substitute “indictable offence”.
- (3) In section 8 (powers to authorise entry and search), for “a serious arrestable offence”, in both places, substitute “an indictable offence”.
- (4) In section 17 (entry for purpose of arrest etc.), in subsection (1)(b), for “arrestable” substitute “indictable”.
- (5) In section 18 (entry and search after arrest), in subsection (1), for “arrestable”, in both places, substitute “indictable”.
- (6) In section 32 (search upon arrest), in subsection (2), for paragraph (b) substitute—
- “(b) if the offence for which he has been arrested is an indictable offence, to enter and search any premises in which he was when arrested or immediately before he was arrested for evidence relating to the offence.”
- (7) In section 42 (authorisation of continued detention), in subsection (1)(b), for “arrestable” substitute “indictable”.
- (8) In section 43 (warrants of further detention), in subsection (4)(b), for “a serious arrestable offence” substitute “an indictable offence”.
- (9) In section 56 (right to have someone informed when arrested)—
- (a) in each of subsections (2)(a) and (5)(a), for “a serious arrestable offence” substitute “an indictable offence”,
 - (b) in subsection (5A)(a), for “the serious arrestable offence” substitute “the indictable offence”.
- (10) In section 58 (access to legal advice)—

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- (a) in each of subsections (6)(a) and (8)(a), for “a serious arrestable offence” substitute “an indictable offence”;
 - (b) in subsection (8A)(a), for “the serious arrestable offence” substitute “the indictable offence”.
- (11) In section 114A (power to apply Act to officers of Secretary of State), in subsection (2)(c), for “a serious arrestable offence”, in both places, substitute “an indictable offence”.
- (12) Section 116 (meaning of “serious arrestable offence”) shall cease to have effect.
- (13) In Schedule 1 (special procedure material), in paragraph 2(a)(i), for “a serious arrestable offence” substitute “an indictable offence”.
- (14) Schedule 5 (serious arrestable offences) shall cease to have effect.

Commencement Information

II Sch. 7 para. 43 in force at 1.1.2006 by S.I. 2005/3495, art. 2(1)(m)

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