

*Status: Point in time view as at 01/01/2006.*

**Changes to legislation:** Serious Organised Crime and Police Act 2005, Part 4 is up to date with all changes known to be in force on or before 21 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 **U.K.**

#### POWERS OF ARREST: SUPPLEMENTARY

#### **PART 4** **E+W+S**

#### OTHER AMENDMENTS

##### *Game Laws (Amendment) Act 1960 (c. 36)*

- 52 (1) The Game Laws (Amendment) Act 1960 is amended as follows.
- (2) In section 2 (power of police to enter on land), in subsection (1)(b), for “section 25” substitute “ section 24 ”.
- (3) In section 4 (further provisions as to seizure and forfeiture), in subsection (1), for “section 25” substitute “ section 24 ”.

#### **Commencement Information**

**I1** Sch. 7 para. 52 in force at 1.1.2006 by S.I. 2005/3495, art. 2(1)(m)

##### *Immigration Act 1971 (c. 77)*

- 53 In section 28A of the Immigration Act 1971 (arrest without warrant), in each of subsections (1) and (9A), for “A constable or” substitute “ An ”.

#### **Commencement Information**

**I2** Sch. 7 para. 53 in force at 1.1.2006 by S.I. 2005/3495, art. 2(1)(m)

##### *Customs and Excise Management Act 1979 (c. 2)*

- 54 In section 138 of the Customs and Excise Management Act 1979 (provisions about arrest), in subsection (4)(b), after “section 24” insert “ or 24A ”. This paragraph has the same extent as that Act.

#### **Commencement Information**

**I3** Sch. 7 para. 54 in force at 1.1.2006 by S.I. 2005/3495, art. 2(1)(m)

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*Animal Health Act 1981 (c. 22)*

- 55 (1) The Animal Health Act 1981 is amended as follows.
- (2) In section 61 (powers of arrest as to rabies)—
- (a) in subsection (2), after “applies” insert “ for the purposes of section 17(1) (caa) of the Police and Criminal Evidence Act 1984 ”,
  - (b) for the heading substitute “ Powers of entry and search in relation to rabies offences ”.
- (3) For the heading to section 62 (entry and search under section 61) substitute “ Entry and search in exercise of powers to seize animals ”.

**Commencement Information**

**I4** Sch. 7 para. 55 in force at 1.1.2006 by S.I. 2005/3495, art. 2(1)(m)

*Wildlife and Countryside Act 1981 (c. 69)*

- 56 In section 19 of the Wildlife and Countryside Act 1981 (enforcement), in subsection (2), for “section 25” substitute “ section 24 ”. This paragraph extends also to Scotland.

**Commencement Information**

**I5** Sch. 7 para. 56 in force at 1.1.2006 by S.I. 2005/3495, art. 2(1)(m)

*Aviation Security Act 1982 (c. 36)*

- 57 In section 13 of the Aviation Security Act 1982 (power to require aerodrome managers to promote searches at airports), in subsection (5)(a), for “25” substitute “ 24A ”. This paragraph has the same extent as that Act.

**Commencement Information**

**I6** Sch. 7 para. 57 in force at 1.1.2006 by S.I. 2005/3495, art. 2(1)(m)

*Police and Criminal Evidence Act 1984 (c. 60)*

- 58 In section 17 of the Police and Criminal Evidence Act 1984 (entry for purpose of arrest etc.), in subsection (1)—
- (a) for paragraph (c)(iia) substitute—
    - “(iia) section 4 (driving etc. when under influence of drink or drugs) or 163 (failure to stop when required to do so by constable in uniform) of the Road Traffic Act 1988;
    - (iib) section 27 of the Transport and Works Act 1992 (which relates to offences involving drink or drugs);”
  - (b) after paragraph (ca) insert—

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“(caa) of arresting a person for an offence to which section 61 of the Animal Health Act 1981 applies;”.

**Commencement Information**

**I7** Sch. 7 para. 58 in force at 1.1.2006 by S.I. 2005/3495, art. 2(1)(m)

*Road Traffic Act 1988 (c. 52)*

59 In section 184 of the Road Traffic Act 1988 (application of sections 5 to 10 of that Act to persons subject to service discipline), for subsection (2) substitute—

“(2) A member of the provost staff may arrest a person for the time being subject to service discipline without warrant if he has reasonable cause to suspect that that person is or has been committing an offence under section 4.

(2A) The power conferred by subsection (2) is exercisable outside as well as within Great Britain.”This paragraph has the same extent as section 184 of that Act.

**Commencement Information**

**I8** Sch. 7 para. 59 in force at 1.1.2006 by S.I. 2005/3495, art. 2(1)(m)

*Aviation and Maritime Security Act 1990 (c. 31)*

60 In section 22 of the Aviation and Maritime Security Act 1990 (power to require harbour authorities to promote searches in harbour areas), in subsection (10)(a), for “25” substitute “ 24A ”. This paragraph has the same extent as that Act.

**Commencement Information**

**I9** Sch. 7 para. 60 in force at 1.1.2006 by S.I. 2005/3495, art. 2(1)(m)

*Deer Act 1991 (c. 54)*

61 In section 12 of the Deer Act 1991 (powers of search, arrest and seizure), in subsection (2)(b), for “section 25” substitute “ section 24 ”.

**Commencement Information**

**I10** Sch. 7 para. 61 in force at 1.1.2006 by S.I. 2005/3495, art. 2(1)(m)

*Gangmasters (Licensing) Act 2004 (c. 11)*

62 The Gangmasters (Licensing) Act 2004 is amended as follows—

(a) in section 14 (offences: supplementary), in subsection (1), for “section 24(4) and (5)” substitute “ section 24A ”,

(b) in Schedule 2 (application of Act to Northern Ireland), in paragraph 14, for “section 24(4) and (5)” substitute “ section 24A ”.

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This paragraph has the same extent as that Act.

**Commencement Information**

**I11** Sch. 7 para. 62 in force at 1.1.2006 by S.I. 2005/3495, art. 2(1)(m)

*Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)*

63 The Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 is amended as follows—

- (a) in section 2 (entering U.K. without passport, etc.), in subsection (10), for “a constable or” substitute “an”,
- (b) in section 35 (deportation or removal: cooperation), in subsection (5), for “a constable or” substitute “an”.

**Commencement Information**

**I12** Sch. 7 para. 63 in force at 1.1.2006 by S.I. 2005/3495, art. 2(1)(m)

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