



Serious Organised Crime and Police Act 2005

2005 CHAPTER 15

PART 3

POLICE POWERS ETC.

Search warrants

114 Search warrants: other amendments

- (1) PACE is amended as follows.
- (2) In section 8 (power to authorise entry and search of premises), after the subsection (1B) inserted by section 113(4) of this Act insert—
 - “(1C) The warrant may authorise entry to and search of premises on more than one occasion if, on the application, the justice of the peace is satisfied that it is necessary to authorise multiple entries in order to achieve the purpose for which he issues the warrant.
 - (1D) If it authorises multiple entries, the number of entries authorised may be unlimited, or limited to a maximum.”
- (3) Section 15 (search warrants—safeguards) is amended as provided in subsections (4) to (7).
- (4) In subsection (2)(a)—
 - (a) omit “and” at the end of sub-paragraph (i),
 - (b) at the end of sub-paragraph (ii) insert “ and ”,
 - (c) after that sub-paragraph insert—
 - “(iii) if the application is for a warrant authorising entry and search on more than one occasion, the ground on which he applies for such a warrant, and whether he

Status: Point in time view as at 08/05/2006.

Changes to legislation: Serious Organised Crime and Police Act 2005, Section 114 is up to date with all changes known to be in force on or before 14 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)

seeks a warrant authorising an unlimited number of entries, or (if not) the maximum number of entries desired.”.

(5) In subsection (5), at the end add “ unless it specifies that it authorises multiple entries ”.

(6) After subsection (5) insert—

“(5A) If it specifies that it authorises multiple entries, it must also specify whether the number of entries authorised is unlimited, or limited to a specified maximum.”

(7) For subsection (7) substitute—

“(7) Two copies shall be made of a specific premises warrant (see section 8(1A) (a) above) which specifies only one set of premises and does not authorise multiple entries; and as many copies as are reasonably required may be made of any other kind of warrant.”

(8) In section 16 (execution of warrants)—

(a) in subsection (3), for “one month” substitute “ three months ”,

(b) after the subsection (3A) inserted by section 113(9)(a) of this Act, insert—

“(3B) No premises may be entered or searched for the second or any subsequent time under a warrant which authorises multiple entries unless a police officer of at least the rank of inspector has in writing authorised that entry to those premises.”,

(c) for subsection (10) substitute—

“(10) A warrant shall be returned to the appropriate person mentioned in subsection (10A) below—

(a) when it has been executed; or

(b) in the case of a specific premises warrant which has not been executed, or an all premises warrant, or any warrant authorising multiple entries, upon the expiry of the period of three months referred to in subsection (3) above or sooner.

(10A) The appropriate person is—

(a) if the warrant was issued by a justice of the peace, the designated officer for the local justice area in which the justice was acting when he issued the warrant;

(b) if it was issued by a judge, the appropriate officer of the court from which he issued it.”

(9) In Schedule 1 (special procedure), in paragraph 17, for “a Circuit judge” substitute “ a judge of the High Court, a Circuit judge, a Recorder ”.

Commencement Information

II S. 114(1)-(8) in force at 1.1.2006 by S.I. 2005/3495, art. 2(1)(n)

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