



Justice and Security (Northern Ireland) Act 2007

2007 CHAPTER 6

Powers

23 Entry

- (1) A member of Her Majesty's forces on duty or a constable may enter any premises if he considers it necessary in the course of operations for the preservation of the peace or the maintenance of order.
- (2) A constable may not rely on subsection (1) to enter a building unless—
 - (a) he has authorisation, or
 - (b) it is not reasonably practicable to obtain authorisation.
- (3) Authorisation must be—
 - (a) written authorisation from an officer of the Police Service of Northern Ireland of at least the rank of superintendent, or
 - (b) if it is not reasonably practicable to obtain written authorisation, oral authorisation from an officer of the Police Service of Northern Ireland of at least the rank of inspector.
- (4) Written authorisation must relate to a specified area of Northern Ireland.
- (5) An officer giving oral authorisation shall make a written record as soon as is reasonably practicable.
- (6) Where a constable enters a building in reliance on subsection (1) he must ensure that as soon as is reasonably practicable a record is made of—
 - (a) the address of the building (if known),
 - (b) the location of the building,
 - (c) the date of entry,
 - (d) the time of entry,
 - (e) the purpose of entry,

Status: This is the original version (as it was originally enacted).

- (f) the police number of each constable entering, and
 - (g) the police number and rank of the authorising officer (if any).
- (7) A written authorisation, or a record under subsection (5) or (6), must be kept by the person who gave or made it—
- (a) while any legal or complaint proceedings to which it might be relevant are pending, and
 - (b) in any event, for at least 12 months.
- (8) A copy of a written authorisation or of a record under subsection (5) or (6) must be given as soon as is reasonably practicable to the owner or occupier of the premises to which it relates.
- (9) A copy of a written authorisation or of a record under subsection (5) or (6) must be given as soon as is reasonably practicable to any person who requests a copy and who has, in the opinion of the person who has the authorisation or record, sufficient reason for the request.
- (10) In subsection (7)(a) “complaint proceedings” means proceedings on a complaint made or referred to the Police Ombudsman for Northern Ireland in accordance with the Police (Northern Ireland) Act 1998 (c. 32).