



# Psychoactive Substances Act 2016

## 2016 CHAPTER 2

### *Powers of entry, search and seizure*

#### **44 Excluded items**

- (1) This section defines what is meant by “excluded items” for the purposes of section 43.
- (2) In England and Wales “excluded items” means—
  - (a) items subject to legal privilege, within the meaning of the Police and Criminal Evidence Act 1984 (see section 10 of that Act);
  - (b) excluded material, within the meaning of that Act (see section 11 of that Act);
  - (c) special procedure material, within the meaning of that Act (see section 14 of that Act).
- (3) In Scotland “excluded items” means items in respect of which a claim to confidentiality of communications could be maintained in legal proceedings.
- (4) In Northern Ireland “excluded items” means—
  - (a) items subject to legal privilege, within the meaning of the Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12)) (see Article 12 of that Order);
  - (b) excluded material, within the meaning of that Order (see Article 13 of that Order);
  - (c) special procedure material, within the meaning of that Order (see Article 16 of that Order).