

Status: Point in time view as at 01/03/2018.

Changes to legislation: Policing and Crime Act 2017, Cross Heading: Other amendments is up to date with all changes known to be in force on or before 17 September 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 17

CROSS-BORDER ENFORCEMENT: MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

AMENDMENTS OF PART 10 OF THE CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994

Other amendments

- 7 (1) Section 136 (execution of warrants) is amended as follows.
- (2) After subsection (4) insert—
- “(4A) The following provisions apply in relation to the execution under this section by a constable of a warrant issued in England and Wales or Northern Ireland—
- (a) where the warrant is executed under subsection (1), the constable has the same powers of entry and search for the purpose of executing the warrant as a constable of a police force in Scotland would have if the warrant had been issued in Scotland;
 - (b) where the warrant is executed under subsection (2)(b) or (3)(a), the constable has the powers of entry and search conferred by section 137E;
 - (c) where the warrant is executed under subsection (1), (2)(b) or (3)(a), the constable has the powers conferred by section 139 in relation to the arrested person;
 - (d) the constable may use reasonable force, if necessary, in arresting the person or in exercising the powers conferred by sections 137E and 139.”
- (3) In subsection (5), omit paragraph (a).

Commencement Information

- I1** Sch. 17 para. 7 in force for specified purposes at Royal Assent, see s. 183
- I2** Sch. 17 para. 7 in force at 1.3.2018 in so far as not already in force by S.I. 2018/227, reg. 2(g)

- 8 (1) Section 137 (cross-border powers of arrest etc.) is amended as follows.
- (2) After subsection (7) insert—
- “(7A) The following provisions apply in relation to an arrest under this section by a constable under subsection (1) or (3)—

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- (a) where the arrest is under subsection (1) in Northern Ireland or under subsection (3) in England and Wales, the constable has the powers of entry and search conferred by section 137E;
- (b) where the arrest is under subsection (1) or (3) in Scotland, the constable has the same powers of entry and search for the purpose of the arrest as a constable of a police force in Scotland would have if there were reasonable grounds for suspecting that the offence had been committed or attempted in Scotland;
- (c) the constable has the powers conferred by section 139 in relation to the arrested person;
- (d) the constable may use reasonable force, if necessary, in arresting the person or in exercising the powers conferred by sections 137E and 139.”

(3) In subsection (8), omit paragraph (a).

Commencement Information

I3 [Sch. 17 para. 8](#) in force for specified purposes at Royal Assent, see [s. 183](#)

I4 [Sch. 17 para. 8](#) in force at 1.3.2018 in so far as not already in force by [S.I. 2018/227](#), [reg. 2\(g\)](#)

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