
STATUTORY INSTRUMENTS

2003 No. 2273

The Armed Forces (Entry, Search and Seizure) Order 2003

General power of seizure

14.—(1) The powers conferred by paragraphs (2), (3) and (4) are exercisable by an authorised person on searchable premises.

(2) The authorised person may seize anything which is on the premises if he has reasonable grounds for believing—

- (a) that it has been obtained in consequence of the commission of an offence under any of the services Acts; and
- (b) that it is necessary to seize it in order to prevent it being concealed, lost, damaged, altered or destroyed.

(3) The authorised person may seize anything which is on the premises if he has reasonable grounds for believing—

- (a) that it is evidence in relation to an offence which he is investigating or any other offence under any of the services Acts; and
- (b) that it is necessary to seize it in order to prevent the evidence being concealed, lost, altered or destroyed.

(4) The authorised person may require any information which is stored in any electronic form and is accessible from the premises to be produced in a form in which it can be taken away and in which it is visible and legible or from which it can readily be produced in a visible and legible form if he has reasonable grounds for believing—

- (a) that—
 - (i) it is evidence in relation to an offence which he is investigating or any other offence under any of the services Acts; or
 - (ii) it has been obtained in consequence of the commission of an offence under the services Acts; and
- (b) that it is necessary to do so in order to prevent it being concealed, lost, tampered with or destroyed.

(5) The powers conferred by this article are in addition to any power otherwise conferred.

(6) Nothing in this Order is to be taken to authorise the seizure of an item which an authorised person has reasonable grounds for believing to be subject to legal privilege.

(7) In this article—

“authorised person” means—

- (a) a service policeman, or
- (b) a person who may exercise any power of seizure conferred by or under Part 2;

“searchable premises” means any premises which may be searched in exercise of a power conferred by or under Part 2.