

## SCHEDULE

### PART 2

#### **Modifications to the provisions of Part 1 of the 1988 Act applied by this Order**

**28.** Section 109(1) applies—

- (a) with the deletion of “(in Scotland, a sheriff or justice of the peace)” and “(in Scotland, by evidence on oath)”; and
- (b) the substitution in subsection (2) of “does not extend to authorising a search for personal or confidential material that is protected under legislation.” for “does not” to the end of that subsection.

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(1) Section 109 was amended by [S.I. 2003/2498](#), regulations 3 and 26(2), the Serious Organised Crime and Police Act [2005 \(c.15\)](#), section 174(2) and Schedule 16, paragraph 6 and the Copyright, etc. and Trade Marks (Offences and Enforcement) Act [2002 \(c.25\)](#), section 2.