
STATUTORY INSTRUMENTS

2021 No. 1458

**The Age of Criminal Responsibility (Scotland) Act 2019
(Consequential Provisions and Modifications) Order 2021**

PART 3

Police powers etc.

Cross-border enforcement by constables of territorial police forces

Search

10.—(1) Paragraph (2) applies where an order is made under section 36 of the 2019 Act in respect of a child and—

- (a) the child is in England, Wales or Northern Ireland, or
- (b) the order authorises the search of—
 - (i) premises in England, Wales or Northern Ireland, or
 - (ii) a vehicle which is for the time being in England, Wales or Northern Ireland.

(2) A constable may, for the purposes of the order, take any action which a Scottish constable would be entitled to take for those purposes if the child was in Scotland, the premises were in Scotland or, as the case may be, the vehicle was in Scotland.

(3) Except where section 37 of the 2019 Act has already been complied with, a constable who intends to act under paragraph (2) must, before doing so—

- (a) provide a copy of the order to—
 - (i) the child, and
 - (ii) in so far as practicable, a parent of the child, and
- (b) at the same time, explain the order to the child in a way that is appropriate to the child's age and maturity.

(4) A constable who enters any unoccupied premises by virtue of paragraph (2) must leave the premises as effectively secured against unauthorised entry as the constable found them.