



Ministry
of Justice

Powers of Entry Review

Final report

November 2014



Powers of Entry Review

Final report

Presented to Parliament pursuant to section 42(1)(c) of the Protection of
Freedoms Act 2012

November 2014



© Crown copyright 2014

You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence v.3. To view this licence visit www.nationalarchives.gov.uk/doc/open-government-licence/version/3/ or email PSI@nationalarchives.gsi.gov.uk Where third party material has been identified, permission from the respective copyright holder must be sought.

This publication is available at www.gov.uk/government/publications

Any enquiries regarding this publication should be sent to us at general.queries@justice.gsi.gov.uk

Print ISBN 9781474102810

Web ISBN 9781474102827

Printed in the UK by the Williams Lea Group on behalf of
the Controller of Her Majesty's Stationery Office

ID 2641674 11/14

Printed on paper containing 75% recycled fibre content minimum.

Contents

Introduction	3
Executive Summary	4
Powers of Entry that have been repealed	6
Powers of Entry to be retained	7

Introduction

The Protection of Freedoms Act 2012 provides that I undertake a full review of all Powers of Entry for which the Ministry of Justice is responsible with a view to removing from the statute book any unnecessary powers; and to improve the safeguards attaching to existing powers should this be necessary. I share this commitment to reducing unnecessary regulation and getting right the balance between protecting the public and safeguarding the rights and freedoms of individuals and businesses.



I am therefore pleased to introduce this report of my Department's review of its 31 Powers of Entry and to confirm that we have repealed 2 outdated powers provided to landlords and have instead introduced reforms that provide for a more proportionate and fully safeguarded basis for the operation of bailiffs.

We have reviewed the remaining 29 Powers of Entry and, in particular, where specialist powers via warrant are provided to the police, have considered carefully whether the more generic powers of the Police and Criminal Evidence Act 1984 could be used instead. Equally we have reviewed those individual specialist Powers of Entry provided to inspectors and regulators and have concluded that these strike the right balance of transparency and maintaining strict limitations in their application.

I have therefore concluded that these remaining 29 powers should be retained and that the existing arrangements deliver the right level of safeguards in their operation. I commend this report to you.

A handwritten signature in black ink, appearing to read 'Chris Grayling', written in a cursive style.

The Rt Hon Chris Grayling MP
Secretary of State for Justice and Lord Chancellor

Executive Summary

Background

1. Under section 42 of the Protection of Freedoms Act 2012, each Minister of the Crown who is a member of the Cabinet must review relevant powers of entry and relevant associated powers for which the Minister is responsible with a view to deciding whether to make an order under section 39(1), 40 or 41 in relation to any of them. Such orders can repeal a power, amend it or introduce additional safeguards.
2. Each Minister must prepare a report of that review and lay a copy of the report before Parliament.
3. The Ministry of Justice (MoJ) has a relatively small proportion of the over 1,200 powers of entry on statute. The 31 powers for which MoJ has policy responsibility derive from 21 Acts of primary legislation and 3 statutory instruments.
4. A separate review has been undertaken of each of these powers with those powers found in the Legal Services Act 2007 and the Solicitors Act 1974 being captured in the Review of Legal Services Regulation which published its findings on 1 May 2014.
5. The table below sets out the number of powers of entry owned by the department and a breakdown of action that will be or has been taken.

Powers of entry in scope of review	
Total powers of entry repealed or reformed or to be repealed	2
Total powers of entry identified for consolidation	0
Total powers of entry identified for additional safeguards	0
Total powers of entry to remain unchanged	29
Total	31

Powers of entry that have been repealed

6. We have repealed two powers in the Distress for Rent Act 1737 through the implementation on 6 April 2014 of Part 3 of the Tribunals, Courts and Enforcement Act 2007 (TCEA). This has removed rights of residential and commercial landlords to enter any premises when rent is in arrears to seize property for the recovery of rent owing without having first to seek permission from a court.
7. Part 3 of the TCEA introduces new provisions by which commercial landlords can recover rent arrears from their tenants. These provisions will only be open to landlords of commercial premises and will allow enforcement agents to take control of debtors' goods and sell them without having to seek permission from a court first. These new provisions called "Commercial Rent Arrears Recovery" (CRAR), will not be available to residential landlords and before a commercial landlord can exercise the CRAR provisions a number of conditions will need to be met. These include the

requirement that a minimum level of arrears must be outstanding and that a mandatory period of notice has been given.

8. Unlike the powers of entry in sections 1 and 7 of the Distress for Rent Act 1737, commercial landlords will only be permitted to enter or take control of goods at the commercial premises for which the rent is owed and they will not be able to force entry on to the premises and will need to be a certificated individual as provided by the TCEA or use a certificated enforcement agent.

Powers of entry to be retained unchanged

9. In almost all cases the power to enter is either provided through a warrant or the order of a court. Whilst a number of powers are rarely used they are nonetheless important and crucially no alternate power can be used in order to achieve the required action. Four powers are not yet in force.
10. Consideration has been given to the existing safeguards in place and we have assessed these as being sufficiently robust.
11. See the Annex for a full list the powers of entry in scope of this review.

Powers of Entry that have been repealed

Distress for Rent Act 1737

- Sections 1 and 7
12. Sections 1 and 7 of the Distress for Rent Act 1737 ceased to have effect on 6 April 2014 following implementation of Part 3 of the Tribunals, Courts and Enforcement Act 2007 (TCEA).
 13. The Distress for Rent Act 1737 provided for landlords and their agents, for the purposes of recovering rent arrears, to seize the possessions of the tenant where those possessions had been removed from the property (section 1) and, with a warrant of the court, to gain access to any property where it was reasonably believed that those possessions were being held (section 7).
 14. To provide for a more proportionate response to recovering unpaid rent on commercial premises we have replaced the provisions in the Distress for Rent Act 1737 with the Commercial Rent Arrears Recovery (CRAR) provisions contained in the TCEA, with significant safeguards as set out in the Taking Control of Goods Regulations 2013 (2013/1894). Those safeguards include:
 - only a certificated enforcement agent will be able to exercise the power of entry (and the associated power to take control of goods);
 - a minimum of seven days notice must be given;
 - a minimum amount of rent arrears – an amount equivalent to seven days rent - will be required before CRAR can be exercised;
 - limits on when and how an enforcement agent may enter the premises;
 - the use of force against a person will not be allowed;
 - there will be certain circumstances where an enforcement agent cannot enter or take control of goods (eg. where a person is deemed vulnerable or is a child);
 - restrictions on the circumstances in which an enforcement agent can re-enter premises;
 - restrictions on what goods may be seized;
 - requirement for an inventory of seized goods to be made;
 - minimum period before any goods removed under these provisions can be sold;
 - notice must also be given to sub-tenants;
 - tenants can apply to the court to set aside the notice of enforcement or cease action without further order of the court.

Powers of Entry to be retained

Children and Young Persons (Harmful Publications) Act 1955

- Section 3
15. This power of entry provides for a court to issue a warrant to a police officer to search for and dispose of works to which the Act applies and for articles for printing them. It prohibits the exposure of children to publications depicting acts of violence or other material of a repulsive nature.
 16. The powers of entry under sections 8 and 9 of the PACE Act would not be effective as they only concern indictable offences, whereas the offences in this Act are summary only.

Civil Procedure Act 1997

- Section 7
 - Civil Procedure Rules 1998 (1998/3132 L.17) Rule 25(1)(d)
17. The Civil Procedure Act puts on a statutory basis the court's jurisdiction at common law to make an order (previously known as an *Anton Piller* order) for a search and the mechanism by which that search should be made. The provision and associated rules provide for a court to compel a party to permit the entry of certain named persons, on behalf of another party, in order to search for and if necessary to seize evidence.
 18. The court must in each individual case ascertain whether there is a compelling reason for an order, and whether interference in the affairs of a party is proportionate in order to protect the interest of the other party and the consequences of not making an order.
 19. Parties affected by a search order have the opportunity to object to the search order being made, or to apply for an order to be reconsidered before a search is carried out.

Compensation Act 2006

- Section 8
 - Schedule 1, Paragraph 14
 - Compensation (Claims Management Services) Regulations 2006 (2006/3322) Regulations 34 and 37
20. The Claims Management Regulator (CMR) Unit conducts targeted audits of companies where there is reason to believe they are not compliant with the Compensation (Claims Management Services) Regulations 2006. Audits are generally carried out by arrangement and without the need to resort to use of powers of entry. CMR officers also attend with other enforcement agencies on joint exercises

under the lead organisations' powers of entry, to save the business from multiple entries by various different agencies.

21. Powers such as suspending, varying or cancelling a non-compliant business's authorisation are used frequently, but depend on some co-operation from the business. Where an authorised business is cancelled but continues to trade as if authorised, there are no further sanctions and evidence of their misconduct is required in order to prosecute.
22. These powers of entry provide for the Regulator, under a court issued warrant, to enter and search premises to investigate whether an offence has been committed or assess compliance, and to take possession of written/electronic records
23. The CMR Unit is a regulator that abides by Better Regulation Principles and as such practices proportionality in enforcement methods. There are no suitable alternate powers that this Regulator could use and removal of these powers of entry would undermine the Regulator's effectiveness.

Coroners and Justice Act 2009

- Section 6
 - Schedule 5, Paragraph 3
24. These powers relate to the coroner's statutory duty to investigate a death, providing coroners with explicit statutory powers of entry, search and seizure in the investigation of a death.
 25. In July 2013 we implemented the coroner reforms in the Coroners and Justice Act 2009 (the 2009 Act). We chose not to implement the entry, search and seizure provisions at this time to establish whether coroners' existing powers were sufficient before committing to the costs associated with these provisions. We have considered at this stage whether it should be retained, and given that the power may still be necessary we have taken the view that it is not appropriate for repeal at this stage. We have committed to reviewing the impact of the coroner provisions in the 2009 Act in early 2015 (18 months after implementation) and this may include a review of the Act's entry, search and seizure powers.

Criminal Damage Act 1971

- Section 6
26. This power of entry allows the Police to enter premises to search for and remove items that it is suspected have been used or may be intended to be used in order to commit crime. It is therefore a power which serves a dual purpose of allowing evidence collection in some cases and crime prevention in others.
 27. While section 8 of the PACE Act covers most of the same ground as this power of entry there are differences in that PACE requires the magistrate to be 'satisfied' that there are reasonable grounds whereas section 6(1) of this Act permits the magistrate to grant a warrant where 'it is made to appear' that there is reasonable cause by the information given on oath.

28. We will retain these powers which provide a mechanism by which the police are able to seize instruments that have been used to commit criminal damage and a mechanism by which the police are able to seize instruments that are intended to be used to commit criminal damage before the actual damage has been caused. The requirement whereby a warrant issued by a magistrate is needed in order to exercise this power provides adequate safeguards.

Data Protection Act 1998

- Section 41A
 - Schedule 9, Paragraphs 1(1A) and 1(1B)
29. The Information Commissioner is responsible for regulating organisations' (data controllers') compliance with the Data Protection Act 1998. The power of entry in s41A of the DPA is exercised through an 'Assessment Notice' issued by the Information Commissioner with statutory notice periods. Where a data controller fails to comply with an Assessment Notice the court can issue a warrant granting the Information Commissioner access to the premises named in the original Assessment Notice.
30. The issuing of a warrant is subject to a circuit judge being satisfied by information on oath supplied by the Information Commissioner that a data controller has failed to comply with a requirement imposed by an assessment notice.
31. A power of compulsion is necessary, even if in practice this serves mainly as an incentive to organisations to agree to a consensual audit. There are no suitable alternate powers that the Information Commissioner could use and removal of these powers of entry would undermine the Information Commissioner's effectiveness.

Family Law Act 1986

- Section 34
32. This provision applies where a person holding a child is required by order of the court to give up the child to another person. The court may further make an order authorising an officer of the court or enforcement officer to take charge of the child and deliver him to the person concerned including authority to enter and search any premises where the child may be found and to use force to give effect to the terms of the order.
33. This power is necessary to effect the orders of the court and secure the child into the care of person(s) as ordered by the court.

Forgery and Counterfeiting Act 1981

- Section 7
 - Section 24
34. Section 7 provides for the granting of a search warrant, authorising a constable to search for and seize things used or intended for use in committing forgery. Section 24 provides for the granting of a search warrant, authorising a constable to search for and seize counterfeit notes and coins and anything used or intended for use in counterfeiting.
35. PACE does not contain equivalent powers of entry that could replace the powers in sections 7 and 24 of this Act. Section 8 of PACE provides that before granting a warrant a magistrate must be 'satisfied' that there are reasonable grounds to believe that an indictable offence has been committed and that there is material on the premises that is likely to be relevant evidence. In contrast the powers in this Act permit the magistrate to grant a warrant where 'it is made to appear' that there is reasonable cause to believe, by the information given on oath, that a person has in his custody anything he has used to make any false instrument or has a false instrument'.
36. While the above distinction may be a fine one, the need for a robust response to offences such as forgery and counterfeiting, which can have a serious economic impact nationally as well as across the European Union and beyond, remains extremely prevalent. We have therefore decided to retain the powers of entry under this Act.
37. It would not be appropriate to consolidate the powers of entry under sections 7 and 24 of this Act into a single power. The two offences (forgery and counterfeiting) are separate and associated powers of entry are specific to each offence. For example, in respect of the forgery power, there is specific list (at section 5) of the types of forged documentation that it might be suspected that a person has in possession and that is a factor for the judge to consider in deciding whether to grant a warrant. That list of documents would have no relevance in respect of counterfeiting and grouping the powers together would risk making the law confusing and risk providing excess powers.

Freedom of Information Act 2000

- Schedule 3, Paragraph 1
38. This power of entry provides for the Information Commissioner or his staff to apply to a circuit judge or a district judge (magistrates' court) for a warrant to enter and search premises to inspect and seize documents or other material found there; and to inspect, examine, operate and test any equipment found there in which information held by the public authority may be recorded.
39. The Freedom of Information Act (FOIA) applies to public authorities and the exercise of this power of entry is consequently limited to investigating public authorities. It is important that the Information Commissioner has the ultimate power to seek a warrant to enter premises etc in circumstances where he has reason to believe that

his enquiries are not being responded to fully and/or honestly in a way which frustrates his attempts to ascertain whether the FOIA has been complied with.

40. The existence of this power provides a powerful deterrent to public authorities from attempting to obstruct any investigation conducted by the Information Commissioner. It is a criminal offence intentionally to obstruct or fail to offer reasonable assistance to any person executing a warrant issued under this provision.
41. A warrant issued under this provision must be executed within seven days and is issued in response to statements of the Information Commissioner provided under oath.

Indecent Displays (Controls) Act 1981

- Section 2
42. It is essential that the Police are able to gain entry to the premises to seize and remove indecent material where it is being displayed from within premises (for example in the window of commercial or private premises) in order that it does not continue to be displayed. A judge, if satisfied on information on oath that there are reasonable grounds for suspecting that an offence under this Act has been or is being committed on any premises, can issue a warrant for entry and seizure.
 43. Section 8 of PACE provides an alternative power of entry however in relying on PACE powers of entry the special access procedures under section 9 and schedule 1 of PACE would be brought into scope and would limit the circumstances in which Indecent material could be removed as provided for in this Act. For these reasons a separate power of entry is required to support these provisions.

Legal Services Act 2007

- Sections 42 and 48
 - Section 79
 - Schedule 14, Paragraph 3
44. Under sections 42(6) and 48(6) the Legal Services Board (LSB) is granted the power to apply, in specified circumstances, for a warrant to enter and search the premises of an approved or a former regulator to take possession of any written or electronic records. Section 79 allows the LSB (or agent) to apply for a warrant to search premises and take away records from a licensing authority whose designation is cancelled. These powers are not yet in force and the Lord Chancellor must make regulations about the matters which the judge must be satisfied and in regulating the exercise of the power conferred by the warrant.
 45. Schedule 14, Paragraph 3 provides a court to authorise a licensing authority to enter a premises to search for and take possession of documents and property for the purpose of accessing documents to which the order relates.
 46. On the 1 May 2014 we published the *Call for Evidence on the Legal Services Regulatory Framework – Summary of responses* through which we undertook a

review of provisions in the Legal Services Act including powers of entry provisions. A copy of that report can be found at www.consult.justice.gov.uk/digital-communications/legal-services-review. It confirms that we have decided not to take forward any changes to the statutory framework at this time given the lack of simple change options brought forward through the call for evidence.

Magistrates' Courts Act 1980

- Schedule 4A, Paragraph 2
47. This power can only be exercised by an approved civilian enforcement officer or approved enforcement agency and only then on a warrant issued by the court. Approval of enforcement officers and enforcement agencies is made by the Lord Chancellor.
48. The power is used to enter and search any premises for the purpose of executing a warrant of arrest, commitment or detention issued in proceedings for or in connection with any criminal offence. There is no equivalent power elsewhere in the statute and it will be retained in order effectively to ensure compliance with Orders of the court.

Obscene Publications Act 1959

- Section 3
49. It is essential that the police are able to gain entry to premises to seize and remove obscene material and any documentation pertaining to a business activity centered around the obscene material. A judge, if satisfied on information on oath that there are reasonable grounds for suspecting that an offence under this Act has been or is being committed on any premises can issue a warrant for entry and seizure.
50. Section 8 of PACE does not provide an appropriate alternative power of entry. Firstly, it is not beyond doubt that it would provide a power to remove business documentation as described above. Secondly, in relying on PACE powers of entry the special access procedures under section 9 and schedule 1 of PACE would be brought into scope. For these reasons a separate power of entry is required to support these provisions.

Offences against the Person Act 1861 [602]

- Section 65
51. Provides that a justice may issue a warrant to a police officer for searching premises in which it is suspected that certain materials, including gunpowder, or other explosive, dangerous, or noxious substances are kept or made for the purposes of committing any offences within the Act.
52. As an alternative to this power of entry PACE powers have been considered. Section 17 of PACE gives no power equivalent to that in section 65 to enter and search for specific materials (gunpowder etc) which are suspected to be kept for committing at some point in the future certain offences. PACE powers relate to making arrests for indictable and certain listed offences however this Act is concerned with preventing

an offence rather than entry to effect arrest. Powers under section 8 and section 16 of PACE require reasonable grounds for believing that (a) an indictable offence has been committed and (b) there is material on the premises which is of evidential value providing a higher threshold for the granting of a warrant.

53. Given the nature of these potential offences it is right that a warrant is issued where it is suspected such dangerous materials are being stored unlawfully.

Official Secrets Act 1911

- Section 9 (1) and (2)

54. These two powers of entry provide for a warrant to be issued to a police officer for the purposes of entering premises to prevent a crime under the Act or to gather evidence of a crime under the Act. Subsection 1 provides for a warrant to be issued by a justice on the oath of a police officer that such offences are reasonably suspected of being committed. Subsection 2 provides, in cases of great emergency and where the interests of the State require immediate action, that a warrant can be issued by a Superintendent of police on the same oath.

55. We consider these specific provisions are an essential tool in the protection of national security and the gathering of evidence of offences under this Act is not currently provided for in other more general powers, such as section 8 of PACE. They can only be exercised by police officers following the issue of a warrant.

Secure Training Centre Rules 1998 (1998/472)

- Rule 43

56. The Secure Training Centre Rules 1998 were made in pursuance of section 47 of the Prison Act 1952 and section 7 of the Criminal Justice and Public Order Act 1994.

57. Rule 43 provides for access to Secure Training Centres for the purposes of conducting an inspection under section 80 of the Children Act 1989. Secure Training Centres are part of the secure estate for the lawful detention of under 18s and currently all such centres are privately operated.

58. We assess that it is appropriate to maintain Rule 43 as a separate power of entry, to support the authorised bodies in conducting these inspections within the Secure Training Centres. Whenever these powers are exercised the inspector is required to submit a report of the inspection to the Secretary of State. We have assessed that the existing arrangements provide an appropriate level of safeguards.

Protection of Children Act 1978

- Section 4

59. This provision supports the protection of children from those wishing to make, possess, distribute or publish indecent photographs of them. A judge may issue a warrant for entry to premises where such offences are reasonably suspected of being

committed based on the oath of a police officer or the Director of Public Prosecutions (DPP) for the seizure of indecent images.

60. The use of section 8 of PACE as an alternative power of entry would remove the ability of the DPP to apply for a warrant thus limiting the circumstances in which a judge can issue a warrant where entry is required for the purposes of child protection. For this reason a separate power of entry is required.

Solicitors Act 1974

- Schedule 1
61. Schedule 1 provides that the High Court, on the application of the Law Society, may order a person to produce or deliver documents to the Society. When it makes such an order, it may also authorise a person appointed by the Society to enter any premises to fulfil the order.
 62. On 1 May 2014 we published the *Call for Evidence on the Legal Services Regulatory Framework – Summary of responses* through which we undertook a review of provisions in the Solicitors Act including its powers of entry provisions. A copy of that report can be found at www.consult.justice.gov.uk/digital-communications/legal-services-review It confirms that we have decided not to take forward any changes to the statutory framework at this time given the lack of simple change options brought forward through the call for evidence.

Theft Act 1968

- Section 26
63. The Theft Act 1968 created a number of offences against property in England and Wales codifying a mixture of previous statute and common law. Section 26 provides that where it is made to appear by information on oath before a justice that there is reasonable cause to believe that any person has in his custody or possession or on his premises any stolen goods, the justice may grant a warrant to search for and seize those goods. The issuing of a warrant is not limited to police constables and can be executed by persons other than constables, where so provided by an alternative enactment. Effectively, this applies to persons designated as investigating officers under section 38 of the Police Reform Act 2002
 64. While paragraph 16 of Schedule 4 to PACE effectively extends section 8 of PACE to such persons the Serious and Organised Crime Act of 2005 inserted paragraph 16A to schedule 4. This conferred authority on such designated individuals to be addressees of warrants issued under section 26 of the Theft Act. This was in order to expressly extend this power of entry to certain ‘police civilians’ as it was considered they were not adequately covered by section 8 of PACE. Given this we will retain the specific power in section 26.

Annex

Powers of entry that will be repealed

Act Name	Powers	Repeal date
Distress for Rent Act 1737	S. 1 provides that landlords may enter any premises into which tenants have “fraudulently” placed their goods, in order to seize and sell these to recover rent arrears.	6 Apr 2014
Distress for Rent Act 1737	S. 7 provides that landlords may break open premises to secure goods fraudulently secured therein	6 Apr 2014

Powers of entry that will be retained

Act Name	Powers
Children and Young Persons (Harmful Publications) Act 1955	S. 3 provides for the granting of a search warrant, authorising a constable to search for and dispose of works to which the Act applies and articles for printing them.
Civil Procedure Act 1997	S. 7 provides the court to order a party to permit the entry of an identified person for the purposes of a search
Civil Procedure Act 1997 SI 1998 No. 3132 (L.17) Civil Procedure Rules 1998	Rule 25 (1)(d) - See S.7 Civil Procedure Act 1997 above.
Compensation Act 2006	S. 8 provides for application for judicial search warrant and associated power to seize records in investigating suspected offences
Compensation Act 2006	Sch 1, Para 14 provides for application for judicial search warrant and associated power to seize records in investigating non compliance
Compensation Act 2006 SI No. 3322 Compensation (Claims Management Services) Regulations 2006	Reg 34 sets out matters on which judicial officer must be satisfied when granting a search warrant under s.8 (5)
Compensation Act 2006 2 SI No. 3322 Compensation (Claims Management Services) Regulations 2006	Reg 37 provides for the Regulator to apply for a search warrant when investigating unprofessional conduct.
Coroners and Justice Act 2009	Sch 5, Para 3 provides a coroner with power of entry, search and seizure in the investigation of a death.
Criminal Damage Act 1971	S. 6 provides for the granting of a search warrant, authorising a constable to search for and seize things used or intended for use in committing offences of criminal damage.

Act Name	Powers
Data Protection Act 1998	S. 41A provides for the Information Commissioner to issue a assessment notice to undertake an audit of premises to determine compliance with the DPA
Data Protection Act 1998	Sch 9, Para 1(1A) provides for the court to issue a warrant where a data controller fails to comply with an assessment notice issued under S.41A above and is contravening or has contravened data protection principles.
Data Protection Act 1998	Sch 9, Para 1(1B) provides for the court to issue a warrant where a data controller fails to comply with an assessment notice issued under S.41A above and has committed or is committing an offence under the Act.
Family Law Act 1986	S. 34 provides that a court may make an order authorising an officer of the court or enforcement officer to take charge of a child and deliver him to the person concerned. This authority includes authority to enter and search any premises where the person exercising the order has reason to believe the child may be found and to use force to give effect to the terms of the order.
Forgery and Counterfeiting Act 1981	S. 7 provides for the granting of a search warrant, authorising a constable to search for and seize things used or intended for use in committing forgery.
Forgery and Counterfeiting Act 1981	S. 24 provides for the granting of a search warrant, authorising a constable to search for and seize counterfeit notes and coins and anything used or intended for use in counterfeiting.
Freedom of Information Act 2000	Sch 3, Para 1 provides a court to issue a warrant to the Information Commissioner for the Commissioner or any of his staff to enter and search premises; to inspect and seize documents or other material found there; and to inspect, examine, operate and test any equipment found there in which information held by the public authority may be recorded.
Indecent Displays (Controls) Act 1981	S. 2 provides that a judge if satisfied on information on oath that there are reasonable grounds for suspecting that an offence under this Act has been or is being committed on any premises can issue a warrant for entry and seizure.
Legal Services Act 2007	S. 42 (and S.48) provides the Legal Services Board (LSB) with power to apply, in specified circumstances, for a warrant to enter and search the premises of an approved or a former regulator to take possession of any written or electronic records. This power is not yet in force.
Legal Services Act 2007	S. 79 provides for the LSB (or agent) to apply for a warrant to search premises and take away records from a licensing authority whose designation is cancelled. This power is not yet in force.
Legal Services Act 2007	Sch 14, Para 3 provides a court to authorise a licensing authority to enter a premises to search for and take possession of documents to which the order and property for the purpose of accessing documents to which the order relates.

Act Name	Powers
Magistrates' Court Act 1980	Sch 4A, Para 2 provides for entry to execute a warrant of arrest. (S.125BA and Sch 4A gives powers to civilian enforcement officers & approved enforcement agencies).
Obscene Publications Act 1959	S. 3 provides that a judge if satisfied on information on oath that there are reasonable grounds for suspecting that an offence under this Act has been committed on any premises can issue a warrant for entry and seizure.
Offences against the Person Act 1861	S. 65 provides that a justice may issue a warrant for searching premises in which it is suspected that certain materials, including gunpowder, or other explosive, dangerous, or noxious substances are kept or made for the purposes of committing any offences within the Act.
Official Secrets Act 1911	S. 9(1)) provides for a justice to issue a warrant authorising any constable to enter at any time any premises or place named in the warrant.
Official Secrets Act 1911	S. 9(2) provides where it appears to a superintendent of police that the case is one of great emergency and that in the interest of the State immediate action is necessary, he may by a written order give to any constable the authority as may be given by a warrant at S.9(1) below.
Prison Act 1952 (S.47) and Criminal Justice & Public Order Act 1994 (S.7) SI No.472 Secure Training Centre Rules 1998	Rule 43 provides where the SoS authorises an inspection under s80 Children Act 1989 for any authorised person conducting the inspection to enter any part of the premises of the centre, conduct an interview with any officer or trainee, and examine any records relating to the centre.
Protection of Children Act 1978	S. 4 provides that a judge if satisfied by information on oath that there are reasonable grounds for suspecting that an offence under this Act has been committed on any premises can issue a warrant for entry and seizure.
Solicitors Act 1974	Sch 1 provides that the High Court, on the application of the Law Society, may order a person to produce or deliver documents to the Society. When it makes such an order, it may also authorise a person appointed by the Society to enter any premises to fulfil the order.
Theft Act 1968	S. 26 provides that where it is made to appear by information on oath before a justice that there is reasonable cause to believe that any person has in his custody or possession or on his premises any stolen goods, the justice may grant a warrant to search for and seize of those goods.

ISBN 978-1-4741-0281-0



9 781474 102810