



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 4

#### POLICE POWERS

##### *Search and seizure without warrant*

#### **163 Search of person on arrest**

- (1) This section applies if a person has been arrested under an extradition arrest power at a place other than a police station.
- (2) A constable may search the person if he has reasonable grounds for believing that the person may present a danger to himself or others.
- (3) A constable may search the person if he has reasonable grounds for believing that the person may have concealed on him anything—
  - (a) which he might use to assist him to escape from lawful custody;
  - (b) which might be evidence relating to an offence or to the identity of the person.
- (4) The power to search conferred by subsection (3)—
  - (a) is a power to search for anything falling within paragraph (a) or (b) of that subsection;
  - (b) is exercisable only to the extent that is reasonably required for the purpose of discovering such a thing.
- (5) The powers conferred by subsections (2) and (3)—
  - (a) do not authorise a constable to require a person to remove any of his clothing in public, other than an outer coat, jacket or gloves;
  - (b) authorise a search of a person's mouth.
- (6) A constable searching a person in exercise of the power conferred by subsection (2) may seize and retain anything he finds, if he has reasonable grounds for believing that

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*Changes to legislation: There are currently no known outstanding effects for the Extradition Act 2003, Section 163. (See end of Document for details)*

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the person searched might use it to cause physical injury to himself or to any other person.

- (7) A constable searching a person in exercise of the power conferred by subsection (3) may seize and retain anything he finds if he has reasonable grounds for believing—
- (a) that the person might use it to assist him to escape from lawful custody;
  - (b) that it is evidence of an offence or of the identity of the person or has been obtained in consequence of the commission of an offence.
- (8) An offence includes an offence committed outside the United Kingdom.
- (9) Nothing in this section affects the power conferred by section 43 of the Terrorism Act 2000 (c. 11).

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**Commencement Information**

- II** Act wholly in force at 1.1.2004, see s. 221 and [S.I. 2003/3103](#), [art. 2](#) (subject to [arts. 3-5](#)) (as amended by [S.I. 2003/3258](#) art. 2(2) and [S.I. 2003/3312](#) art. 2(2))

**Changes to legislation:**

There are currently no known outstanding effects for the Extradition Act 2003, Section 163.