

*These notes refer to the Serious Crime Act 2015 (c.9)  
which received Royal Assent on 3rd March 2015*

# **SERIOUS CRIME ACT 2015**

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## **EXPLANATORY NOTES**

### **TERRITORIAL EXTENT**

#### **Part 2: Computer Misuse**

#### **Commentary on Sections**

##### ***Section 44: Savings***

139. Section 10 of the 1990 Act contains a saving provision. It provides that the offence at section 1(1) of the 1990 Act has effect without prejudice to the operation in England and Wales of any enactment relating to powers of inspection, search or seizure; and in Scotland of any enactment or rule of law relating to powers of examination, search or seizure. The amendment to section 10 of the 1990 Act made by this section is a clarifying amendment. It is designed to remove any ambiguity over the interaction between the lawful exercise of powers (wherever exercised) conferred under or by virtue of any enactment (and in Scotland, rule of law) and the offence provisions. “Enactment” is expressly defined to provide certainty as to what this term includes. The title of section 10 of the 1990 Act has also been changed to remove the reference to “certain law enforcement powers” (see paragraph 12 of Schedule 4). This is to avoid any ambiguity between the title and the substance of that section.