



# Serious Crime Act 2015

## 2015 CHAPTER 9

### PART 4

#### SEIZURE AND FORFEITURE OF DRUG-CUTTING AGENTS

##### *Forfeiture etc or return of seized substances*

#### **63 Return of substance to person entitled to it, or disposal if return impracticable**

- (1) Where the retention of a substance has been, but is no longer, authorised under this Part—
  - (a) the substance must (subject to subsection (4)) be returned to a person entitled to it;
  - (b) a magistrates' court must, if asked to do so by a person entitled to the substance, order it to be returned to that person.
- (2) A person who claims to be entitled to a substance retained under this Part may apply to a magistrates' court for an order under subsection (1)(b) or section 60(6) or 61(6) (as appropriate).
- (3) Where—
  - (a) a court makes an order under this Part requiring a substance to be returned to a particular person, and
  - (b) reasonable efforts have been made, without success, to find that person, or it is for some other reason impracticable to return the substance to that person,the order has effect as if it required the substance to be returned to any person entitled to it.
- (4) Where—
  - (a) a substance is required by a provision of this Part, or an order made under this Part, to be returned to a person entitled to it, and

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*Status: This is the original version (as it was originally enacted).*

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- (b) reasonable efforts have been made, without success, to find a person entitled to the substance, or it is for some other reason impracticable to return the substance to a person entitled to it,  
a police or customs officer may dispose of the substance in whatever way the officer thinks is suitable.