
DRAFT STATUTORY INSTRUMENTS

2012 No.

**The Schools (Specification and
Disposal of Articles) Regulations 2012**

Disposal of articles

4.—(1) Paragraphs (2) to (5) prescribe what must or may be done by a member of staff who, under section 550ZC(1) of the 1996 Act, seizes an article specified in regulation 3.

(2) In the case of tobacco and cigarette papers, the member of staff may retain or dispose of the tobacco or cigarette papers and its or their container.

(3) In the case of a firework, the member of staff may retain or dispose of the firework and its container.

(4) In the case of a pornographic image, the member of staff may dispose of the image unless the member of staff has reasonable grounds for suspecting that—

- (a) the image is an image to which section 62(2) (possession of prohibited images of children) of the Coroners and Justice Act 2009(1) applies; or
- (b) the image is an image to which section 63 (possession of extreme pornographic images) of the Criminal Justice and Immigration Act 2008(2) applies.

(5) In the case of a pornographic image to which either paragraph (4)(a) or (b) applies, the member of staff must deliver it to a police constable as soon as is reasonably practicable.

(1) 2009 c. 25. Section 62 of the Coroners and Justice Act 2009 makes it an offence for a person to be in possession of a prohibited image of a child.

(2) 2008 c. 4. Section 63 of the Criminal Justice and Immigration Act 2008 makes it an offence for a person to be in possession of an extreme pornographic image.