



# Police (Property) Act 1997

## 1997 CHAPTER 30

### **1 Power of police authority to retain unclaimed property.**

(1) Section 2 of the <sup>M1</sup>Police (Property) Act 1897 (regulations with respect to unclaimed property in possession of police) is amended as follows.

(2) After subsection (2) there is inserted—

“(2A) The regulations may also provide that where, in the case of property other than money—

- (a) the property has remained in the possession of the police for a year,
- (b) the police would under the regulations have power to sell the property,
- (c) in the opinion of the relevant authority, the property can be used for police purposes, and
- (d) the relevant authority determine, in such manner as may be prescribed by the regulations, that the property is to be retained by the authority,

the relevant authority is to become the owner of the property on the making of the determination or at such later time as the regulations may specify.

(2B) In subsection (2A) above “the relevant authority” means—

- (a) in relation to a police area in England and Wales listed in Schedule 1 to the Police Act 1996 or the City of London police area, the police authority (within the meaning of that Act);
- (b) in relation to the metropolitan police district, the Receiver for the Metropolitan Police District;
- (c) in relation to Northern Ireland, the Police Authority for Northern Ireland.”

(3) After subsection (4) there is inserted—

“(4A) The regulations may also provide for the publication of determinations falling within subsection (2A)(d) above.”

(4) For subsection (6) there is substituted—

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**Changes to legislation:** There are currently no known outstanding effects for the Police (Property) Act 1997, Section 1. (See end of Document for details)

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- “(6) In relation to England and Wales, the power to make regulations under this section is exercisable by statutory instrument; and a statutory instrument made in the exercise of that power is subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) In relation to Northern Ireland, the power to make regulations under this section is exercisable by statutory rule for the purposes of the <sup>M2</sup>Statutory Rules (Northern Ireland) Order 1979; and regulations made in the exercise of that power are subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument and section 5 of the <sup>M3</sup>Statutory Instruments Act 1946 shall have effect accordingly.”

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**Marginal Citations**

**M1** 1897 c. 30.

**M2** S.I. 1979/1573 (N.I. 12).

**M3** 1946 c. 36.

**Changes to legislation:**

There are currently no known outstanding effects for the Police (Property) Act 1997, Section 1.