

1971 No. 2125

## TRANSPORT

## The London Transport (Lost Property) Regulations 1971

Made - - - - 22nd December 1971

Coming into Operation 31st December 1971

The Secretary of State for the Environment, in exercise of his powers under section 106 of the London Passenger Transport Act 1933(a), as amended by section 68(1) of the Transport Act 1962(b) and section 17 of and paragraph 6(1) of Schedule 3 to the Transport (London) Act 1969(c), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

*Citation and commencement*

1. These Regulations may be cited as the London Transport (Lost Property) Regulations 1971 and shall come into operation on 31st December 1971.

*Interpretation*

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

“the Executive” means the London Transport Executive;

“Lost Property Office” means any place designated by the Executive for the safe keeping of lost property, and any reference to the delivery of property to a lost Property Office means delivery to an official at such an office in accordance with any relevant directions of the Executive;

“the 1960 Regulations” means the London Transport (Lost Property) Regulations 1960(d):

(2) Any reference in these Regulations to the conductor of a vehicle shall, as respects a vehicle which has no conductor, be construed as a reference to the driver.

(3) The Interpretation Act 1889(e) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament, and as if for the purpose of section 38 of that Act these Regulations were an Act of Parliament and the Regulations revoked by Regulation 13 hereof were an Act of Parliament thereby repealed.

(a) 1933 c. 14.  
(c) 1969 c. 35.  
(e) 1889 c. 63.

(b) 1962 c. 46.  
(d) S.I. 1960/2396 (1960 I, p. 432).

*Application of regulations*

3.—(1) These Regulations apply in relation to the safe custody, redelivery and disposal of property found on or in any premises or vehicle belonging to the Executive and references in these Regulations to “premises” or “vehicle” shall be construed as references to any such premises or vehicle.

(2) Without prejudice to the generality of paragraph (1) of this Regulation, these Regulations shall apply in relation to the safe custody, redelivery and disposal of any property found on or in any premises or vehicle of the Executive and handed or delivered to the Executive before the coming into operation of these Regulations.

*Lost property to be handed to conductor, guard or other official*

4. Any person who finds property accidentally left on or in premises or a vehicle shall hand it immediately in the state in which he finds it (i) to the conductor or guard of the vehicle on or in which it is found or (ii) where this is not practicable or where the property is not found on or in a vehicle, to some other appropriate official of the Executive.

*Search of vehicles and premises for lost property*

5.—(1) In the case of a road vehicle the conductor shall, immediately before or on the termination of any journey, so far as practicable search the vehicle for any property accidentally left on or in the vehicle.

(2) The Executive shall make suitable arrangements for premises and rail vehicles to be searched at reasonable intervals for any property accidentally left thereon or therein.

*Delivery of lost property to Lost Property Office*

6. Any official of the Executive to whom property has been handed under the 1960 Regulations or under Regulation 4 of these Regulations or who himself finds any property on or in any premises or vehicle shall, as soon as possible and in any case within 24 hours (unless the property has been claimed), deliver the property for safe keeping in the state in which it comes into his possession to a Lost Property Office or to such official of the Executive as the Executive may direct for delivery to a Lost Property Office.

*Safe keeping and recording of property*

7.—(1) Any property delivered to a Lost Property Office under the 1960 Regulations or under Regulation 6 of these Regulations shall be held for safe keeping by the Executive until claimed by the owner thereof or disposed of in accordance with these Regulations:

Provided that—

- (a) official documents, including licences, passports and alien’s identity books, shall wherever practicable be returned forthwith to the appropriate Government Department, local authority or other body or person responsible for issuing them or for controlling or dealing with them;
- (b) where the name and address of the owner of any property, other than the documents referred to in the preceding proviso, are readily ascertainable the Executive shall forthwith notify him that the property is in the possession of the Executive and may be claimed in accordance with these Regulations.

(2) The Executive shall keep for a period of not less than twelve months a record showing particulars of all property delivered to a Lost Property Office or claimed before delivery, the circumstances in which it was found, and the ultimate disposal of the property, and such record shall at all reasonable times during the said period be available for inspection by a constable or any person authorised in that behalf by the chairman of the traffic commissioners for the Metropolitan Traffic Area.

*Return of claimed property on payment of charges*

8.—(1) If any property accidentally left on or in premises or a vehicle is claimed, before it has been delivered to a Lost Property Office, by a claimant who gives his name and address and satisfies the Executive that he is the owner thereof, it shall thereupon be returned to him on payment to the Executive of the charge specified in the second column of the Schedule hereto for property of that kind.

(2) If any such property, while it is held by the Executive for safe keeping at a Lost Property Office, is claimed there by a claimant who gives his name and address and satisfies the Executive that he is the owner thereof, it shall thereupon be returned to him on payment to the Executive of the charge specified in the third column of the Schedule hereto for property of that kind.

*Disposal of property by the Executive*

9. If any property held by the Executive for safe keeping in accordance with these Regulations is not claimed within one month of the date when it was delivered to a Lost Property Office pursuant to the 1960 Regulations or to Regulation 6 of these Regulations, and proved to the satisfaction of the Executive to belong to the claimant, or if the claimant shall refuse or neglect to pay to the Executive the appropriate sum or sums due under Regulation 8 hereof and to take delivery of the property within the said period, the Property shall thereupon vest in the Executive who shall without undue delay sell the property;

Provided that—

- (a) property the value of which in the opinion of the Executive exceeds 50p and any other property which for any reason in the opinion of the Executive should be retained for a longer period than one month, shall not vest in the Executive and shall not be so disposed of until the expiration of such longer period, not being less than three months, as the Executive may think fit;
- (b) any official documents which it has not been practicable to return to the appropriate body or person in accordance with the provisions of proviso (a) to Regulation 7 hereof, and any other documents which have not been claimed by a person entitled to their return within the period of one month as provided by this Regulation, shall be dealt with or disposed of in such manner as the Executive may deem appropriate.

*Perishable property*

10. Notwithstanding the foregoing provisions of these Regulations, if any property held by the Executive under these Regulations appears to the Executive to be of a perishable nature, and if, within 48 hours from the time when it was found, it has not been claimed and proved to the satisfaction of the Executive to belong to a claimant who has paid the amounts payable under Regulation 8 hereof and taken delivery of the property, the property shall thereupon vest in the Executive who may destroy or otherwise dispose of it as they think fit:

Provided that any property which is or which becomes objectionable may be destroyed or disposed of at any time in the discretion of the Executive.

*Cost of packing and carriage*

11. Where any property is forwarded to a claimant the reasonable costs of packing and carriage shall be paid to the Executive in advance by the claimant.

*Examination of property*

12. Where any property is contained in a package, bag or other receptacle the Executive may cause such receptacle to be opened and the contents examined, or require the claimant to open it and submit it and its contents for examination, if the Executive deem it necessary to do so for the purpose either—

- (a) of identifying and tracing the owner of the property, or
- (b) of ascertaining the nature of the contents or valuing the property.

*Revocation*

13. The 1960 Regulations are hereby revoked.

Signed by authority of the Secretary of State.  
22nd December 1971.

*J. Garlick,*  
An Under Secretary in the  
Department of the Environment.

## SCHEDULE

Article	Amounts chargeable for article when collected	
	Before delivery to a Lost Property Office	At a Lost Property Office
1. Handbag or purse (not containing money)	15p	30p
Book		
Glove or Pair of Gloves		
Hat		
Key or bunch of keys		
Mackintosh (Plastic)		
Scarf		
Smokers' Requisites		
Spectacles or sunglasses		
Umbrella		
Walking Stick		
Article of small value		
2. Money	15p	30p
Purse, handbag or other receptacle containing money		
	Up to £1	
	Over £1	
3. Livestock	30p	60p
4. Bicycle } Perambulator }	45p	90p
5. Any article not otherwise provided for	40p	80p
6. Additional daily charge for keeping a dog or other small animal	50p	50p

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations make provision as respects property accidentally left in or on vehicles or premises of the London Transport Executive. For the most part they re-enact (with amendments) in relation to the Executive the London Transport (Lost Property) Regulations 1960 which are revoked.

The principal change is that the fee payable on the return of claimed property will depend on the nature of the property instead of its value (Reg. 8 and the Schedule).