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STATUTORY INSTRUMENTS

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**1997 No. 1907**

**CRIMINAL LAW, ENGLAND AND WALES  
CRIMINAL LAW, SCOTLAND**

**The Knives (Forfeited Property) Regulations 1997**

*Made* - - - - *25th July 1997*  
*Laid before Parliament* *7th August 1997*  
*Coming into force* - - *1st September 1997*

The Secretary of State, in pursuance of section 7(8) and (9) of the Knives Act 1997<sup>(1)</sup>, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Knives (Forfeited Property) Regulations 1997 and shall come into force on 1st September 1997.

**Interpretation**

2. In these Regulations,

“museum or similar institution” means any institution which has as its purpose, or one of its purposes, the preservation and display of material of historical, aesthetic or technical interest to which the public are given access.

“the relevant authority” means

- (a) in relation to a police area in England and Wales listed in Schedule 1 to the Police Act 1996<sup>(2)</sup> 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 Scotland, a police authority (within the meaning given by section 2(1), as read with section 19(9)(a), of the Police (Scotland) Act 1967<sup>(3)</sup>) for the area for which the police force is maintained;

“the 1997 Act” means the Knives Act 1997.

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(1) 1997 c. 21.  
(2) 1996 c. 16.  
(3) 1967 c. 77.

### **Property to which Regulations apply**

3.—(1) Subject to paragraph (2) below, these Regulations apply to property which is in the possession of the police by virtue of a forfeiture order under section 6 of the 1997 Act and in respect of which—

- (a) no application under section 7(3) of the 1997 Act has been made before the end of the period of 6 months beginning with the date on which the forfeiture order was made; or
- (b) no such application has succeeded.

(2) Where, within the period specified in paragraph (1) above, an application by a claimant of the property has been made under section 7(3) of the 1997 Act or the person upon whose conviction the court ordered the forfeiture of the property under section 6 of that Act has appealed against the conviction or sentence, these Regulations shall not apply to the property until that application or appeal has been determined.

### **Disposal of property**

4.—(1) Subject to paragraph (2) below, property to which these Regulations apply shall be destroyed.

(2) Where the relevant authority are satisfied that property to which these Regulations apply which would otherwise fall to be destroyed is of particular rarity, aesthetic quality or technical or historical interest, they may, instead of arranging for its destruction, give or sell it to a museum or similar institution.

(3) The proceeds of disposals under these Regulations (if any) shall be paid to the relevant authority and

- (a) in relation to authorities in England and Wales shall be subject to the regulations governing the application of the proceeds of sale of property made under section 2 of the Police (Property) Act 1897<sup>(4)</sup>; and
- (b) in relation to authorities in Scotland shall vest in the relevant authority.

Home Office  
25th July 1997

*Alun Michael*  
Minister of State

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(4) 1897 c. 30, section 2 was amended by section 1 of the Police (Property) Act 1997 (c. 30). The current regulations are the Police (Property) Regulations 1997 (S.I.1997/1908).

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations provide for the disposal of knives subject to a forfeiture order under section 6 of the Knives Act 1997 (c. 21) by the relevant police authority and for the application of any proceeds of such disposals.