
STATUTORY INSTRUMENTS

1998 No. 161

CRIMINAL LAW, NORTHERN IRELAND

**The Knives (Forfeited Property)
Regulations (Northern Ireland) 1998**

<i>Made</i>	- - - -	<i>22nd January 1998</i>
<i>Laid before Parliament</i>		<i>4th February 1998</i>
<i>Coming into force</i>	- -	<i>27th February 1998</i>

The Secretary of State, in exercise of the powers conferred upon her by section 7(8) of the Knives Act 1997⁽¹⁾, hereby makes the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Knives (Forfeited Property) Regulations (Northern Ireland) 1998 and shall come into force on 27th February 1998.

(2) These Regulations extend to Northern Ireland only.

Property to which Regulations apply

2.—(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 Knives Act 1997 (“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

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

(2) Where the chief constable of the Royal Ulster Constabulary is 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 he may, instead of arranging for its destruction, give or sell it to a museum or similar institution.

(3) The proceeds (if any) of disposals under these Regulations shall be paid to the Police Authority for Northern Ireland and 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⁽²⁾.

(4) In this Regulation, “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 is given access.

Northern Ireland Office
22nd January 1998

Marjorie Mowlam
One of Her Majesty’s Principal Secretaries of
State

(2) 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 (Northern Ireland) 1997 (S.R. 1997 No. 448).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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 chief constable of the Royal Ulster Constabulary and for the application of any proceeds of such disposals.