
STATUTORY INSTRUMENTS

2015 No. 426

The Control of Waste (Dealing with Seized Property) (England and Wales) Regulations 2015

PART 3

Retention and return of seized property

Retention and return when court proceedings are commenced during the retention period

17.—(1) A seizure authority must deal with seized property in accordance with paragraph (2) where—

- (a) during the period for retention (determined in accordance with regulation 16(3)) the seizure authority has commenced court proceedings in respect of the offence, or one of the offences, in respect of which the property was seized;
- (b) such an offence is a forfeiture offence; and
- (c) the authority is of the opinion that it is necessary to retain the seized property in respect of such proceedings.

(2) The duty is to—

- (a) retain the seized property during the continuance of proceedings while the seizure authority is of the opinion in paragraph (1)(c);
- (b) notify the entitled person of the commencement of such proceedings and of the effect of this regulation; and
- (c) return the property in accordance with regulation 18.