



# Civic Government (Scotland) Act 1982

## 1982 CHAPTER 45

### PART VII

#### PROPERTY IN POSSESSION OF PERSONS TAKEN INTO POLICE CUSTODY

#### **80 Application of Part VII to property**

- (1) Subject to subsection (2) below, this Part of this Act applies to all the property which is found in the possession of a person, or in his charge, at the time when he is taken into police custody, that is to say, when he is arrested and taken into custody by a constable or when he is detained under section 2 of the Criminal Justice (Scotland) Act 1980.
- (2) This Part of this Act does not apply to—
  - (a) property which is, or is reasonably suspected by a constable to be, in the unlawful possession of a person taken into police custody ;
  - (b) property which is or may be required as a production in criminal proceedings or which is or may be required by the police for any other purpose relating to criminal proceedings; or
  - (c) property consisting of the personal clothing and effects of a person taken into police custody.