
Status: Point in time view as at 03/11/1994. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: Criminal Justice and Public Order Act 1994, Cross Heading: Retention and charges for seized property is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)



Criminal Justice and Public Order Act 1994

1994 CHAPTER 33

PART V

PUBLIC ORDER: COLLECTIVE TRESPASS OR NUISANCE ON LAND

VALID FROM 03/02/1995

Retention and charges for seized property

67 Retention and charges for seized property.

- (1) Any vehicles which have been seized and removed by a constable under section 62(1) or 64(4) may be retained in accordance with regulations made by the Secretary of State under subsection (3) below.
- (2) Any sound equipment which has been seized and removed by a constable under section 64(4) may be retained until the conclusion of proceedings against the person from whom it was seized for an offence under section 63.
- (3) The Secretary of State may make regulations—
 - (a) regulating the retention and safe keeping and the disposal and the destruction in prescribed circumstances of vehicles; and
 - (b) prescribing charges in respect of the removal, retention, disposal and destruction of vehicles.
- (4) Any authority shall be entitled to recover from a person from whom a vehicle has been seized such charges as may be prescribed in respect of the removal, retention, disposal and destruction of the vehicle by the authority.
- (5) Regulations under subsection (3) above may make different provisions for different classes of vehicles or for different circumstances.

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- (6) Any charges under subsection (4) above shall be recoverable as a simple contract debt.
- (7) Any authority having custody of vehicles under regulations under subsection (3) above shall be entitled to retain custody until any charges under subsection (4) are paid.
- (8) The power to make regulations under subsection (3) above shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (9) In this section—
- “conclusion of proceedings” against a person means—
- (a) his being sentenced or otherwise dealt with for the offence or his acquittal;
- (b) the discontinuance of the proceedings; or
- (c) the decision not to prosecute him,
- whichever is the earlier;
- “sound equipment” has the same meaning as in section 64; and
- “vehicle” has the same meaning as in section 61.

Commencement Information

- I1** S. 67 wholly in force at 10.4.1995; s. 67 not in force at Royal Assent see s. 172; s. 67(3)(4)(5)(8)(9) in force at 3.2.1995 by S.I. 1995/127, art. 2(1), Sch. 1; s. 67 (1)(2)(6)(7) in force at 10.4.1995 by S.I. 1995/721, art. 2, Sch.

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