

*These notes refer to the Criminal Justice and Police Act  
2001 (c.16) which received Royal Assent on 11th May 2001*

# CRIMINAL JUSTICE AND POLICE ACT 2001

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 2: Powers of seizure**

#### **Outline of proposals**

#### *Section 61: Duty to secure*

178. This section sets out the duty to secure which arises by virtue of section 60. The duty ensures that the person who has possession of the seized property does not, for example, examine or copy it other than with consent of the applicant or in accordance with the directions of the Court. *Subsection (3)* provides that the duty to secure does not prevent the giving of a notice under section 49 of the Regulation of Investigatory Powers Act 2000 requiring the disclosure of material protected by encryption.