



Criminal Justice and Police Act 2001

2001 CHAPTER 16

PART 2

POWERS OF SEIZURE

Return or retention of seized property

58 Person to whom seized property is to be returned

(1) Where—

- (a) anything has been seized in exercise of any power of seizure, and
- (b) there is an obligation under this Part for the whole or any part of the seized property to be returned,

the obligation to return it shall (subject to the following provisions of this section) be an obligation to return it to the person from whom it was seized.

(2) Where—

- (a) any person is obliged under this Part to return anything that has been seized to the person from whom it was seized, and
- (b) the person under that obligation is satisfied that some other person has a better right to that thing than the person from whom it was seized,

his duty to return it shall, instead, be a duty to return it to that other person or, as the case may be, to the person appearing to him to have the best right to the thing in question.

- (3) Where different persons claim to be entitled to the return of anything that is required to be returned under this Part, that thing may be retained for as long as is reasonably necessary for the determination in accordance with subsection (2) of the person to whom it must be returned.

- (4) References in this Part to the person from whom something has been seized, in relation to a case in which the power of seizure was exercisable by reason of that thing's having

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Police Act 2001, Section 58. (See end of Document for details)

been found on any premises, are references to the occupier of the premises at the time of the seizure.

- (5) References in this section to the occupier of any premises at the time of a seizure, in relation to a case in which—
- (a) a notice in connection with the entry or search of the premises in question, or with the seizure, was given to a person appearing in the occupier's absence to be in charge of the premises, and
 - (b) it is practicable, for the purpose of returning something that has been seized, to identify that person but not to identify the occupier of the premises,
- are references to that person.

Changes to legislation:

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