



Antisocial Behaviour etc. (Scotland) Act 2004

2004 asp 8

PART 10

FURTHER CRIMINAL MEASURES

Seizure of vehicles

127 Retention etc. of vehicles seized under section 126

- (1) The Scottish Ministers may by regulations make provision as to—
 - (a) the removal and retention of motor vehicles seized under section 126; and
 - (b) the release or disposal of such vehicles.
- (2) Regulations under subsection (1) may in particular make provision for or in connection with—
 - (a) the giving of notice of the seizure of a motor vehicle under section 126 to a person who—
 - (i) is the owner of that vehicle; or
 - (ii) in accordance with the regulations, appears to be its owner;
 - (b) the procedure by which a person who claims to be the owner of a motor vehicle seized under section 126 may seek to have it released;
 - (c) requiring the payment of fees, charges or other costs in relation to—
 - (i) the removal and retention of such a motor vehicle; and
 - (ii) any application for its release;
 - (d) the circumstances in which a motor vehicle seized under section 126 may be disposed of;
 - (e) the delivery to a local authority, in circumstances prescribed by or determined in accordance with the regulations, of any motor vehicle seized under section 126.
- (3) Regulations under subsection (1) shall provide that a person who would otherwise be liable to pay any fee or charge under the regulations shall not be liable to pay it if—

Changes to legislation: *Antisocial Behaviour etc. (Scotland) Act 2004, Section 127 is up to date with all changes known to be in force on or before 24 April 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) View outstanding changes*

- (a) the use by reference to which the motor vehicle concerned was seized was not a use by that person; and
 - (b) the person—
 - (i) did not know of the use of the vehicle in the manner that led to its seizure;
 - (ii) had not consented to its use in that manner; and
 - (iii) could not, by the taking of reasonable steps, have prevented its use in that manner.
- (4) In this section, “motor vehicle” has the same meaning as in section 126.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 85B inserted by [2014 asp 14 s. 21\(1\)](#)