

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Police Act 2001, Part 1. (See end of Document for details)

SCHEDULES

SCHEDULE 2

APPLICATIONS AND MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

APPLICATION OF ENACTMENTS

Notice of tests

^{F1}1

Textual Amendments

F1 Sch. 2 para. 1 omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), **Sch. 6 para. 66(2)**; S.I. 2015/1630, art. 3(i) (with art. 8)

2 Section 31 of the Fair Trading Act 1973 (c. 41) (notice of test) shall apply in relation to items seized under section 50 of this Act in reliance on the power of seizure conferred by section 29(1) of that Act as it applies in relation to items seized in pursuance of Part 2 of that Act.

3 Section 30(6) and (7) of the Consumer Protection Act 1987 (c. 43) (provision about the testing of seized goods) shall apply in relation to items seized under section 50 of this Act in reliance on the power of seizure conferred by section [^{F2}29(4)] of that Act as it applies in relation to items seized under section [^{F2}29(4)] of that Act.

Textual Amendments

F2 Word in Sch. 2 para. 3 substituted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), **Sch. 6 para. 66(3)**; S.I. 2015/1630, art. 3(i)

^{F3}4

Textual Amendments

F3 Sch. 2 para. 4 repealed (26.5.2008) by [The Consumer Protection from Unfair Trading Regulations 2008 \(S.I. 2008/1277\)](#), reg. 1, **Sch. 4 Pt. 1** (with reg. 28(2)(3))

[^{F4}4A Regulation 23(6) of the General Product Safety Regulations 2005 (provision about the testing of seized products) shall apply in relation to items seized under section 50 of this Act in reliance on the power of seizure conferred by regulation [^{F5}22(4)] of

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those Regulations as it applies in relation to items seized under regulation [^{F6}22(4)] of those Regulations.]

Textual Amendments

- F4** Sch. 2 para. 4A inserted (1.10.2005) by [The General Product Safety Regulations 2005 \(S.I. 2005/1803\)](#), [reg. 47\(5\)\(a\)](#) (with [regs. 42, 43](#))
- F5** Word in Sch. 2 para. 4A substituted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 66\(4\)\(a\)](#); S.I. 2015/1630, art. 3(i)
- F6** Word in Sch. 2 para. 4A substituted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 66\(4\)\(b\)](#); S.I. 2015/1630, art. 3(i)

^{F7}4B

Textual Amendments

- F7** Sch. 2 para. 4B omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 66\(2\)](#); S.I. 2015/1630, art. 3(i) (with art. 8)

^{F8}4C.

Textual Amendments

- F8** Sch. 2 para. 4C omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 66\(2\)](#); S.I. 2015/1630, art. 3(i) (with art. 8)

[^{F9}4D Paragraph 39 of Schedule 5 to the Consumer Rights Act 2015 (notice of testing of goods) shall apply in relation to items seized under section 50 of this Act in reliance on the power of seizure conferred by paragraph 28(1) of that Schedule as it applies in relation to goods seized under that paragraph.

Textual Amendments

- F9** Sch. 2 paras. 4D, 4E inserted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 66\(5\)](#); S.I. 2015/1630, art. 3(i)

Access to seized items

4E Subject to section 61 of this Act, paragraph 38 of Schedule 5 to the Consumer Rights Act 2015 (access to seized goods and documents) shall apply in relation to items seized under section 50 of this Act in reliance on the power of seizure conferred by paragraph 28(1) or 29(1) of that Schedule as it applies in relation to things seized under Part 4 of that Schedule.]

Textual Amendments

- F9** Sch. 2 paras. 4D, 4E inserted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 66\(5\)](#); S.I. 2015/1630, art. 3(i)

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Police Act 2001, Part 1. (See end of Document for details)

Access to seized items

^{F10}5

Textual Amendments

F10 Sch. 2 para. 5 omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 66\(2\)](#); S.I. 2015/1630, art. 3(i) (with art. 8)

Compensation for seizure and detention

6 Section 32 of the Fair Trading Act 1973 (c. 41) (compensation for seizure and detention) shall apply in relation to the seizure of items under section 50 of this Act in reliance on the power of seizure conferred by section 29(1) of that Act, and the retention of those items, as it applies in relation to the seizure and detention of goods under section 29 of that Act.

^{F11}7

Textual Amendments

F11 Sch. 2 para. 7 omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 66\(2\)](#); S.I. 2015/1630, art. 3(i) (with art. 8)

8 Section 34 of the Consumer Protection Act 1987 (compensation for seizure and detention) shall apply in relation to the seizure of items under section 50 of this Act in reliance on the power of seizure conferred by section ^{F12}29(4) of that Act, and the retention of those items, as it applies in relation to the seizure and detention of goods under section ^{F12}29(4) of that Act.

Textual Amendments

F12 Word in Sch. 2 para. 8 substituted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 66\(6\)](#); S.I. 2015/1630, art. 3(i)

^{F13}9

Textual Amendments

F13 Sch. 2 para. 9 repealed (26.5.2008) by [The Consumer Protection from Unfair Trading Regulations 2008 \(S.I. 2008/1277\)](#), reg. 1, [Sch. 4 Pt. 1](#) (with reg. 28(2)(3))

^{F14}9A Regulation 26 of the General Product Safety Regulations 2005 (compensation for seizure and detention) shall apply in relation to the seizure of items under section 50 of this Act in reliance on the power of seizure conferred by regulation ^{F15}22(4) of those Regulations, and the retention of ^{F16}those items, as it applies to the seizure and detention of products under regulation 22(4) of those Regulations.]]

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Textual Amendments

- F14** Sch. 2 para. 9A inserted (1.10.2005) by [The General Product Safety Regulations 2005 \(S.I. 2005/1803\)](#), [reg. 47\(5\)\(b\)](#) (with [regs. 42, 43](#))
- F15** Word in Sch. 2 para. 9A substituted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 66\(7\)\(a\)](#); S.I. 2015/1630, art. 3(i)
- F16** Words in Sch. 2 para. 9A substituted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 66\(7\)\(b\)](#); S.I. 2015/1630, art. 3(i)

F179B

Textual Amendments

- F17** Sch. 2 para. 9B omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 66\(2\)](#); S.I. 2015/1630, art. 3(i) (with art. 8)

F189C

Textual Amendments

- F18** Sch. 2 para. 9C omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 66\(2\)](#); S.I. 2015/1630, art. 3(i) (with art. 8)

[**F19**9D Paragraph 41 of Schedule 5 to the Consumer Rights Act 2015 (compensation for seizure and detention) shall apply in relation to the seizure of items under section 50 of this Act in reliance on the power of seizure conferred by paragraph 28(1) or 29(1) of that Schedule, and the retention of those items, as it applies in relation to the seizure and detention of goods under Part 4 of that Schedule.]

Textual Amendments

- F19** Sch. 2 para. 9D inserted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 66\(8\)](#); S.I. 2015/1630, art. 3(i)

Forfeiture of seized items

- 10 (1) The provisions mentioned in sub-paragraph (2) (which are about the forfeiture etc. of items which have been seized) shall apply in relation to an item seized under section 50 as if the item had been seized under the power of seizure in reliance on which it was seized.
- (2) Those provisions are—
 - (a) section 3(3) of the Obscene Publications Act 1959 (c. 66);
 - (b) **F20**
 - (c) **F20**
 - (d) sections 7(2) and 24(2) of the Forgery and Counterfeiting Act 1981 (c. 45).

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Textual Amendments

F20 Sch. 2 para. 10(2)(b)(c) repealed (1.4.2008) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 52, 53, [Sch. 15 Pt. 4](#); S.I. 2008/790, art. 3(c)

Disclosure of information

- 11 Any provision which—
- (a) restricts the disclosure, or permits the disclosure only for limited purposes or in limited circumstances, of information obtained through the exercise of a power of seizure specified in Part 1 or 2 of Schedule 1, or
 - (b) confers power to make provision which does either or both of those things,
- shall apply in relation to information obtained under section 50 or 51 in reliance on the power in question as it applies in relation to information obtained through the exercise of that power.

Interpretation

- 12 For the purposes of this Part of this Schedule, an item is seized, or information is obtained, under section 50 or 51 in reliance on a power of seizure if the item is seized, or the information obtained, in exercise of so much of any power conferred by that section as is exercisable by reference to that power of seizure.

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice and Police Act 2001, Part 1.