



# Criminal Justice and Police Act 2001

## 2001 CHAPTER 16

### PART 2

#### POWERS OF SEIZURE

##### *Remedies and safeguards*

#### **62 Use of inextricably linked property**

- (1) This section applies to property, other than property which is for the time being required to be secured in pursuance of section 61, if—
  - (a) it has been seized under any power conferred by section 50 or 51 or specified in Part 1 or 2 of Schedule 1, and
  - (b) it is inextricably linked property.
- (2) Subject to subsection (3), it shall be the duty of the person for the time being having possession, in consequence of the seizure, of the inextricably linked property to ensure that arrangements are in force which secure that that property (without being returned) is not at any time, except with the consent of the person from whom it was seized, either—
  - (a) examined or copied, or
  - (b) put to any other use.
- (3) Subsection (2) does not require that arrangements under that subsection should prevent inextricably linked property from being put to any use falling within subsection (4).
- (4) A use falls within this subsection to the extent that it is use which is necessary for facilitating the use, in any investigation or proceedings, of property in which the inextricably linked property is comprised.
- (5) Property is inextricably linked property for the purposes of this section if it falls within any of subsections (6) to (8).
- (6) Property falls within this subsection if—

---

*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Police Act 2001, Section 62. (See end of Document for details)*

---

- (a) it has been seized under a power conferred by section 50 or 51; and
  - (b) but for subsection (3)(c) of section 53, arrangements under subsection (2) of that section in relation to the property would be required to ensure the return of the property as mentioned in subsection (2)(c) of that section.
- (7) Property falls within this subsection if—
- (a) it has been seized under a power to which section 54 applies; and
  - (b) but for paragraph (b) of subsection (1) of that section, the person for the time being having possession of the property would be under a duty to secure its return as mentioned in that subsection.
- (8) Property falls within this subsection if—
- (a) it has been seized under a power of seizure to which section 55 applies; and
  - (b) but for paragraph (c) of subsection (1) of that section, the person for the time being having possession of the property would be under a duty to secure its return as mentioned in that subsection.

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice and Police Act 2001, Section 62.