



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART V

#### PUBLIC ORDER: COLLECTIVE TRESPASS OR NUISANCE ON LAND

##### *Retention and charges for seized property*

#### **67 Retention and charges for seized property**

- (1) Any vehicles which have been seized and removed by a constable under section 62(1) or 64(4) may be retained in accordance with regulations made by the Secretary of State under subsection (3) below.
- (2) Any sound equipment which has been seized and removed by a constable under section 64(4) may be retained until the conclusion of proceedings against the person from whom it was seized for an offence under section 63.
- (3) The Secretary of State may make regulations—
  - (a) regulating the retention and safe keeping and the disposal and the destruction in prescribed circumstances of vehicles; and
  - (b) prescribing charges in respect of the removal, retention, disposal and destruction of vehicles.
- (4) Any authority shall be entitled to recover from a person from whom a vehicle has been seized such charges as may be prescribed in respect of the removal, retention, disposal and destruction of the vehicle by the authority.
- (5) Regulations under subsection (3) above may make different provisions for different classes of vehicles or for different circumstances.
- (6) Any charges under subsection (4) above shall be recoverable as a simple contract debt.

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*Status: This is the original version (as it was originally enacted).*

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- (7) Any authority having custody of vehicles under regulations under subsection (3) above shall be entitled to retain custody until any charges under subsection (4) are paid.
- (8) The power to make regulations under subsection (3) above shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (9) In this section—
- “conclusion of proceedings” against a person means—
    - (a) his being sentenced or otherwise dealt with for the offence or his acquittal;
    - (b) the discontinuance of the proceedings; or
    - (c) the decision not to prosecute him,whichever is the earlier;
  - “sound equipment” has the same meaning as in section 64; and
  - “vehicle” has the same meaning as in section 61.