



Police Reform and Social Responsibility Act 2011

2011 CHAPTER 13

PART 3

PARLIAMENT SQUARE [^{F1}ETC]

Controls on activities in Parliament Square [^{F1}etc]

145 Power to seize property

(1) A constable or authorised officer may seize and retain a prohibited item that is on any land in the controlled area of Parliament Square if it appears to that constable or officer that the item is being, or has been, used in connection with the commission of an offence under section 143 [^{F1}in that area].

[^{F2}(1A) A constable or authorised officer may seize and retain a prohibited item that is on any land in the Palace of Westminster controlled area if it appears to that constable or officer that the item is being, or has been, used in connection with the commission of an offence under section 143 in that area.]

(2) A constable may seize and retain a prohibited item that is on any land outside of the controlled area of Parliament Square if it appears to the constable that the item has been used in connection with the commission of an offence under section 143 [^{F3}in that area].

[^{F4}(2A) A constable may seize and retain a prohibited item that is on any land outside of the Palace of Westminster controlled area if it appears to the constable that the item has been used in connection with the commission of an offence under section 143 in that area.]

(3) A “prohibited item” is any item of a kind mentioned in section 143(2).

(4) A constable may use reasonable force, if necessary, in exercising a power of seizure under this section.

Changes to legislation: There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 145. (See end of Document for details)

- (5) An item seized under this section must be returned to the person from whom it was seized—
- (a) no later than the end of the period of 28 days beginning with the day on which the item was seized, or
 - (b) if proceedings are commenced against the person for an offence under section 143 before the return of the item under paragraph (a), at the conclusion of those proceedings.
- (6) If it is not possible to return an item under subsection (5) because the name or address of the person from whom it was seized is not known—
- (a) the item may be returned to any other person appearing to have rights in the property who has come forward to claim it, or
 - (b) if there is no such person, the item may be disposed of or destroyed at any time after the end of the period of 90 days beginning with the day on which the item was seized.
- (7) Subsections (5)(b) and (6) do not apply if a court makes an order under section 146(1) (a) for the forfeiture of the item.
- (8) The references in [^{F5}this section] to an item that is “on” any land include references to an item that is in the possession of a person who is on any such land.

Textual Amendments

- F1** Words in s. 145(1) inserted (13.5.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), **ss. 153(5)(a)**, 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 16
- F2** S. 145(1A) inserted (13.5.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), **ss. 153(5)(b)**, 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 16
- F3** Words in s. 145(2) inserted (13.5.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), **ss. 153(5)(c)**, 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 16
- F4** S. 145(2A) inserted (13.5.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), **ss. 153(5)(d)**, 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 16
- F5** Words in s. 145(8) substituted (13.5.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), **ss. 153(5)(e)**, 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 16

Commencement Information

- I1** S. 145 in force at 19.12.2011 by S.I. 2011/2834, **art. 2(e)**

Changes to legislation:

There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 145.