



Psychoactive Substances Act 2016

2016 CHAPTER 2

Powers of entry, search and seizure

46 Notices and records in relation to seized items

- (1) This section applies where a relevant enforcement officer, or a person accompanying a relevant enforcement officer, seizes any item under section 43.
- (2) When the item is seized, the officer must make reasonable efforts to give written notice to each of the following persons—
 - (a) in the case of an item seized from a person, the person from whom the item was seized;
 - (b) in the case of an item seized from premises, any person who appears to the officer to be the occupier of the premises or otherwise to be in charge of the premises;
 - (c) if the officer thinks that the item may belong to any person not falling within paragraph (a) or (b), that other person.

A person falling within any of paragraphs (a) to (c) is referred to in this section as an “affected person”.

- (3) If—
 - (a) the item is seized from premises, and
 - (b) at the time of the seizure it is not reasonably practicable to give a notice to any affected person,the officer must leave a copy of the notice in a prominent place on the premises.
- (4) The notice must—
 - (a) state what has been seized and the reason for its seizure;
 - (b) specify any offence which the officer believes has been committed;
 - (c) explain the effect of sections 49 to 51 and 53.
- (5) The officer must make a record of what has been seized.

Status: This is the original version (as it was originally enacted).

- (6) If a person who appears to a relevant enforcement officer to be an affected person asks for a copy of that record, the officer must, within a reasonable time, provide a copy of that record to that person.