

APPENDIX 1

POLICE PROPERTY ACT FUND – CONSTITUTION AND PURPOSE

1. The Police Property Regulations 1997 apply to property which is:
 - (a) in the possession of the police by virtue of an order of a court of summary jurisdiction in connection with police investigations of a suspected offence where the owner of the property cannot be ascertained; or
 - (b) in the possession of the police by virtue of a court order in connection with the seizure of property where the court was satisfied that the property had been used for the purposes of committing or facilitating the commission of any offence, or was intended to be used for that purpose.
2. The Regulations provide that where property has been held for a year, in relation to an order under paragraph 1(a) above and for six months, in respect of an order under paragraph 1(b) above (provided, in the latter case there has been no successful application by a claimant of the property or no successful appeal by the offender) then the property may be sold and the proceeds of sale shall be kept in a separate account called the Police Property Act Fund ("the Fund").
3. The Regulations provide that monies accrued in the Fund may be invested and the income so derived shall become part of the Fund. The monies accrued in the Fund may be used to:
 - defray expenses incurred in the conveyance, storage and safe custody of the property and in connection with its sale;
 - pay reasonable compensation, the amount of which shall be fixed by the Police Authority, to persons by whom property has been delivered to the police;
 - make payments of such amounts as the Police Authority may determine for such charitable purposes as they may select.
4. The Chief Officer of Police may, at the request of the Police Authority, administer the Fund in accordance with the Regulations.