



6th Floor, Alexandra House, 10 Station Road, London N22 7TR
 Tel: 020 8489 5134
 E mail: frontline@haringey.gov.uk www.haringey.gov.uk

Record of Seized Property/Notice of Additional Powers of Seizure*/ Notice Following Visit

Name: BUCATI Date: 12/11/19
 Address: 1 MARFIELD ROAD
 Post Code: N12
 Enactment(s): CONSUMER RIGHTS ACT

The following items have been **received/returned**
 In accordance with the provisions of the above named Act(s), the documents/goods listed below which may be required as evidence in proceedings for an offence under the Act(s) have been seized and detained by me: (delete section if not applicable)

I agree to permanently hand over all of the items listed and they will be owned by Haringey Council. I will not be able to get these items back once i have signed below
 Signed (delete section if not applicable)

Notice /Observations/Action Required (Circle if applicable)

| Item No. | Description of Property Or Notice/Observations/Action | Seized by Officer | From Where Or Legislation | Time | Seal No. or Statutory Requirement |
|----------|---|-------------------|---------------------------|------|-----------------------------------|
| 1 | 6 PACKETS CIGARETTES 50g MS HARD BOLLING BARRON | | Bolton 6hr + 6hr | 1330 | PO3435016 |
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Tick Box If applicable *Section 50 of the Criminal Justice and Police Act 2001 allows for the seizure and removal of property found on premises where it is not reasonably practicable to complete the process of examination, searching or separation at the scene. Section 52 requires the provision of a written notice to the person from whom the property was seized, specifying various information. Under Search Warrant Without Search Warrant
 Reasons why it was not reasonably practicable to complete the relevant process at the scene. (See Overleaf)

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Authorized Officer:
 (Signed) [Signature]
 (Print Name) M. QUINN
 (Designation) TRADER

Notice Received By:
 (Signed) JAYED HASHIR
 (Print Name) MANAGER
 (Status) [Signature]

Notice of exercise of additional powers of seizure under Sections 50 or 51 of the Criminal Justice and Police Act 2001

Basis of powers

Sections 50 of the Criminal Justice and Police Act 2001 allow for the seizure and removal of property found on premises where it is not reasonably practicable to complete a process of examination, searching or separation at the scene. Section 52 requires the provision of a written notice to the person from whom the property was seized, specifying various information.

Information for interested persons

Applying for the return of seized property

Section 59 gives any person with a relevant interestⁱ in property seized using these powers the right to apply to the appropriate judicial authority for it to be returned. The appropriate judicial authority will normally be a judge of the Crown Court.

The grounds on which an application can be made are:

- (a) that there was no power to make the seizure;
- (b) that the seized property is or contains an item subject to legal privilegeⁱⁱ which there is no power to retainⁱⁱⁱ;
- (c) that the seized property is or contains excluded material^{iv} or special procedure material^v which there is no power to retain³;
- (d) that the seized property is or contains something which there is no power to retain once the examination is complete³.

Anyone wishing to make such an application in this case should give notice of that application to the address overleaf:

Following an application the appropriate judicial authority may order the return or retention of any or all of the relevant property or may give directions for its examination, separation etc. Alternatively it may dismiss the application.

Anyone failing to comply with an order or direction given by a judge of the Crown Court under these provisions may be dealt with as if he had committed a contempt of the Crown Court.

Duty to secure property

Section 60 creates a duty to secure property seized under these powers if an application for return of the property is made under section 59, notice of the application is given to the relevant person⁶ and the application is based on the property being or containing legally privileged, excluded or special procedure material.

Section 61 specifies that the duty to secure is a duty on the person in possession of the seized property to ensure that, once notice of an application for return has been given, the property shall not be examined, copied or generally put to any other use without consent of the applicant or in accordance with the directions of the appropriate judicial authority.

Applying to attend examination of seized property

Any person with an interest in property seized under these powers who wishes to attend the initial examination of that property should apply to the address overleaf:

Notes for information

ⁱ For the purpose of section 59 a person with a relevant interest in the seized property is:

- (a) the person from whom it was seized;
- (b) any person with an interest in the property; or
- (c) any other person who had custody or control of the property immediately before the seizure.

ⁱⁱ Legally privileged material includes communications between a professional legal adviser and his client in respect of legal advice or proceedings.

ⁱⁱⁱ The legislation does provide for the retention of certain inextricably linked material, including legally privileged, excluded or special procedure material, if it cannot be separated from material that can be seized without prejudicing the use of that sizeable material. Excluded and special procedure material can sometimes be seized where it is evidence in relation to an offence or itself the proceeds of an offence.

^{iv} Excluded material includes journalistic material and personal records which are held in confidence.

^v Special procedure material includes confidential material created in the course of a business and journalistic material provided neither is excluded material.

⁶ A "relevant person" for the purposes of giving notice of an application for return of property is:

- (a) the person who made the seizure;
- (b) the person in possession of the seized property;
- (c) the person whose name and address are specified in this notice.