



# Criminal Justice Act 1972

## 1972 CHAPTER 71

### PART IV

#### ADMINISTRATIVE PROVISIONS

52— .....<sup>F1</sup>  
57.

#### Textual Amendments

**F1** Ss. 51(3), 52–57 repealed by Powers of Criminal Courts Act 1973 (c. 62), Sch. 6

#### 58 Amendment of Police (Property) Act 1897.

In section 1(1) of the <sup>M1</sup> Police (Property) Act 1897 (which makes provision for the disposal of property which has come into the possession of the police in connection with any criminal charge) for the words “with any criminal charge” there shall be substituted the words “with their investigation of a suspected offence”.

#### Modifications etc. (not altering text)

**C1** The text of s. 58 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Marginal Citations

**M1** 1897 c. 30.

#### 59 Abolition of duty to re-convey certain prisons to local authorities.

Section 38 of the <sup>M2</sup> Prison Act 1952 (which gives local authorities the right to buy back at a fixed price prisons taken over under the <sup>M3</sup> Prison Act 1877 if they are subsequently closed) shall not apply where any prison is closed after the coming into force of this

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*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice Act 1972, Part IV. (See end of Document for details)*

section unless the Secretary of State has before 10th November 1971 informed the appropriate authority of his intention to close it after that date.

**Marginal Citations**

M2 1952 c. 52.

M3 1877 c. 21.

**60 Power of entry in connection with acquisition of land for prisons.**

- (1) Any person authorised in writing by the Secretary of State may enter any land and survey it for the purpose of enabling the Secretary of State to determine whether to exercise his powers under section 36 of the <sup>M4</sup>Prison Act 1952 (acquisition of land for prisons) in respect of that land.
- (2) The power conferred by this section to survey land shall be construed as including power to search and bore for the purpose of ascertaining the nature of the subsoil.
- (3) A person authorised under this section to enter any land shall, if so required, produce evidence of his authority before entering, and shall not—
  - (a) demand admission as of right to any land which is occupied unless fourteen days’ notice of the intended entry has been given to the occupier; or
  - (b) Carry out any works authorised by subsection (2) of this section unless notice of his intention to do so is included in the notice required by the foregoing paragraph.
- (4) Where any land is damaged in the exercise of powers conferred by this section, compensation in respect of that damage may be recovered by any person interested in the land from the Secretary of State.
- (5) Any question of disputed compensation under this section shall be referred to and determined by the Lands Tribunal; and, in relation to the determination of any such question, the provisions of sections 2 and 4 of the <sup>M5</sup>Land Compensation Act 1961 shall apply subject to any necessary modifications.
- (6) Any person who wilfully obstructs a person acting in the exercise of his powers under this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding [<sup>F2</sup>level 3 on the standard scale].

**Textual Amendments**

F2 Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), ss. 38, 46

**Marginal Citations**

M4 1952 c. 52.

M5 1961 c. 33.

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**Textual Amendments**

**F3** Ss. 61, 62 repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), **Sch. 3**

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**Changes to legislation:**

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