STATUTORY INSTRUMENTS

1972 No. 1027

CIVIL AVIATION

The British Airports Authority (Lost Property) Regulations 1972

Made - - - -	*6th July* 1972
Coming into Operation	*1st August* 1972

The Secretary of State, in exercise of his powers under section 56 of the Civil Aviation Act 1949**(a)** and section 16 of the Airports Authority Act 1965**(b)**, and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation and Operation

1. These Regulations may be cited as the British Airports Authority (Lost Property) Regulations 1972, and shall come into operation on 1st August 1972.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

"the Authority" means the British Airports Authority;

"customs Acts" shall have the same meaning as in the Customs and Excise Act 1952**(c)**;

"lost property" means any property, vehicle, animal or thing to which these Regulations apply pursuant to Regulation 3 hereof;

"Lost Property Office" means any place designated by the Authority for the safekeeping of lost property, and any reference to the delivery of lost property to a Lost Property Office means delivery to an official at such an office;

"official" means an employee of the Authority.

(2) The Interpretation Act 1889**(d)** applies for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

Application of Regulations

3. These Regulations shall apply in relation to the safe custody, re-delivery and disposal of—

(a) 1949 c. 67.
(b) 1965 c. 16.
(c) 1952 c. 44.
(d) 1889 c. 63.

(i) property which, while not in proper custody, is found on any premises belonging to or under the control of the Authority (including property so found before the coming into operation of these Regulations and still in the custody of the Authority) and

(ii) any vehicle, animal or thing found on any premises belonging to or under the control of the Authority and removed under section 9(5) of the Airports Authority Act 1965 (including any vehicle, animal or thing so found and removed before the coming into operation of these Regulations and still in the custody of the Authority)

excluding any property, vehicle, animal or thing found on premises in respect of which there is then a lease or tenancy granted by the Authority, or on premises which are not within an aerodrome owned or managed by the Authority, or in or on an aircraft or vehicle, not being an aircraft or vehicle to which these Regulations apply.

Lost property to be handed to an official or constable

4. Subject to the provisions of the customs Acts, any person (other than an official or constable) who finds property to which these Regulations apply pursuant to sub-paragraph (i) of Regulation 3 hereof shall hand it immediately in the state in which he finds it to an official or to a constable and inform the official or constable of the circumstances in which it was found.

Delivery of lost property to Lost Property Offices

5. Subject to any provisions of the customs Acts, any official or constable to whom property is handed pursuant to Regulation 4 hereof or who himself finds any property to which these Regulations apply pursuant to sub-paragraph (i) of Regulation 3 hereof or any constable who finds and removes any vehicle, animal or thing to which these Regulations apply pursuant to sub-paragraph (ii) of Regulation 3 hereof shall, as soon as possible and in any case within 24 hours, deliver such property or such vehicle, animal or thing for safe custody in the state in which it comes into his possession to a Lost Property Office and inform an official at the Lost Property Office of the circumstances in which it was found:

Provided that if before any lost property shall have been delivered for safe custody to a Lost Property Office under this Regulation, it is claimed by a person who satisfies the official or constable, as the case may be, that he is the owner, it shall be returned to that person forthwith, without fee or reward, on his giving his name and address to the official or constable who shall, as soon as possible, report the facts and give the claimant's name and address and a description of the lost property to a Lost Property Office.

Recording and safe custody of lost property

6. Any lost property delivered to a Lost Property Office shall be retained in safe custody by the Authority until claimed by the owner thereof or disposed of in accordance with these Regulations, and the Authority shall keep for a period of not less than 12 months a record showing particulars of the lost property (whether delivered to a Lost Property Office or disposed of pursuant to the proviso to Regulation 5 hereof), the circumstances in which it was found, and the ultimate disposal of the lost property, and such record shall at all reasonable times during the said period be available for inspection by any constable:

Provided that—

(*a*) official documents, including licences, passports and aliens identity books shall wherever practicable be returned forthwith to the appropriate Government Department, local authority or other body or person responsible for issuing them or for controlling or dealing with them;

(*b*) where the name and address of the owner of any lost property, other than the documents referred to in the preceding proviso, are readily ascertainable the Authority shall forthwith notify him that the lost property is in the possession of the Authority and may be claimed in accordance with these Regulations.

Return of claimed lost property

7. If any lost property, while it is retained by the Authority in safe custody, be claimed and the claimant proves to the satisfaction of the Authority that it belongs to him and he gives his name and address to an official at the Lost Property Office, it shall thereupon be delivered on demand to the claimant, without fee or reward, at the Lost Property Office.

Disposal of lost property

8.—(1) If any lost property retained by the Authority for safe custody in accordance with these Regulations is not, within three months of the date when it was delivered to a Lost Property Office, re-delivered to a person pursuant to Regulation 7 hereof, the Authority shall be entitled to sell it for the best price that can reasonably be obtained.

(2) Notwithstanding the foregoing provisions of these Regulations, if any lost property retained by the Authority pursuant to these Regulations is of a perishable nature, and if, within 48 hours from the time when it was found, it has not been re-delivered to a person pursuant to Regulation 7 hereof, the Authority shall be entitled to sell it for the best price that can reasonably be obtained.

(3) Notwithstanding the foregoing provisions of these Regulations any lost property which is or which becomes objectionable may forthwith be destroyed or otherwise disposed of in a reasonable manner.

(4) A sale under this Regulation shall not prejudice the right of any person whose rights have been divested by the sale to be paid the proportion due to him of the residue of the proceeds of sale after deduction of the Authority's reasonable costs in connection with the sale.

Examination of property

9. Where any lost property is contained in a package, bag or other receptacle, the Authority may cause such receptacle to be opened and the contents examined, or require the claimant to open it and submit it and its contents for examination, for the purpose either—

(*a*) of identifying and tracing the owner of the lost property, or

(*b*) of ascertaining the nature of the contents.

6th July 1972.

J. E. Barnes,
An Under Secretary
of the Department of Trade
and Industry.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations make provision for securing the safe custody and re-delivery (i) of property found while not in proper custody on premises belonging to or under the control of the British Airports Authority within an aerodrome owned or managed by the Authority, and (ii) of any vehicle, animal or thing which is found on such premises, and which is removed under section 9(5) of the Airports Authority Act 1965 (authorising the removal from any aerodrome or part of an aerodrome so owned or managed of any vehicle, animal or thing brought or left there in contravention of any bye-laws made under that section or likely to cause danger or obstruction). These Regulations also make provision for the Authority to dispose of the property where it is not re-delivered to the owner within fixed periods, and to keep records relating to the property.

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