



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART VI

LOST AND ABANDONED PROPERTY

67 Duty of finder.

- (1) Subject to subsection (2) below, any person taking possession of any property without the authority of the owner in circumstances which make it reasonable to infer that the property has been lost or abandoned (“a finder”) shall take reasonable care of it and shall without unreasonable delay deliver the property or report the fact that he has taken possession of it to a constable or to any of the persons mentioned in subsection (3) below, giving a description of the property and information as to where it was found.
- (2) Subsection (1) above does not apply to—
 - (a) property found on the premises of, or used by, an undertaking which provides a transport service for the public, being premises such as omnibus stations, ports, airports or other similar places, or on any vehicle, vessel or aircraft used by the undertaking for such a service, if provision is made in relation to such lost or abandoned property by or under any enactment other than this Act;
 - (b) property found on the premises of, or used by, the British Railways Board or on any vehicle, train, or vessel used by the Board;
 - (c) motor vehicles which appear to be abandoned, whose removal is provided for by or under any enactment other than this Act; or
 - (d) any dog in relation to which provision is made under sections 3 and 4 of the ^{M1}Dogs Act 1906 (which relate to stray dogs).
- (3) The persons referred to in subsection (1) above are—
 - (a) the owner of the property;
 - (b) the person having right to possession of it;
 - (c) if the property has been found on land or premises, the owner or occupier thereof;

Changes to legislation: Civic Government (Scotland) Act 1982, Section 67 is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (d) any person apparently having the authority to act on behalf of any of those persons.
- (4) Where a person who takes possession of property or receives a report about its finding is—
- (a) a person referred to in paragraph (c) of subsection (3) above, he shall deliver the property or report the fact that he has taken possession of it to a constable or to any of the persons referred to in paragraphs (a), (b) or (d) of that subsection;
 - (b) a person referred to in paragraph (d) of subsection (3) above, he shall deliver the property or report the fact that he has taken possession of it to a constable or to any of the persons referred to in paragraphs (a), (b) or (c) of that subsection.
- (5) Any person who reports the fact that he has taken possession of any property to a constable under this section shall, on being required to do so by the chief constable, deliver the property to such person at such time as the chief constable may direct.
- (6) Any person who fails without reasonable excuse to comply with the provisions of this section shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £50.

Marginal Citations

M1 1906 c. 32.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 22(1)(c) repealed by [2015 asp 10 s. 65\(3\)](#)
- s. 49(9) added by [2010 asp 13 s. 200\(1\)\(b\)](#)