



# Civic Government (Scotland) Act 1982

## 1982 CHAPTER 45

### PART VI

#### LOST AND ABANDONED PROPERTY

#### **76 Appeal to sheriff.**

- (1) Any person mentioned in subsection (2) below may appeal to the sheriff against any decision of the chief constable made under the sections specified in relation to that person in that subsection.
- (2) The persons referred to in subsection (1) are—
  - (a) a claimant under section 69 of this Act;
  - (b) a finder or claimant mentioned in section 70 of this Act;
  - (c) a previous owner mentioned in section 72 of this Act.
- (3) An appeal under this section shall be made by way of summary application and shall be lodged with the sheriff clerk within 21 days from the date of the decision appealed against.
- (4) On good cause being shown, the sheriff may hear an appeal under this section notwithstanding that it was not lodged within the time mentioned in subsection (3) above.
- (5) In upholding an appeal under this section the sheriff may—
  - (a) remit the case with the reasons for his decision to the chief constable for reconsideration of his decision; or
  - (b) reverse or alter the decision of the chief constable.

**Changes to legislation:**

Civic Government (Scotland) Act 1982, Section 76 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.

[View outstanding changes](#)

**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- s. 22(1)(c) repealed by [2015 asp 10 s. 65\(3\)](#)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\(1\)\(b\)](#)