



STATUTORY INSTRUMENTS.

S.I. No. 175 of 2010



SMALL PUBLIC SERVICE VEHICLES (DUBLIN) (LOST PROPERTY)
BYE-LAWS 2010

(Prn. A10/0588)

SMALL PUBLIC SERVICE VEHICLES (DUBLIN) (LOST PROPERTY)
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I, MICHAEL F. MURPHY, Commissioner of the Garda Síochána, in exercise of the powers conferred on me by section 87 of the Road Traffic Act 1961 (No. 24 of 1961), hereby make the following bye-laws:

1. (1) These Bye-laws may be cited as the Small Public Service Vehicles (Dublin) (Lost Property) Bye-laws 2010.

(2) These Bye-laws shall apply in respect of the city of Dublin and counties of Fingal, South Dublin and Dún Laoghaire-Rathdown.

2. In these Bye-laws—

“Bye-laws of 1983” mean the Street Service Vehicles (Dublin) (Lost Property) Bye-Laws 1983 (S.I. No. 365 of 1983);

“designated Garda Síochána station” means a Garda Síochána station specified in the Schedule;

“small public service vehicle” has the meaning assigned to it by section 3 of the Road Traffic Act 1961 (No. 24 of 1961).

3. (1) Whenever a passenger leaves property in a small public service vehicle, the driver of the vehicle shall, within a period of 24 hours of his or her finding the property, either return the property to the passenger or deposit it at a designated Garda Síochána station with a member of the Garda Síochána on duty at that designated Garda Síochána station.

(2) When calculating the period of 24 hours referred to in paragraph (1) of this Bye-law, the period between 6.00pm on any day and 9.00am on the following day shall be disregarded.

(3) The member of the Garda Síochána on duty shall, upon receipt of the property referred to in paragraph (1) of this Bye-law, acknowledge receipt of the property and, subject to Bye-law 4, retain the property in the custody of the designated Garda Síochána station.

4. (1) Subject to paragraphs (2) and (3) of this Bye-law, the following provisions shall apply to property deposited in a designated Garda Síochána station under these Bye-laws:

(a) the property shall be returned to the owner if claimed by him or her while such property is still in the custody of the Garda Síochána;

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 4th May, 2010.*

- (b) if the property is not claimed within 31 days of the date of deposit, the member of the Garda Síochána for the time being in charge of the designated Garda Síochána station shall notify the person who deposited the property that he or she may claim it at the designated Garda Síochána station within 31 days of the notification to him or her;
- (c) if the property is not claimed in accordance with subparagraph (b) of this Bye-law, the member of the Garda Síochána for the time being in charge of the designated Garda Síochána station shall dispose of the property at the next following sale of property held at the designated Garda Síochána station.

(2) Where property deposited under these Bye-laws at a designated Garda Síochána station is a live animal or is of a perishable or offensive character, the member of the Garda Síochána for the time being in charge of the designated Garda Síochána station may, in lieu of complying with the provisions of paragraph (1)(b) of this Bye-law, take such steps as appear to him or her to be necessary for either the safe custody of the property or its disposal.

(3) Where, in the opinion of the member of the Garda Síochána for the time being in charge of the designated Garda Síochána station, property deposited in the designated Garda Síochána station under these Bye-laws is of such a nature or of such a value that it should be retained for a period in excess of the period referred to in paragraph (1) of this Bye-law, the said member may extend the period as he or she considers appropriate having regard to the value of the property and the likelihood of the owner claiming the property within such extended period.

5. (1) Subject to paragraph (2), the Bye-laws of 1983 are hereby revoked.

(2) The Bye-laws of 1983 shall continue to apply to property deposited in accordance with Bye-law 4 of those Bye-laws that is still in the possession of the Garda Síochána at the date of the making of these Bye-laws.

SCHEDULE

Finglas Garda Síochána Station

Irishtown Garda Síochána Station

Shankill Garda Síochána Station

Store Street Garda Síochána Station

Tallaght Garda Síochána Station

GIVEN under my hand,
23 April 2010

MICHAEL F. MURPHY,
Commissioner of the Garda Síochána.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHAIRIS,
CONTAE MHAIGH EO,
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)
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