STATUTORY RULES OF NORTHERN IRELAND

2003 No. 17

MAGISTRATES' COURTS

Magistrates' Courts (Detention and Forfeiture of Seized Cash) Rules (Northern Ireland) 2003

Made - - - - 13th January 2003
Coming into operation 3rd February 2003

The Lord Chancellor, in exercise of the powers conferred on him by Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981(1), and all other powers enabling him in that behalf, on the advice of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice, hereby makes the following Rules:—

Citation and commencement

1. These Rules may be cited as the Magistrates' Courts (Detention and Forfeiture of Seized Cash) Rules (Northern Ireland) 2003 and shall come into operation on 3rd February 2003.

Interpretation

- 2. In these Rules-
 - (a) "the Act" means the Proceeds of Crime Act 2002(2) and a reference to a Chapter, Part or section alone is a reference to the Chapter, Part or section so numbered in the Act and expressions used have the same meaning as in Chapter 3 of Part 5 of the Act;
 - (b) any reference to the clerk of petty sessions is a reference to the clerk of petty sessions for the petty sessions district in which the magistrates' court is to hear or has heard an application under these Rules; and
 - (c) a reference to a form by number is a reference to that form so numbered in the Schedule or a form with the same effect.

Prior approval of searches for cash

3.—(1) An application to a justice of the peace under section 290(1) for prior approval of a search for cash under section 289 may be made without notice.

⁽¹⁾ S.I.1981/1675 (N.I. 26)

⁽**2**) 2002 c. 29

(2) A justice of the peace may grant such an application without a hearing and may conduct any hearing in private.

First application for continued detention of seized cash

- **4.**—(1) A first application under section 295(4) for an order under section 295(2) for continued detention of cash seized under section 294 shall be made in Form 1 and shall be sent to the clerk of petty sessions for the petty sessions district in which the cash was seized.
- (2) Where the reasonable grounds for suspicion which led to the seizure of cash to which an application under section 295(4) relates are connected to the reasonable grounds for suspicion which led to the seizure of other cash to which a previous order made under section 295(2) relates, then the application may be sent to the clerk of petty sessions for the petty sessions district which made the previous order.
- (3) Except where paragraph (4) or paragraph (7) applies, a copy of the written application and notification of the hearing of the application shall be given by the applicant to the person from whom the cash was seized.
- (4) Where seized cash is found in a means of unattended dispatch, such as an unattended letter, parcel or container, copies of the written application and notification of the hearing of the application shall be sent by the applicant to the sender and intended recipient of the means of unattended dispatch.
- (5) Where paragraph (4) applies the applicant is not required to send copies of the written application and notification of the hearing to a sender or intended recipient who cannot be identified.
- (6) Where paragraph (4) applies, the court shall not decline to hear an application solely on the ground that it has not been proved that the sender and intended recipient have received a copy of the written application and notification of the hearing.
- (7) Where unattended cash is seized (other than where the cash is found in a means of unattended dispatch) the applicant need not give a copy of the written application and notification of the hearing to any person.

Order and notice of order for continued detention of seized cash

- **5.**—(1) An order made under section 295(2) shall be in Form 2.
- (2) Notice of any order made under section 295 shall be given without delay by the court to the person from whom the cash was seized and to any other person who is affected by the said order. Notice shall be in Form 3 and shall be accompanied by a copy of the order.

Further application for continued detention of seized cash

- **6.**—(1) An application under section 295(4) for a further order under section 295 for the continued detention of cash shall be in Form 1 and shall be sent to the clerk of petty sessions to whom the first application under section 295(4) was sent and shall be accompanied by a copy of the relevant order for continued detention.
- (2) A copy of the application under paragraph (1) shall be given by the applicant to every person to whom notice of previous related orders made under section 295(2) has been given.
- (3) The clerk of petty sessions who receives an application in accordance with paragraph (1) shall fix a date for the hearing of the application, shall notify the applicant and every person to whom notice of the previous orders has been given of the date fixed for the hearing which, unless the clerk of petty sessions directs otherwise in any particular case, shall not be within seven days of the date on which the application is received.

- (4) A further order for continued detention of cash made under section 295(2) shall be in Form 2 and shall be given by the clerk of petty sessions to every person to whom notice of the previous related orders has been given.
 - (5) The clerk of petty sessions shall give-
 - (a) notice of the order in Form 3, and
 - (b) a copy of the order

to any other person other than one referred to in paragraph (4) who is affected by the order.

Applications for release of detained cash

- 7.—(1) An application under section 297(3) or 301(1) for the release of detained cash shall be made in writing, shall state the grounds on which it is made, and shall be lodged with the clerk of petty sessions for the petty sessions district in which the cash was seized.
- (2) If the applicant has been given notice of an order under section 295(2) in respect of the detained cash, then the application shall be sent to the clerk of petty sessions who sent him that notice.
 - (3) The clerk of petty sessions shall send a copy of the application to-
 - (a) the Commissioners of Customs and Excise, if the cash which is the subject of the application was seized by a customs officer;
 - (b) the Chief Constable or, as the case may be, the chief officer of the police force to which the constable belongs, if the cash which is the subject of the application was seized by a constable; and
 - (c) every person to whom notice of the order made under section 295(2) has been given.
- (4) The clerk of petty sessions shall fix a date for the hearing of the application, which, unless he directs otherwise, shall not be earlier than seven days from the date on which it is fixed, and shall notify that date to the applicant and to every person to whom a copy of the application is required to be sent under paragraph (3).
- (5) At the hearing of an application under section 301(1) the court may, if it thinks fit, order that the applicant shall be joined as a party to the proceedings in relation to the detained cash.
- (6) A direction under section 297(2) shall be in Form 4, an order under section 301(3) shall be in Form 5 and an order under section 301(4) shall be in Form 6.
- (7) A direction under section 297(2) and an order under section 301(3) or (4) shall provide for the release of the cash within seven days of the date of the making of the direction or order, as the case may be, or such longer period as, with the agreement of the applicant, may be specified, except that cash shall not be released whilst section 298(4) applies.

Forfeiture

- **8.**—(1) An application under section 298(1) for the forfeiture of detained cash shall be in Form 7 and shall be lodged with the clerk of petty sessions to whom application for the continued detention of the cash under section 295(4) has been sent.
- (2) Where no applications in respect of the cash has been made under section 295(4), the application shall be sent to the clerk of petty sessions for the petty sessions district in which the cash was seized, or where the reasonable grounds for suspicion which led to the seizure of cash to which the application for forfeiture relates are connected to the reasonable grounds for suspicion which led to the seizure of cash to which an order made under section 295(2) relates, to the clerk of petty sessions for the petty sessions district of the court which made the order under section 295(2).

- (3) A copy of the application shall be given by the applicant to every person to whom notice of an order made under section 295(2) in respect of the detained cash has been given and to any other person identified by the court as being affected by the application.
- (4) The clerk of petty sessions who receives such an application shall fix a date for the hearing, shall notify the applicant and every person to whom a copy of the application is required to be sent under paragraph (3). Unless the clerk of petty sessions directs otherwise in any particular case, the date for hearing shall not be within seven days of the date on which the application is received.

Order for forfeiture of detained cash

9. An order for the forfeiture of detained cash made by a magistrates' court under section 298(2) shall be in Form 8 and a copy of the order shall be given to every person to whom notice of an order in respect of detained cash has been given and to any other person known to be affected by the order.

Appeal against order forfeiting cash

- **10.**—(1) Where an appeal against a forfeiture order is made to a county court under section 299(1) the appellant shall, within the period prescribed by section 299, serve on—
 - (i) every person to whom notice of the order for continued detention of the cash was given, and
 - (ii) any person who has made an application under section 301;
- notice of his appeal in writing in Form 9 and shall within the said period serve a copy of such notice on the clerk of petty sessions for the petty sessions district in which the forfeiture order was made.
- (2) The notice of appeal to be served on the parties and the copy of the notice to be served on the clerk of petty sessions under paragraph (1) shall be prepared and signed by the appellant or by his solicitor or other duly authorised agent and shall contain his address or that of his solicitor or other duly authorised agent.
- (3) The copy of the notice served on the clerk of petty sessions shall be endorsed with the date upon which and the manner in which the notice was served.
- (4) As soon as practicable after the clerk of petty sessions has received the notice of appeal, the resident magistrate or justice of the peace from whose order the appeal is to be brought or the clerk of petty sessions shall in Form 10 ("the form of appeal") set out the terms against which it is to be appealed and that form shall include a certificate signed by the clerk of petty sessions to the effect that notice of appeal has been given.
- (5) As soon as practicable after complying with the above paragraphs, the clerk of petty sessions shall—
 - (a) send to the chief clerk for the county court division in which the appeal will be heard, the copy of the notice of appeal and the form of appeal duly completed; and
 - (b) send to the appellant and to the respondent a copy of the form of appeal.
- (6) After the county court has decided an appeal under section 299(1) the chief clerk for the county court division for which that county court is held shall, within seven days of that decision, certify the decision at the foot of the form of appeal and shall transmit the form of appeal to the clerk of petty sessions, who shall enter the decision in the Order Book.
 - (7) Any notice of abandonment of an appeal under section 299(1) shall be in Form 11.

Application for compensation

11.—(1) An application under section 302(1) for compensation shall be made in writing and shall be lodged with the clerk of petty sessions for the petty sessions district in which the cash was seized and shall specify the grounds on which it is made.

- (2) If the applicant has been given notice of an order under section 295(2) in respect of the cash which is the subject of the application, then the application shall be sent to the clerk of petty sessions who sent him that notice.
 - (3) The clerk of petty sessions shall send a copy of the application to-
 - (a) the Commissioners for Customs and Excise, if the cash which is the subject of the application was seized by a customs officer;
 - (b) the Chief Constable or, as the case may be, the chief officer of the police force to which the constable belongs, if the cash which is the subject of the application was seized by a constable;
- (4) The clerk of petty sessions who receives an application in accordance with paragraph (1) or (2) shall fix a date for the hearing of the application and shall notify the applicant and the person referred to in paragraph (3) of the date fixed for the hearing which, unless the clerk of petty sessions directs otherwise in any particular case, shall not be within seven days of the date on which the application is received.

Notice

- **12.**—(1) Subject to paragraph (2), any notice, notification, copy of any order or any other document required to be given to any person under the provisions of these Rules may be given by ordinary first class post or by facsimile to his last known address.
- (2) A notice under rule 10(1) shall be served in accordance with section 24(2) of the Interpretation Act (Northern Ireland) 1954(3).

Procedure at hearing

- 13.—(1) At the hearing of an application under Chapter 3 of Part 5 any person to whom notice of the application has been given, may attend and be heard on the question whether the application should be granted, but the fact that any such person does not attend shall not prevent the court from hearing the application.
- (2) At the hearing of an application under Chapter 3 of Part 5, the court shall require the matters contained in the application to be sworn by the applicant under oath, may require the applicant to answer any questions under oath and may require any response from the respondent to the application to be made under oath.
- (3) The court shall record or cause to be recorded in writing the substance of any statements made under oath which are not already recorded in the written application.
- **14.** The Magistrates' Courts Rules (Northern Ireland) 1984(4) shall have effect subject to the provisions of these Rules.

Dated 13th January 2003

Irvine of Lairg, C.

^{(3) 1954} c. 33 (N.I.)

⁽⁴⁾ S.R. 1984 No. 225

SCHEDULE

FORM 1PROCEEDS OF CRIME ACT 2002MAGISTRATES' COURTS (DETENTION AND FORFEITURE OF SEIZED CASH) RULES (NORTHERN IRELAND) 2003(section 295(4), Rules 4 and 6) **First/Further Application for Continued Detention of Seized Cash**

of Applicant	Petty Sessions District of
of Respondent(s)	County Court Division of
Person from whom eash seized*	
Address of that person*	
Names and addresses of any other persons likely to be affecting	eted by an order for detention of the eash (if
known)	
Amount seized/Estimated amount seized (only in the case of	f a first application for continued detention**)
Amount to which reasonable grounds of suspicion apply/Es for suspicion apply (only in the case of a first application reasonably practicable to detain only that part.	
Date of scizure	
Time of seizure	
Place of seizure	
Date of latest order for continued detention of seized cash ((if any)
Amount detained under latest order for continued Jetention	ı (îfamy)
Amounts released since the latest order for communed deten	ntion (if any)
court sitting at	f applicard) intend to apply to a magistrates'

1. There are reasonable grounds for suspecting that the cash is recoverable property and that either

- (a) its continued detention is justified while its derivation is further investigated or consideration is given to bringing (in the United Kingdom or elsewhere) proceedings against any person for an offence with which the east is connected, or
- (b) proceedings against any person for an offence with which the cash is connected have been started and have not been concluded.
- There are reasonable grounds for suspecting that the cash is intended to be used in unlawful conduct
 and that either
 - (a) its continued detention is justified while its intended use is further investigated or consideration is given to bringing (in the United Kingdom or elsewhere; proceedings against any person for an offence with which the cash is connected, or
 - (b) proceedings against any person for an offence with which the eash is connected have been started and have not been concluded. (state grounds)

Dated this	duy oʻ	20	
Signed			

NOTES TO TELL APPLICANTS

To Clerk of Petty Sessions

First Application – You must give a copy of this application and notification of the hearing of it to the person from whom the east, was seized ***

Further Application – This application must wherever possible be submitted to the eleric of petty sessions before the expiry of the last period of detention that was ordered by the court. You must give a copy of this application to the person from whom the each was seized and any other person specified in any order made under section 295(2) of the Proceeds of Crime Act 2002 ***

- * In the case of unattended dispatch such as a letter, pareel or container, insert names and addresses, if known, of sender and intended recipient. In the case of any other unattended eash, state that you believe the eash was unattended and explain your grounds for believing that the eash was unattended.
- ** Delete as appropriate
- *** In the case of a means of unattended dispatch such as letter, parcel or container, the copy application and, if applicable, notification of hearing should be given to the sender and intended recipient (if known), rather than the person from whom the cash was serzed. In the case of any other unattended eash, there is no requirement to give the copy application and, if applicable, notification of hearing to the person from whom the cash was seized.

FORM 2PROCEEDS OF CRIME ACT 2002MAGISTRATES' COURTS (DETENTION AND FORFEITURE OF SEIZED CASH) RULES (NORTHERN IRELAND) 2003(section 295(2), Rules 5 and 6(4))Order/Further Order for Continued Detention of Seized Cash

al .	Petty Sessions District of
Applicant. of	County Court Division of
Respondent(s))
Date of hearing	
Person from whom cash seized*	
Address of that person*	
Amount seized/Estimated amount seized (only in)	he case of a first order for continued detention)**
Amount to which reasonable grounds of suspicion a for suspicion apply (only in the case of a first order practicable to detain only that part.	apply/Estimated amount to which reasonable grounds for continued detention) ** where it is not reasonably
Place of seizure	
Date of latest order for continued detention of seiz	ed cash (if any)
Amount detained under latest order for continued:	detention (if any)
Amounts released since the latest order for continu	red detention (if any)
Names and addresses of any other persons whom t	he court has identified as being affected by this order
On the application of	me of applicant), after hearing oral evidence from the(name), being the person from whom the eash der .

Decision

It is ordered that the above-mentioned each be continued to be detained for a period of (state period up to a maximum of three months from the date of this order, and not beyond the end of a period of two years from the date of the first order) from the date of this order or until its release may be somer directed.

Important

Notice of this order must be given without delay to the person from whom the each was seized and to any other person specified in this order as being affected by it. Such notice shall be in the presented from (Form 3 in the Schedule to the Magistrates' Courts (Detention and Perfeiture of Seized Cash) Rules (Northern Ireland) 2003) and shall be accompanied by a copy of this order.

Dated this day of 20 .
Signed

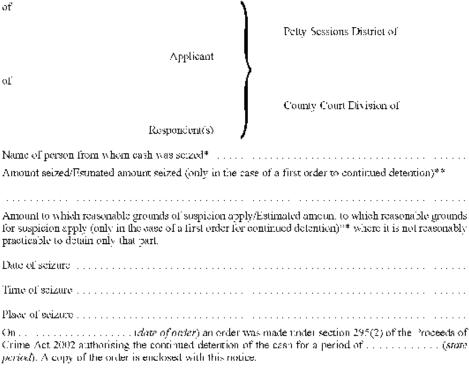
[Resident Magistrate] [Justice of the Peace] [Clerk of Petty Sessions]

- In the case of a means of unattended dispatch such as a letter, parcel, or container, insert names and addresses, if known, of sender and intended recipient. In the case of any other unattended cash, state that the cash was unattended and state the grounds given by the applicant for believing that the cash was unattended.
- ** Delete as appropriate.

Document Generated: 2022-09-01

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

FORM 3PROCEEDS OF CRIME ACT 2002MAGISTRATES' COURTS (DETENTION AND FORFEITURE OF SEIZED CASH) RULES (NORTHERN IRELAND) 2003(section 295(8), Rules 5 and 6(5))Notice to Persons Affected by Order for Continued Detention of Seized Cash



You are being given notice of the order because it appears to the court that you may be affected by it

The person from whom the eash was so zed may apply for the release of the determed eash or any part of it under section 297 of that Act. If the eash was in a letter, parcel, container or other means of unattended dispatch, the sender or the attended recipient may make the application.

A person who claims that any each detained or any part of it belongs to him, may apply for the release of the detained each or part of it under section 301 of that Act if either

- (i) he was deprived of it or of property which it represents by criminal conduct and the property he was deprived of was not, immediately before he was deprived of it, recoverable property; or
- (ii) the conditions for detaining the cash are no longermet or the court decides not to make a forfeiture order in respect of the cash and no objection has been made by the person from whom the cash was seized.

An application under section 297 or 301 of the Proceeds of Crime Act 2002 should be made in writing to the clerk of perty-sessions for the Magistrates' Court which made the order for continued detention of seized cash. The application should state the grounds relied on and identity as clearly as possible the eash referred to.

At the end of the above-mentioned period of detention an application may be made for the further detention of the cash. An application may also be made for forfeiture of the cash.

You will be notified if an application is made, or if any person makes an application to the court for the release of the detained eash.

If you intend to consult a solicitor about these proceedings you should do so at once and hand this notice and the copy of the order to him.

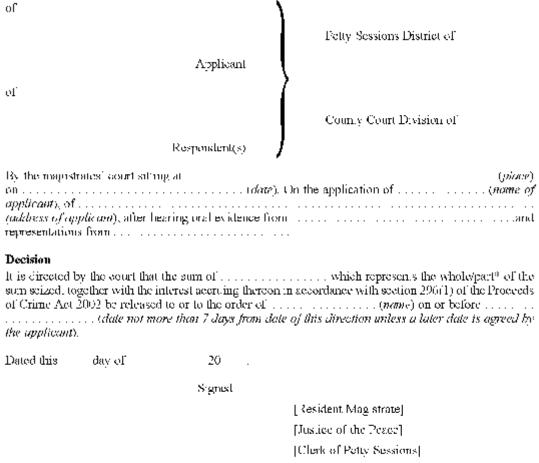
Signed

[Resident Magistrate] [Justice of the Peace] [Clerk of Petty Sessions]

Date

- * In the case of a means of unattended dispetch such as a letter, which, container or other means of unattended dispatch, insert names and addresses, if chown, of sender and intended recipient. In the case of any other mattended cash, state that the cash was unattended and state the grounds given by the applicant for believing that the eash was unattended.
- ** Delete as appropriate.

FORM 4PROCEEDS OF CRIME ACT 2002MAGISTRATES' COURTS (DETENTION AND FORFEITURE OF SEIZED CASH) RULES (NORTHERN IRELAND) 2003(section 297(2), Rule 7(6))Direction for Release of Detained Cash under section 297(2) of the Proceeds of Crime Act 2002



Important

You must give a copy of this Direction to any persons affected by it.

FORM 5PROCEEDS OF CRIME ACT 2002MAGISTRATES' COURTS (DETENTION AND FORFEITURE OF SEIZED CASH) RULES (NORTHERN IRELAND) 2003(section 301(3), Rule 7(6))**Order for Release of Detained Cash under section 301(3) of the Proceeds of Crime Act 2002**

^{*} Telefe as артиоритаte.

eľ	1	
		Perty Sessions District of
	Applicant	
eľ	ſ	
	h	County Court Division of
	Respondent(s)	
en	(date). C	(place) On the application of (name of and
	belongs to the applicant;	which it represents by criminal conduct; and
	ty Lie applicant was deprived of a	was not, immediately before he was deprived of
Decision		
together with any inte Act 2002, be released	rest accruing thereon in accordance to or to the order of	ch represents the whole/part* of the sum seized, ee with section 296(1) of the Proceeds of Crime (name) on or before
Dated this — day of	20 .	
	Signed	
		[Resident Magistrate]
		[Justice of the Peace]
		Clerk of Petty Sessions

Important

You must give a copy of this Order to any persons affected by it.

FORM 6PROCEEDS OF CRIME ACT 2002MAGISTRATES' COURTS (DETENTION AND FORFEITURE OF SEIZED CASH) RULES (NORTHERN IRELAND) 2003(section 301(4), Rule 7(6))**Order for Release of Detained Cash under section 301(4) of the Proceeds of Crime Act 2002**

^{*}Delete as appropriate.

of		Petty Sessions District of	
Σ	Applicant	County Court Division of	
	Respondent(s)		
on applicant), of (address of applican		(place) In the application of	
It appears to the cou	rt that —		
(i) the sum below	w was not seized from the applicant	r :	
(ii) the sum belo	w belongs to the applicant;		
(iii) the condition	is in section 295 of the Proceeds of C	Crime Act 2002 for detaining the sum below are	

Decision

was seized.

no longer met or the court has decided not to order forfeiture of the sum below under section.

(iv) no objection to the making of this order has been made by the person from whom the sum below

Dated his day of 29

Signed

[Resident Magistrate] [Justice of the Peace] [Clerk of Perty Sessions]

Important

You must give a copy of this Order to any persons affected by it.

298(2) of the Proceeds of Crime Act 2002; and

Delete as appropriate.

FORM 7PROCEEDS OF CRIME ACT 2002MAGISTRATES' COURTS (DETENTION AND FORFEITURE OF SEIZED CASH) RULES (NORTHERN IRELAND) 2003(section 298(1), Rule 8)Application for Forfeiture of Seized Cash

o.i			1	
				Potty Sessions District of
		Applicant	-	
ω,			1	
				Curnty Court Division of
		Respondent(s)	7	
Name of passor	Trom whomas	ash sezed*		
Address*				
Names and add	resses of any o	ther persons identific	sd by the co	ourt as being affected by this application
Amount soized				
Date of seizure				
Time of seizure	:			
Place of scizure	:			
Dire of bitest o	ider för cantini	ied detention of serve	ad eash (it's	my)
Amount detains	ed under latest	order for continual d	etention (if	any)
Amounts releas	ed since the lat	es, order for continu	ed detention	n (îf ary)
a magistrates' c for an order and of	ourt sitting at . fer section 298((ackityss (2) of the Proceeds of	cand official on the control on the control on the control of the	applicant) of
	omble property ied by any pen	, or son for use in unlawf	ul conduct.	
(state grounds)				
Dated this	day of	20		
		Signed		
				Applicam
To: The clerk of	I patty session	s for the petty session	ns district o	ď

Note to the Applicant

You must send a copy of this application to the person from whom the each was seized and any other person specified in any order made under section 295(2) of the Proceeds of Crime Act 2002.**

Note to copy recipients

If you are not the person from whom the eash was seized but the eash belongs to you and the court decides not to make a forfeiture order, you may apply to the court under section 301(4) of the Proceeds of Crime Act 2002 for the eash to be released to you. You can make an application before the court makes its decision on forfeiture. However, the court will not be able to release the eash to you until the forfeiture proceedings are finished.

- * In the case of a means of unattended dispatch such as a letter, parcel or container, insert names and addresses. If known, of sender and intended recipient. In the case of any other unattended each, state that you believe the each was unattended and explain your grounds for believing that the each was unattended.
- ** In the case of a means of unattended dispatch such as a letter, parcel or container, the copy application and, if applicable, notification of hearing should be given to the sender and intended recipient (if known), tather than the person from whom the cash was seized. In the case of any other unattended cash, there is no requirement to give the copy application, and, if applicable, notification of hearing to the person from whom the cash was seized.

Document Generated: 2022-09-01

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

FORM 8PROCEEDS OF CRIME ACT 2002MAGISTRATES' COURTS (DETENTION AND FORFEITURE OF SEIZED CASH) RULES (NORTHERN IRELAND) 2003(section 298(2), Rule 9)**Order for Forfeiture of Detained Cash**

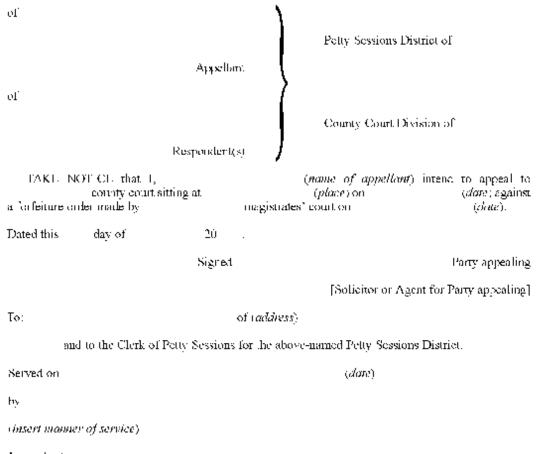
o."		1
		Petty Sessions District of
	Applicant	1
0.1		}
		County Court Division of
Down	pondent(s)	
	•	,
Person from whom each seized*		
Address of that person*		
Names and addresses of any other per mentioned order	rsons whom the	sourt has identified as being affected by the above-
Amount seized		
Date of seizure		
Time of seizure		
Place of seizure		
Date of latest order for continued de	tention of served	Teach (famy)
Amount detained under larest order t	for continued de	tention (if any)
Amounts released since the latest on	der for continue:	I detention (if any)
and representations from		(name of applicant), after hearing oral evidence (name), being the person from whom a above-mentioned order for continued detention.**
It is incered that the wholeyant** of	l'ahave-mention	ixl oash lx: fortiated
Sum forfeited		
Note to the Parties to these procee	dings	
Any party to the proceedings in whi section 299 of the Proceeds of Crimo and of the period of 30 days beginni	• Act 2002 to a s	corder is made may appeal against the order under sounly court. The appeal must be brought before the on which this order was made.
Dated this day of	20 .	
	Signed	
		[Resident Magistrate]
		[Justice of the Peace]
		[Clerk of Petty Sessions]

Important

You must give a copy of this Order to any persons affected by it.

- * In the case of a means of unattended dispetch such as a letter, parcel or container, insert names and addresses, if known, of sender and intended recipient, in the case of any unattended cash, state that the cash was unattended and state the grounds given by the applicant for believing that the cash was unattended.
- ** Delete as appropriate.

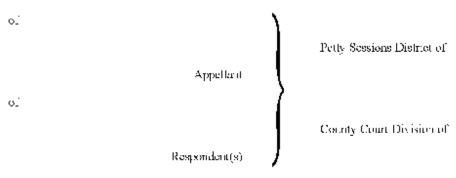
FORM 9PROCEEDS OF CRIME ACT 2002MAGISTRATES' COURTS (DETENTION AND FORFEITURE OF SEIZED CASH) RULES (NORTHERN IRELAND) 2003(section 299(1), Rule 10)Notice of Appeal to the County Court



Important

You most give a copy of this Notice to any persons affected by i...

FORM 10PROCEEDS OF CRIME ACT 2002MAGISTRATES' COURTS (DETENTION AND FORFEITURE OF SEIZED CASH) RULES (NORTHERN IRELAND) 2003(section 299(1), Rule 10)Form of Appeal to County Court



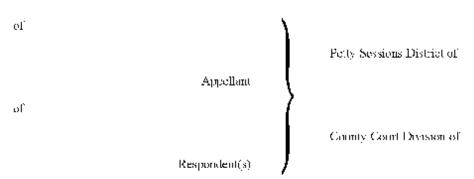
I CERTIFY that upon the hearing of an application for the forfeiture of cash under section 298(1) of the Proceeds of Crime Act 2002.

AN ORDER WAS MADE ON (date), by a magistrates' court for the above district forfeiting the eash of sname of person whose cash is subject to forfeiture orders. 20 This day of Clerk of Petty Sessions LCDR TILY notice of appeal holged This day of 20 Clerk of Petty Sessions I CERTIFY that upon the hearing of the said appeal on the coday of the county court, ordered that This day of 20 Chief Clerk

Important

You must give a copy of this Form to any persons affected by it.

FORM 11PROCEEDS OF CRIME ACT 2002MAGISTRATES' COURTS (DETENTION AND FORFEITURE OF SEIZED CASH) RULES (NORTHERN IRELAND) 2003(section 299(1), Rule 10)Notice by Clerk of Petty Sessions to Chief Clerk of abandonment of appeal to the County Court



THIS IS TO GIVE YOU NOTICE that I have received from the above-named Appellant notice that he has abandoned his appeal to the county court against a for citure order made by the magistrates' court for the above-named petry sessions district sitting on the day of 20.

This day of 20 .

Clerk of Petly Sessions

To the Chief Clerk

นโ

Copy to the Respondent

οľ

Important

You must give a copy of this Notice to any persons affected by it.

EXPLANATORY NOTE

(This note is not part of the Rules.)

These Rules prescribe the procedure to be followed for applications to a magistrates' court for the detention, further detention, forfeiture or release of cash seized by a constable or customs officer under Chapter 3 of Part 5 of the Proceeds of Crime Act 2002. Cash may be seized by a constable or customs officer on reasonable suspicion that the cash represents the benefit from unlawful conduct or intended for use in unlawful conduct. They also prescribe the procedure to be followed for applications to a magistrates' court for compensation where no forfeiture order is made. These Rules prescribe the forms to be used in connection with the application and hearings.