

Changes to legislation: There are currently no known outstanding effects for the Terrorism Act 2006, Cross Heading: Forfeiture proceedings. (See end of Document for details)

SCHEDULES

SCHEDULE 2

SEIZURE AND FORFEITURE OF TERRORIST PUBLICATIONS

Forfeiture proceedings

- 7 Proceedings by virtue of this Schedule are civil proceedings and may be instituted—
- (a) in England or Wales, either in the High Court or in a magistrates' court;
 - (b) in Scotland, either in the Court of Session or in the sheriff court; and
 - (c) in Northern Ireland, either in the High Court or in a court of summary jurisdiction.

Commencement Information

11 Sch. 2 para. 7 in force at 13.4.2006 by S.I. 2006/1013, art. 2(2)(b)

- 8 Proceedings by virtue of this Schedule in—
- (a) a magistrates' court in England or Wales,
 - (b) the sheriff court in Scotland, or
 - (c) a court of summary jurisdiction in Northern Ireland,
- may be instituted in that court only if it has jurisdiction in relation to the place where the article to which they relate was seized.

Commencement Information

12 Sch. 2 para. 8 in force at 13.4.2006 by S.I. 2006/1013, art. 2(2)(b)

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- (1) In proceedings by virtue of this Schedule that are instituted in England and Wales or Northern Ireland, the claimant or his solicitor must make his oath that, at the time of the seizure, the seized article was, or was to the best of his knowledge and belief, the property of the claimant.
 - (2) In any such proceedings instituted in the High Court—
 - (a) the court may require the claimant to give such security for the costs of the proceedings as may be determined by the court; and
 - (b) the claimant must comply with any such requirement.
 - (3) If a requirement of this paragraph is not complied with, the court must find against the claimant.

Commencement Information

13 Sch. 2 para. 9 in force at 13.4.2006 by S.I. 2006/1013, art. 2(2)(b)

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- 10 (1) In the case of proceedings by virtue of this Schedule that are instituted in a magistrates' court in England or Wales, either party may appeal against the decision of that court to the Crown Court.
- (2) In the case of such proceedings that are instituted in a court of summary jurisdiction in Northern Ireland, either party may appeal against the decision of that court to the county court.
- (3) This paragraph does not affect any right to require the statement of a case for the opinion of the High Court.

Commencement Information

14 [Sch. 2 para. 10](#) in force at 13.4.2006 by [S.I. 2006/1013](#), [art. 2\(2\)\(b\)](#)

- 11 Where an appeal has been made (whether by case stated or otherwise) against the decision of the court in proceedings by virtue of this Schedule in relation to an article, the article is to be left in the custody of a constable pending the final determination of the matter.

Commencement Information

15 [Sch. 2 para. 11](#) in force at 13.4.2006 by [S.I. 2006/1013](#), [art. 2\(2\)\(b\)](#)

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