



Police and Justice Act 2006

2006 CHAPTER 48

PART 5

MISCELLANEOUS

Forfeiture of indecent photographs of children

40 Forfeiture of indecent photographs of children: Northern Ireland

- (1) The Protection of Children (Northern Ireland) Order 1978 (S.I. 1978/1047 (N.I. 17)) is amended as follows.
- (2) In Article 4 (entry, search and seizure), for paragraph (2) there is substituted—
 - “(2) In this Article “premises” has the same meaning as in the Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12)) (see Article 25 of that Order).”
- (3) For Articles 5 and 6 (forfeiture) there is substituted—

“5 **Forfeiture**

The Schedule to this Order makes provision about the forfeiture of indecent photographs and pseudo-photographs.”

- (4) At the end of the Order there is inserted the Schedule set out in Schedule 12.
- (5) The amendment made by subsection (2) has effect only in relation to warrants granted under Article 4(1) of the Protection of Children (Northern Ireland) Order 1978 after the commencement of that subsection.
- (6) The amendments made by subsections (3) and (4) and Schedule 12 have effect whether the property in question was lawfully seized before or after the coming into force of those provisions.

This is subject to subsection (7).

Changes to legislation: There are currently no known outstanding effects for the Police and Justice Act 2006, Section 40. (See end of Document for details)

- (7) Those amendments do not have effect in a case where the property has been brought before a resident magistrate under Article 5(1) of the Protection of Children (Northern Ireland) Order 1978 (S.I. 1978/1047 (N.I. 17)) before the coming into force of those provisions.

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Commencement Information

II S. 40 in force at 1.4.2008 by S.I. 2008/790, art. 3(a)

Changes to legislation:

There are currently no known outstanding effects for the Police and Justice Act 2006, Section 40.