



2001 CHAPTER 8

Enforcement

Forfeiture

19.—(1) This section applies where in any proceedings—

- (a) a court convicts a person of an offence under section 17, and
- (b) an application is made to the court for the forfeiture under this section of any article, thing, receptacle or equipment seized under section 18.

(2) The court may order that any such article, thing, receptacle or equipment produced to the court shall be forfeited under this section and dealt with in such manner as appears appropriate to the court.

(3) Subsections (4) and (5) shall have effect where an order has been made under subsection (3)(b) of section 18 with respect to any article or thing.

(4) If the order made under that subsection did not require the article or thing to be disposed of, the court may order that the article or thing shall be forfeited under this section and dealt with in such manner as appears appropriate to the court.

(5) If the order made under that subsection did require the article or thing to be disposed of, the court may order that the article or thing shall be treated as forfeited under this section and, if the article or thing was disposed of by selling it, that the proceeds of the sale shall be dealt with in such manner as appears appropriate to the court.

(6) The court shall not make an order under this section unless it affords to any person—

- (a) claiming to be the owner of, or otherwise legally interested in, the article, thing, receptacle or equipment, and

(b) applying to the court in that behalf,
an opportunity to show cause why the order should not be made.

(7) If, at the conclusion of the proceedings the court does not order the article, thing, receptacle or equipment to be forfeited under this section, it shall be returned to the person from whom it was seized.