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SCHEDULE

Rule 2

Form 1 **Terrorism Act 2000**

Rule 3

(section 26(1), Rule 3)

Application for Continued Detention of Seized Cash

of	}	Petty Sessions District of
Applicant		
of	}	County Court Division of
Respondent(s)		

Person from whom cash was seized*

Address of that person*

Names and addresses of any other persons likely to be affected by an order for detention of the cash (if known)

Amount seized (estimated**)

Date of seizure

Time of seizure

Place of seizure

(Name of applicant) of

..... (address and official

position of applicant) will apply [at

(place) on (date) at (time)***], for an

order under section 26(1) of the Terrorism Act 2000 authorising the continued detention of the above-mentioned cash and will state upon oath that

(a) there are reasonable grounds for suspecting that the cash is intended to be used for the purposes of terrorism, or that it forms the whole or part of the resources of a proscribed organisation, or that it is the proceeds of the commission of acts of terrorism or the proceeds of acts carried out for the purposes of terrorism, namely—

(state grounds)

.....

and

(b) the continued detention of the cash for a period of (not exceeding the limits referred to in section 26(2) of the Act) is justified

(1) pending completion of an investigation into its origin or derivation**;

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(ii) pending a determination whether to institute criminal proceedings (whether in the United Kingdom or elsewhere) which relate to the cash**.

Dated this day of 20 .
Applicant

- * In the case of a letter, parcel, container or other means of unattended dispatch, insert names, if known, of sender and intended recipient
- ** Delete as appropriate
- *** Details of the time, date and place at which the hearing of the application is to be heard should always be included, unless these details are not known to the applicant.

NOTE TO THE APPLICANT:

- (1) You must give a copy of this application and notification of the hearing of it to the person from whom the cash was seized. The magistrates' court that considers this application will require the facts alleged in it to be sworn on oath and may require the applicant to answer any questions on oath. The magistrates' court may require any statement in response by the person from whom the cash was seized to be given on oath
- (2) A person from whom cash has been seized may, at any time, apply under section 27(3) of the Terrorism Act 2000 to a magistrates' court for the release of the cash.

Form 2 **Terrorism Act 2000**

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(Section 26(1), Rule 5)

Order for Continued Detention of Seized Cash

of	} Applicant	Petty Sessions District of
of		Respondent(s)

Date of hearing

Person from whom money seized*

Address of that person*

Amount seized

Date of seizure

Time of seizure

Place of seizure

Names and addresses of any other persons whom the court has identified as being affected by this order

.....

.....

On the application of (name of applicant), after hearing oral evidence from the applicant [and representations from (name), being the person from whom the cash was seized.]

Decision

It is ordered that the above-mentioned cash be continued to be detained for a period of (state period up to a maximum of three months) from the date of this order or until its release may be sooner directed.

Important

Notice of this order must be given forthwith to the person from whom the cash was seized and any other person specified in this order as being affected by it. Such notice shall be in the prescribed form (Form 3 in the Schedule to the Magistrates' Courts (Terrorism Act 2000) Rules (Northern Ireland) 2001) 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]

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Form 3 Terrorism Act 2000

Rule 5

(section 26(2), Rule 3)

Notice to Persons affected by Order for Continued Detention of Seized Cash

of	}	Petty Sessions District of
Applicant		
of	}	County Court Division of
Respondent(s)		

Cash in the sum of (amount) was seized on (date and time) at (place) from (person from whom seized), and on (date of order) an order was made under section 26(1) of the Terrorism Act 2000 authorising the continued detention of the cash for a period of (state period). A copy of the order is enclosed with this notice

You are being given notice of the order because it appears to the court that you may be affected by it. You may apply to a magistrates' court for the release of the cash under section 27(2) of the Terrorism Act 2000.

At the end of the above-mentioned period of detention an application may be made under section 26(4) of the Terrorism Act 2000 to the appropriate magistrates' court for further detention of the cash. You will be notified by that court if such an application is made, or if any other person makes an application to the court for release of the cash.

Signed

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

Date

Form 4 Terrorism Act 2000

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Rule 6

(section 26(4), Rule 6)

Further Application for Continued Detention of Seized Cash

of	}	Petty Sessions District of
Applicant		
of	}	County Court Division of
Respondent(s)		

Date of order for continued detention of seized cash [order attached]

.....
(Name of applicant) of

.....
..... (Address and official position of applicant)
applies for an order under section 26(4) of the Terrorism Act 2000 authorising the continued detention of cash in the sum of (amount).

Note to the Applicant

This application must wherever possible be submitted to the clerk of petty sessions at least seven days before the expiry of the last period of detention which was ordered by the court. You must attach to this application a copy of the order made in relation to the application under section 26(1), and send copies of both documents to the person from whom the cash was seized and any other person specified in the order made in relation to the application under section 26(1).

Dated this day of 20 .

Signed

Applicant

To: The clerk of petty sessions for the petty sessions district of being the district in which the seizure of cash was made.

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Rule 7

(section 27(3), Rule 7)

Order for release of Detained Cash

of	}	Petty Sessions District of
Applicant		
of	}	County Court Division of
Respondent(s)		

By the magistrates' court sitting at
 (place) on (date). On
 the application of (name of applicant),
 of
 (address of applicant), after hearing oral evidence from
 /representations from

Decision

It is ordered by the court that the sum of together with the interest accruing thereon in accordance with section 27(1) of the Terrorism Act 2000, be released to or to the order of (name) on or before (date not more than 7 days from date of order or such later date as with the agreement of the person from whom the cash has been seized may be specified except where section 27(5) of the Terrorism Act 2000 applies).

Dated this day of 20 ..

Signed

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

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(section 28, Rule 8)

Application for Forfeiture of Cash Seized under section 28 of the Terrorism Act 2000

of	}	Petty Sessions District of
Applicant		
of	}	County Court Division of
Respondent(s)		

(Name of applicant) of
(address and official position of applicant) applies for an order under section 28 of the Terrorism Act 2000 for the forfeiture of cash in the sum of (*amount*) seized on (*date and time*) from (*person from whom seized*), together with any interest accruing thereon pursuant to section 27(1) of that Act, on the grounds that the said cash—

- (i) is intended to be used for the purposes of terrorism and/or*
- (ii) forms the whole or part of the resources of a proscribed organisation, and/or*
- (iii) is the proceeds of the commission of acts of terrorism or the proceeds of acts carried out for the purposes of terrorism.

Dated this day of 20 .

Signed

Applicant

To: The clerk of petty sessions for the petty sessions district of

*Delete as appropriate

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Rule 9

(section 28, Rule 9)

Order for forfeiture of detained cash made under section 28 of the Terrorism Act 2000

of	}	Petty Sessions District of
Applicant		
of	}	County Court Division of
Respondent(s)		

Date of hearing

Person from whom money seized*

Address of that person*

Amount seized

Date of seizure

Time of seizure

Place of seizure

Names and addresses of any other persons whom the court has identified as being affected by the above-mentioned order for continued detention of the cash,

.

.

On the application of (name of applicant), after hearing oral evidence from the applicant [and representations from (name), being the person from whom the cash was seized/a person likely to be affected by the above-mentioned order for continued detention/a person who claims in accordance with section 28(3) of the Terrorism Act 2000 to be the owner of or otherwise interested in any of the cash which is to be forfeited.]

It is ordered that the above-mentioned cash be forfeited.

Note to the Parties to these proceedings

Any party to the proceedings in which this forfeiture order is made except for the applicant for the order may appeal against the order under section 29 of the Act to the county court. The appeal must be brought before the end of the period of 30 days beginning with the date on which this order was made.

Dated this day of 20

Signed

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

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Rule 10

(section 29, Rule 10)

Notice of Appeal to the County Court

of	}	Petty Sessions District of
Appellant		
of	}	County Court Division of
Respondent(s)		

TAKE NOTICE that I, (name of person whose cash is subject to forfeiture order) intend to appeal to county court sitting at (place) on (date) against a forfeiture order made by magistrates' court on (date).

Dated this day of 20.....

Signed Party appealing
[Solicitor or Agent for Party appealing]

To: of (address) and to The Clerk of Petty Sessions for the above-named Petty Sessions District.

Served on (date)

by
(insert manner of service)

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Rule 10

(section 29, Rule 10)

Form of Appeal to County Court

of	}	Petty Sessions District of
Appellant		
of	}	County Court Division of
Respondent(s)		

I CERTIFY that upon the hearing of an application for the forfeiture of cash under section 28 of the Terrorism Act 2000 AN ORDER WAS MADE ON (date), by a magistrates' court of the above district forfeiting the cash of (name of person whose cash is subject to forfeiture order).

This day of 20
Clerk of Petty Sessions

I CERTIFY notice of appeal lodged.

This day of 20
Clerk of Petty Sessions

I CERTIFY that upon the hearing of the said appeal on the day of the county court ordered that

This day of 20
Chief Clerk

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Rule 10

(section 29, Rule 10)

Notice by Clerk of Petty Sessions to Chief Clerk of abandonment of appeal to the County Court

of

Appellant.

of

Respondent(s)



Petty Sessions District of

County Court Division of

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 forfeiture order made by the magistrates' court for the above-named petty sessions district sitting on the day of 20 .

This day of 20 .

Clerk of Petty Sessions

To the Chief Clerk

at

Copy to the Respondent

of

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Rule 11

Section 29(3), Rule 11

Order for Release of Detained Cash (to meet legal expenses)

of	}	Petty Sessions District of
Applicant		
of	}	County Court Division of
Respondent(s)		

By the magistrates' court sitting at
 (place) on (date)
 On the application of (name
 of applicant), of
 (address of applicant), after hearing oral evidence from
 /representations from

Decision

It is directed by the court that the sum of be released to to meet the legal expenses of the applicant in connection with his appeal, in accordance with section 29(1) of the Terrorism Act 2000.

Dated this day of 20 ..

Signed

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