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**Changes to legislation:** There are currently no known outstanding effects for the Protection of Children Act 1978, Cross Heading: Return of property if no forfeiture proceedings. (See end of Document for details)

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## [<sup>F1</sup>SCHEDULE

### FORFEITURE OF INDECENT PHOTOGRAPHS OF CHILDREN

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#### Textual Amendments

**F1** Sch. inserted (1.4.2008) by Police and Justice Act 2006 (c. 48), ss. 39(45), 53(1), **Sch. 11**; S.I. 2008/790, art. 2(c)

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#### Modifications etc. (not altering text)

**C1** Sch. applied (6.4.2010) by Coroners and Justice Act 2009 (c. 25), ss. 67(1)(b), 182(5) (with s. 180, Sch. 22 para. 12(2)); S.I. 2010/816, art. 2, Sch. para. 1

**C1** Sch. applied (3.5.2015) by Serious Crime Act 2015 (c. 9), ss. 69(5)(b), 88(1); S.I. 2015/820, reg. 2(m)

#### *Return of property if no forfeiture proceedings*

- 9 (1) This paragraph applies if, in a case in which a notice of claim has been given, the relevant officer decides—
- (a) not to take proceedings for condemnation of the property, or
  - (b) not to take proceedings for condemnation of a part of the property.
- (2) The relevant officer must return the property or part to the person who appears to him to have a legitimate reason for possessing the property or, if there is more than one such person, to one of those persons.
- (3) Any property required to be returned in accordance with sub-paragraph (2) must be returned as soon as reasonably practicable after the decision not to take proceedings for condemnation.]

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