



# Terrorism Act 2000

## 2000 CHAPTER 11

### PART III

#### TERRORIST PROPERTY

##### *Seizure of terrorist cash*

#### **29 Forfeiture: appeal**

- (1) Subject to subsection (2), any party to proceedings in which a forfeiture order is made under section 28 may appeal—
  - (a) where the order is made by a magistrates' court in England and Wales, to the Crown Court,
  - (b) where the order is made by the sheriff in Scotland, to the Court of Session, or
  - (c) where the order is made by a magistrates' court in Northern Ireland, to the county court.
- (2) An appeal under subsection (1)—
  - (a) must be brought before the end of the period of 30 days beginning with the date on which the forfeiture order was made, and
  - (b) may not be brought by the applicant for the forfeiture order.
- (3) On an application by the appellant, a magistrates' court or the sheriff may order the release of so much of the cash to which the forfeiture order applies as it considers appropriate to enable him to meet his reasonable legal expenses in connection with the appeal.
- (4) An appeal under subsection (1) shall be by way of a rehearing.
- (5) If the court allows the appeal, it may order the release of—
  - (a) the cash to which the forfeiture order applies together with any interest which has accrued, or

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*Status: This is the original version (as it was originally enacted).*

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- (b) where an order has been made under subsection (3), the remaining cash to which the forfeiture order applies together with any interest which has accrued.
- (6) Subsection (7) applies where a successful application for a forfeiture order relies (in whole or in part) on the fact that an organisation is proscribed, and—
- (a) a deproscription appeal under section 5 is allowed in respect of the organisation,
  - (b) an order is made under section 3(3)(b) in respect of the organisation in accordance with an order of the Proscribed Organisations Appeal Commission under section 5(4) (and, if the order is made in reliance on section 123(5), a resolution is passed by each House of Parliament under section 123(5)(b)), and
  - (c) the forfeited cash was seized under section 25 on or after the date of the refusal to deproscribe against which the appeal under section 5 was brought.
- (7) Where this subsection applies an appeal under subsection (1) may be brought at any time before the end of the period of 30 days beginning with the date on which the order under section 3(3)(b) comes into force.