

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

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

### FORFEITURE OF INDECENT PHOTOGRAPHS OF CHILDREN

#### 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)

#### 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)

#### *Notice of claim*

- 5 (1) A person claiming that he has a legitimate reason for possessing the property or a part of it may give notice of his claim to a constable at any police station in the police area in which the property was seized.
- (2) Oral notice is not sufficient for these purposes.
- 6 (1) A notice of claim may not be given more than one month after—
- (a) the date of the giving of the notice of intended forfeiture, or
  - (b) if no such notice has been given, the date on which the property began to be retained under this Schedule (see paragraph 2).
- (2) A notice of claim must specify—
- (a) the name and address of the claimant;
  - (b) a description of the property, or part of it, in respect of which the claim is made;
  - (c) in the case of a claimant who is outside the United Kingdom, the name and address of a solicitor in the United Kingdom who is authorised to accept service, and to act, on behalf of the claimant.
- (3) Service upon a solicitor so specified is to be taken to be service on the claimant for the purposes of any proceedings by virtue of this Schedule.
- (4) In a case in which notice of intended forfeiture was given to different persons on different days, the reference in this paragraph to the day on which that notice was given is a reference—
- (a) in relation to a person to whom notice of intended forfeiture was given, to the day on which that notice was given to that person, and
  - (b) in relation to any other person, to the day on which notice of intended forfeiture was given to the last person to be given such a notice.]

**Changes to legislation:**

There are currently no known outstanding effects for the Protection of Children Act 1978, Cross  
Heading: Notice of claim.