



# Civic Government (Scotland) Act 1982

## 1982 CHAPTER 45

### PART II

#### LICENSING AND REGULATION—PARTICULAR ACTIVITIES

##### *[<sup>F1</sup>Licensing and regulation of knife dealers*

##### **[<sup>F1</sup>27J Forfeiture orders**

- (1) Subsection (2) applies where a person (“the offender”) is convicted of an offence under subsection (A1) or (2) of section 7 in relation to a relevant article—
  - (a) seized by virtue of a warrant granted under section 27E(2); or
  - (b) in the offender's possession or control at the relevant time.
- (2) The court by which the offender is convicted may make an order for forfeiture (a “forfeiture order”) in respect of the relevant article.
- (3) The court may make a forfeiture order—
  - (a) whether or not it also deals with the offender in respect of the offence in any other way; and
  - (b) without regard to any restrictions on forfeiture in any enactment.
- (4) In considering whether to make a forfeiture order, the court must have regard to—
  - (a) the value of the relevant article; and
  - (b) the likely financial and other effects on the offender of the making of the order (taken together with any other order that the court contemplates making).
- (5) In this section—
  - “relevant article” means an article mentioned in any of paragraphs (a) to (d) of subsection (2) of section 27A;
  - “relevant time” means—
    - (a) the time of the offender's arrest for the offence; or
    - (b) the time of his being cited as an accused in respect of the offence.]

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*Status: Point in time view as at 01/06/2009. This version of this provision has been superseded.*

**Changes to legislation:** Civic Government (Scotland) Act 1982, Section 27J is up to date with all changes known to be in force on or before 26 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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#### Textual Amendments

- F1** Ss. 27A-27S and cross-heading inserted (1.11.2007 for specified purposes, 1.6.2009 for specified purposes, 1.9.2009 for specified purposes, 1.6.2010 in so far as not already in force) by [Custodial Sentences and Weapons \(Scotland\) Act 2007 \(asp 17\)](#), **ss. 58, 67(2)**; S.S.I. 2007/431, art. 3, sch., S.S.I. 2009/197, art. 2, Sch.

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