



Drug Trafficking Act 1994

1994 CHAPTER 37

PART I

CONFISCATION ORDERS

Confiscation orders where defendant has absconded or died

- 23 Power to discharge confiscation order and order compensation where absconder returns**
- (1) This section applies where—
- the High Court has made a confiscation order by virtue of section 19(4) of this Act in relation to an absconder;
 - the defendant has ceased to be an absconder; and
 - section 22 of this Act does not apply.
- (2) The High Court may, on the application of the defendant, cancel the confiscation order if it is satisfied that—
- there has been undue delay in continuing the proceedings in respect of which the power under section 19(4) of this Act was exercised; or
 - the prosecutor does not intend to proceed with the prosecution.
- (3) Where the High Court cancels a confiscation order under this section it may, on the application of a person who held property which was realisable property, order compensation to be paid to the applicant in accordance with section 24 of this Act if it is satisfied that the applicant has suffered loss as a result of the making of the confiscation order.