S C H E D U L E S

SCHEDULE 4

FORFEITURE ORDERS

PART I

ENGLAND AND WALES

Proceedings for an offence: timing

11 (1) For the purposes of this Part of this Schedule proceedings for an offence are instituted—

 (a) when a justice of the peace issues a summons or warrant under section 1 of the **M1**Magistrates' Courts Act 1980 in respect of the offence;

 (b) when a person is charged with the offence after being taken into custody without a warrant;

 (c) when a bill of indictment charging a person with the offence is preferred by virtue of section 2(2)(b) of the **M2**Administration of Justice (Miscellaneous Provisions) Act 1933.

 (2) Where the application of sub-paragraph (1) would result in there being more than one time for the institution of proceedings they shall be taken to be instituted at the earliest of those times.

 (3) For the purposes of this Part of this Schedule proceedings are concluded—

 (a) when a forfeiture order has been made in those proceedings and effect has been given to it in respect of all the forfeited property, or

 (b) when no forfeiture order has been made in those proceedings and there is no further possibility of one being made as a result of an appeal (disregarding any power of a court to grant leave to appeal out of time).

Marginal Citations
M1   1980 c. 43.
M2   1933 c. 36.

Status:
Point in time view as at 01/12/2020.

Changes to legislation:
Terrorism Act 2000, Cross Heading: Proceedings for an offence: timing is up to date with all changes known to be in force on or before 31 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.