

**Changes to legislation:** There are currently no known outstanding effects for the Anti-terrorism, Crime and Security Act 2001, Cross Heading: Paragraphs 10G to 10J: appeals. (See end of Document for details)

## S C H E D U L E S

### SCHEDULE 1

#### FORFEITURE OF TERRORIST [<sup>F1</sup>PROPERTY]

##### **Textual Amendments**

- F1** Word in Sch. 1 heading substituted (27.4.2017 for specified purposes, 31.1.2018 in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\), s. 58\(5\)\(6\)](#), [Sch. 5 para. 16\(2\)](#); [S.I. 2018/78, reg. 5\(1\)\(c\)](#)

#### [<sup>F1</sup>PART 4A

#### FORFEITURE OF TERRORIST ASSETS

##### **Textual Amendments**

- F1** Sch. 1 Pt. 4A inserted (27.4.2017 for specified purposes, 30.1.2018 for the insertion of Sch. 1 para. 10G(9), 31.1.2018 in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\), s. 58\(1\)\(6\)](#), [Sch. 3 para. 2](#); [S.I. 2018/78, regs. 2\(h\), 3\(cc\)](#)

#### *Paragraphs 10G to 10J: appeals*

- 10K (1) Any party to proceedings for an order for the forfeiture of property under paragraph 10G may appeal against—

- (a) the making of an order under paragraph 10G;
- (b) the making of an order under paragraph 10J(7);
- (c) a decision not to make an order under paragraph 10G unless the reason that no order was made is that an order was instead made under paragraph 10I;
- (d) a decision not to make an order under paragraph 10J(7).

Paragraphs (c) and (d) do not apply if the application for the order under paragraph 10G was transferred in accordance with paragraph 10J(1)(a) or (b).

- (2) Where an order under paragraph 10I is made by a magistrates' court, any party to the proceedings for the order (including any party to the proceedings under paragraph 10G that preceded the making of the order) may appeal against a decision to include, or not to include, provision in the order under sub-paragraph (6) of paragraph 10I.

- (3) An appeal under this paragraph lies—

- (a) in relation to England and Wales, to the Crown Court;
- (b) in relation to Scotland, to the Sheriff Appeal Court;
- (c) in relation to Northern Ireland, to a county court.

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- (4) An appeal under this paragraph must be made before the end of the period of 30 days starting with the day on which the court makes the order or decision.
- (5) Sub-paragraph (4) is subject to paragraph 10L.
- (6) The court hearing the appeal may make any order it thinks appropriate.
- (7) If the court upholds an appeal against an order forfeiting property, it may order the release of the whole or any part of the property.]

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