



# Forfeiture Act 1870

1870 CHAPTER 23 33 and 34 Vict

**E+W+N.I.**

An Act to abolish Forfeitures for Treason and Felony, and to otherwise amend the Law relating thereto. [4th July 1870]

## Modifications etc. (not altering text)

- C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Preamble omitted under authority of [Statute Law Revision \(No. 2\) Act 1893 \(c. 54\)](#)

## Commencement Information

- I1 Act wholly in force at Royal Assent.

<sup>F1</sup> ..... **E+W+N.I.**

## Textual Amendments

- F1 [Ss. 1, 5](#) repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), [Sch. 1, Pt. I Group 1](#).

## 2 **Conviction for treason or felony to be a disqualification for offices, &c.** **E+W+N.I.**

<sup>F2</sup> . . . if any person hereafter convicted of treason . . . <sup>F3</sup>, shall at the time of such conviction hold any military or naval office, or any civil office under the Crown or other public employment, . . . <sup>F4</sup>, or any place, office, or emolument in any university, college, or other corporation, or be entitled to any pension or superannuation allowance payable by the public, or out of any public fund, such office, . . . <sup>F4</sup>, employment, or place shall forthwith become vacant, and such pension or superannuation allowance or emolument shall forthwith determine and cease to be payable, unless such person shall receive a free pardon from Her Majesty, within two months after such conviction, or before the filling up of such office, . . . <sup>F4</sup>, employment,

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or place if given at a later period; and such person shall become, and (until he shall have suffered the punishment to which he had been sentenced, or such other punishment as by competent authority may be substituted for the same, or shall receive a free pardon from Her Majesty), shall continue thenceforth incapable of holding any military or naval office, or any civil office under the Crown or other public employment, . . . <sup>F4</sup>, or of being elected, or sitting, or voting as a member of either House of Parliament, or of exercising any right of suffrage or other parliamentary or municipal franchise whatever within England, Wales, or Ireland.

**Textual Amendments**

- F2 Words in s. 2 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1**, Pt. I Group1.
- F3 Words repealed by (E.W.) **Criminal Law Act 1967** (c. 58), **Sch. 3 Pt. III** and (N.I.) **Criminal Law (Northern Ireland) Act 1967** (c. 18), **Sch. 2 Pt. II**
- F4 Words repealed by **Ecclesiastical Jurisdiction Measure 1963** (No. 1), **Sch. 5**

**Modifications etc. (not altering text)**

- C3 S. 2 amended by (E.W.) **Criminal Justice Act 1948** (c. 58), **s. 70(2)** and (N.I.) **Criminal Justice Act (Northern Ireland) 1953** (c. 14), **s. 9(2)**
- C4 References to Ireland to be construed as exclusive of Republic of Ireland: S.R. & O. 1923/405 (Rev. X, p. 298: 1923, p. 400), art. 2
- C5 S. 2 repealed (E. W. except as to London) in so far as it relates to members of local authorities by **Local Government Act 1933** (c. 51), **Sch. 10**, **Sch. 11 Pt. IV**; (as to London) in so far as it relates to membership of a local authority by **London Government Act 1939** (c. 40), **Sch. 8** and (N.I.) in so far as it relates to members of a local body by **Local Government (Members and Officers) Act (Northern Ireland) 1964** (c. 14), **Sch.**
- C6 S. 2 modified (14.5.2014) by **House of Lords Reform Act 2014** (c. 24), **ss. 6(2)(a)**, 7(3)

3 ..... <sup>F5</sup> **E+W+N.I.**

**Textual Amendments**

- F5 S. 3 repealed by (E.W.) **Costs in Criminal Cases Act 1908** (c. 15), **Sch.** and (N.I.) **Criminal Justice Act (Northern Ireland) 1945** (c. 15), **Sch. 4**

4 **Compensation to persons defrauded or injured by felony.** **E+W+N.I.**

It shall be lawful for any such Court as aforesaid, if it shall think fit, upon the application of any person aggrieved, and immediately after the conviction of any person for felony, to award any sum of money, not exceeding one hundred pounds, by way of satisfaction or compensation for any loss of property suffered by the applicant through or by means of the said felony, and the amount awarded for such satisfaction or compensation shall be deemed a judgment debt due to the person entitled to receive the same from the person so convicted, and the order for payment of such amount may be enforced in such and the same manner as in the case of any costs ordered by the Court to be paid under the last preceding section of this Act.

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**Modifications etc. (not altering text)**

- C7 “Court as aforesaid means the court by which judgment was pronounced or recorded
- C8 S. 4 repealed (E.W.) by Administration of Justice Act 1970 (c. 31), **Sch. 11** and Criminal Justice Act 1972 (c. 71), **Sch. 6 Pt. II**; amended (N.I.) by Criminal Law Act (Northern Ireland) 1967 (c. 18), **Sch. 1 para. 17** and Road Traffic Act (Northern Ireland) 1970 (c. 2), **s. 180**

<sup>F6</sup>5 ..... **E+W+N.I.**

**Textual Amendments**

- F6 Ss. 1, 5 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1**, Pt. I Group 1.

6—30. .... <sup>F7</sup> **E+W+N.I.**

**Textual Amendments**

- F7 Ss. 6—30 repealed by (E.W.) Criminal Justice Act 1948 (c. 58) Sch. 10 Pt. I and (N.I.) Criminal Justice Act (Northern Ireland) 1953 (c. 14), **Sch. 3**

31 ..... <sup>F8</sup> **E+W+N.I.**

**Textual Amendments**

- F8 S. 31 repealed by Statute Law Revision Act 1883 (c. 39)

32 ..... <sup>F9</sup> **E+W+N.I.**

**Textual Amendments**

- F9 S. 32 repealed by (E.W.) Criminal Law Act 1967 (c. 58) Sch. 3 Pt. III and (N.I.) Criminal Law Act (Northern Ireland) 1967 (c. 18), **Sch. 2 Pt. II**

33 **Extent of Act.** **E+W+N.I.**

This Act shall not apply to Scotland.

**Changes to legislation:**

There are currently no known outstanding effects for the Forfeiture Act 1870.