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STATUTORY INSTRUMENTS

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**1995 No. 1447**

**The Counterfeit and Pirated Goods  
(Consequential Provisions) Regulations 1995**

4.—(1) Section 139 of, and Schedule 3 to, the Customs and Excise Management Act 1979<sup>(1)</sup> (detention, seizure and condemnation of goods) shall apply in respect of any goods liable to forfeiture under regulation 2 above as they apply in respect of goods liable to forfeiture under the customs and excise Acts; and, accordingly—

- (a) section 144 of the said Act (protection of officers, etc., in relation to seizure and detention of goods) shall apply in respect of seizure or detention effected by virtue of this paragraph; and
- (b) sections 145, 146 and 152 to 155 of the said Act (general provisions as to condemnation proceedings) shall apply in respect of condemnation proceedings brought by virtue of this paragraph.

(2) Where in any condemnation proceedings brought by virtue of paragraph (1) above any question arises as to whether or not any goods are or were liable to forfeiture under regulation 2 above, the burden of proof shall lie upon the party alleging that they are not or were not so liable.