

SCHEDULES

[^{F1}SCHEDULE 1A

FREE DISTRIBUTION OF PRINTED MATTER ON DESIGNATED

F1 Sch. 1A inserted (1.4.2012) by [Clean Neighbourhoods and Environment Act \(Northern Ireland\) 2011](#) (c. 23), [ss. 21\(3\)](#), 78; S.R. 2012/13, Sch. 2

Seizure of material

6.—(1) Where it appears to an authorised officer of a district council that a person distributing any printed matter is committing an offence under paragraph 1, he may seize all or any of it.

(2) Any person claiming to own any printed matter seized under this paragraph may apply to a court of summary jurisdiction for an order that the printed matter be released to him.

(3) On an application under sub-paragraph (2), if the court of summary jurisdiction considers that the applicant does own the printed matter, the court shall order the district council to release it to him, except to the extent that the court considers that the council needs to retain it for the purposes of proceedings relating to an offence under paragraph 1.

(4) Any printed matter seized under this paragraph (and not released under sub-paragraph (3)) shall be returned to the person from whom it is seized—

- (a) at the conclusion of the proceedings for the offence (unless the court orders otherwise);
- (b) at the end of the period in which proceedings for the offence may be instituted, if no such proceedings have been instituted in that period (or have been instituted but discontinued).

(5) Where it is not possible to return any printed matter under sub-paragraph (4) because the name and address of the person from whom it was seized are not known, a district council may dispose of it or destroy it.]

Changes to legislation:

There are currently no known outstanding effects for the The Litter (Northern Ireland) Order 1994, Cross Heading: Seizure of material.