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SCHEDULE

Rule 4

Form 1 Anti-terrorism, Crime and Security Act 2001 Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules (Northern Ireland) 2002 (paragraph 3(5) of Schedule 1, Rule 4) Application for Continued Detention of Seized Cash

of	} Applicant.	Petty Sessions District of
of		County Court Division of
	} Respondent(s)	

Person from whom cash was seized\* .....

Address of that person\* .....

Names and addresses of any other persons likely to be affected by an order for detention of the cash (if known) .....

Amount seized (estimated\*\*) .....

Date of seizure .....

Time of seizure .....

Place of seizure .....

(Name of applicant) ..... of

..... (Address and official position of applicant) will apply [at

(place) on .. . . . . (date) at .. . . . . (time)\*\*\*)], for an order under paragraph 3(2) of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 authorising the continued detention of the above-mentioned cash and will state upon oath that one of the grounds below is satisfied:

- \*\*1. There are reasonable grounds for suspecting that the cash is intended to be used for the purposes of terrorism and that either
  - (a) its continued detention is justified while its intended use is further investigated or consideration is given to bringing (in the United Kingdom or elsewhere) proceedings against any person for an offence with which the cash is connected, or
  - (b) proceedings against any person for an offence with which the cash is connected have been started and have not been concluded;
- \*\*2. There are reasonable grounds for suspecting that the cash consists of resources of an organisation which is a proscribed organisation and that either—



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of	}	Petty Sessions District of
Applicant		
of	}	County Court Division of
Respondent(s)		

Date of hearing .....

Person from whom cash seized\* .....

Address of that person\* .....

Amount seized (estimated\*\*) .....

Date of seizure .....

Time of seizure .....

Place of seizure .....

Date of latest order for continued detention of seized cash (if any) .....

Amount detained under latest order for continued detention (if any) .....

Amounts released since the latest order for continued detention (if any) .....

Names and addresses of any other persons whom the court has identified as being affected by this order .....

.....

.....

On the application of ..... (*name of applicant*), after hearing oral evidence from the applicant [and representations from ..... (*name*), being the person from whom the cash was seized/a person likely to be affected by the order].

*Decision*

It is ordered that the above-mentioned cash be continued to be detained for a period of ..... (*state period up to a maximum of three months from from the date of this order, and not beyond the end of a period of two years from the date of the first order*) from the date of this order or until its release may be sooner directed.

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**Important**

Notice of this order must be given forthwith to the person from whom the cash was seized and any other person specified in this order as being affected by it. Such notice shall be in the prescribed form (Form 3 in the Schedule to the Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules (Northern Ireland) 2002) and shall be accompanied by a copy of this order.

Dated this                      day of                      20   .

Signed

[Resident Magistrate]  
[Justice of the Peace]  
[Clerk of Petty Sessions]

- \* In the case of a letter, parcel, container or other means of unattended dispatch, insert names and addresses, if known, of sender and intended recipient.
- \*\* Delete as appropriate.

Form 3The Anti-terrorism, Crime and Security Act 2001Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules (Northern Ireland) 2002(*paragraph 3(4) of Schedule 1, Rule 6*)Notice to Persons Affected by Order for Continued Detention of Seized Cash

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Rule 6

of	}	Petty Sessions District of
Applicant		
of	}	County Court Division of
Respondent(s)		

Cash in the sum of . . . . . (*amount*) was seized on . . . . . (*date and time*) at . . . . . (*place*) from . . . . . (*person from whom seized\**) (in the case of a letter, parcel, container or other means of unattended dispatch, insert names and addresses, if known, of sender and intended recipient), and on . . . . . (*date of order*) an order was made under paragraph 3(2) of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 authorising the continued detention of the cash for a period of . . . . . (*state period*). A copy of the order is enclosed with this notice.

You are being given notice of the order because it appears to the court that you may be effected by it.

The person from whom the cash was seized may apply for the release of the detained cash or any part of it under paragraph 5(2) of Schedule 1 to that Act. If the cash was in a letter, parcel, container or other means of unattended dispatch the sender or the intended recipient may make the application.

A person who claims that—

- (i) any cash detained or any part of it belongs to him;
- (ii) that he was deprived of it or of property which it represents by criminal conduct; and
- (iii) that the property he was deprived of was not, immediately before he was deprived of it, properly obtained by or in return from criminal conduct and nor did it represent such property,

may apply for the release of the detained cash or part of it under paragraph 9(1) of Schedule 1 to that Act. Such a person may apply to the court to be joined as a party to proceedings.

An application under paragraph 5(2) or paragraph 9(1) of Schedule 1 should be made in writing, should state the grounds on which it is made and should be lodged with the clerk of petty sessions.

At the end of the above-mentioned period of detention an application may be made for the further detention of the cash. An application may be made for forfeiture

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of the cash. You will be notified if an application is made, or if any other person makes an application to the court for the release of the detained cash.

Signed

[Resident Magistrate]  
[Justice of the Peace]  
[Clerk of Petty Sessions]

Date

\* In the case of a letter, parcel, container or other means of unattended dispatch, insert names and addresses, if known, of sender and intended recipient.

Form 4Anti-terrorism, Crime and Security Act 2001Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules (Northern Ireland) 2002(*paragraph 3(5) of Schedule 1, Rule 7*)Further Application for Continued Detention of Seized Cash

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of	}	Applicant	Perty Sessions District of
of		Respondent(s)	County Court Division of

Date of order for continued detention of seized cash | order attached | .....

.....  
(Name of applicant) ..... of

..... (address and official position of applicant)

applies for an order under paragraph 3(2) of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 authorising the continued detention of cash in the sum of ...  
..... (amount) and will state upon oath that one of the three grounds below is satisfied:

- \*\*1. There are reasonable grounds for suspecting that the cash is intended to be used for the purposes of terrorism and that either—
  - (a) its continued detention is justified while its intended use is further investigated or consideration is given to bringing (in the United Kingdom or elsewhere) proceedings against any person for an offence with which the cash is connected, or
  - (b) proceedings against any person for an offence with which the cash is connected have been started and have not been concluded;
- \*\*2. There are reasonable grounds for suspecting that the cash consists of resources of an organisation which is a proscribed organisation and that either
  - (a) its continued detention is justified while investigation is made into whether or not it consists of such resources or consideration is given to bringing (in the United Kingdom or elsewhere) proceedings against any person for an offence with which the cash is connected, or
  - (b) proceedings against any person for an offence with which the cash is connected have been started and have not been concluded;
- \*\*3. There are reasonable grounds for suspecting that cash is property earmarked as terrorist property and that either—
  - (a) its continued detention is justified while its derivation is further investigated or consideration is given to bringing (in the United Kingdom

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or elsewhere) proceedings against any person for an offence with which the cash is connected or;

(b) proceedings against any person for an offence with which the cash is connected have been started and have not been concluded.

(state grounds)

*Note to the Applicant.*

This application must wherever possible be submitted to the clerk of petty sessions at least seven days before the expiry of the last period of detention which was ordered by the court. You must attach to this application a copy of any order made in relation to the previous applications under paragraph 3(5) of Schedule 1, and send copies of both documents to the person from whom the cash was seized and any other person specified in any order made in relation to the previous applications under paragraph 3(5) of Schedule 1.

Dated this                      day of                      20 .

Signed

Applicant

To: The clerk of petty sessions for the petty sessions district of . . . . . being the district in which the seizure of cash was made.

Form 5 Anti-terrorism, Crime and Security Act 2001 Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules (Northern Ireland) 2002 (paragraph 5(2) of Schedule 1, Rule 8) Direction for Release of Detained Cash under paragraph 5(2) of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001



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of  
 Applicant  
 of  
 Respondent(s)

} Petty Sessions District of  
 }  
 } County Court Division of

By the magistrates' court sitting at .....  
 (place) on ..... (date). On  
 the application of ..... (name of applicant),  
 of .....  
 (address of applicant), after hearing oral evidence from .....  
 ..... /representations from .....

*Decision*

It is directed by the court that the sum of ..... which represents the whole/part\*  
 of the sum seized, together with the interest accruing thereon in accordance with  
 paragraph 4(1) of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 be  
 released to or to the order of ..... (name) on or before .....  
 ..... (date not more than 7 days from date of order or such later date as with  
 the agreement of the person from whom the cash has been seized may be specified)  
 Cash is not to be released under this direction where paragraph 5(4) of Schedule 1  
 to the Anti-terrorism, Crime and Security Act 2001 applies.

Dated this ..... day of ..... 20 ..

Signed

[Resident Magistrate]  
 [Justice of the Peace]  
 [Clerk of Petty Sessions]

\* Delete as appropriate

Form 6 Anti-terrorism, Crime and Security Act 2001 Magistrates' Courts (Detention and Forfeiture  
 of Terrorist Cash) Rules (Northern Ireland) 2002 (paragraph 9(3) of Schedule 1, Rule 8) Order for  
 Release of Detained Cash under paragraph 9(3) of Schedule 1 to the Anti-Terrorism, Crime and  
 Security Act 2001

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Rule 8

of  
 Applicant  
 of  
 Respondent(s)

} Petty Sessions District of  
 County Court Division of

By the magistrates' court sitting at ..... (place) on ..... (date). On the application of ..... (name of applicant), of ..... (address of applicant), after hearing oral evidence from ..... representations from .....

It appears to the court that the sum below—

- (i) belongs to the applicant;
- (ii) that the applicant was deprived of it or of property which it represents by criminal conduct, and
- (iii) that the property the applicant was deprived of was not, immediately before he was deprived of it, property obtained by or in return for criminal conduct and nor did it represent such property.

Decision

It is ordered that the sum of . . . . . which represents the whole/part\* of the sum seized, together with any interest accruing thereon in accordance with paragraph 4(1) of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001, be released to or to the order of (name) . . . . . on or before . . . . . (date not more than 7 days from date of order or such later date as with the agreement of the applicant may be specified)

Dated this . . . . . day of . . . . . 20 . . . . .

Signed

[Resident Magistrate]  
[Justice of the Peace]  
[Clerk of Petty Sessions]

Form 7 Anti-terrorism, Crime and Security Act 2001 Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules (Northern Ireland) 2002 (paragraph 6(1) of Schedule 1, Rule 9) Application for Forfeiture of Seized Cash

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of	}	Petty Sessions District of
Applicant		
of	}	County Court Division of
Respondent(s)		

(Name of applicant) ..... of .....  
 ..... (address and official position of applicant) applies for an order under paragraph 6 of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 for the forfeiture of cash in the sum of ..... (amount) seized on ..... (date and time) from ..... (person from whom seized\*\*), together with any interest accruing thereon pursuant to paragraph 4(1) of Schedule 1 to that Act on the grounds that the said cash—

- (i) is intended to be used for the purposes of terrorism, and/or\*\*
  - (ii) consists of the resources of an organisation which is a proscribed organisation, and/or\*\*
  - (iii) is or represents property obtained through terrorism (ie is property earmarked as terrorist property within the meaning of Part 5 of Schedule 1 to that Act)\*\*.
- (State grounds)

Dated this                      day of                      20 .

Signed

Applicant

\* In the case of a letter, parcel, container or other means of unattended dispatch, insert names and addresses, if known, of sender and intended recipient.

\*\* Delete as appropriate

To: The clerk of petty sessions for the petty sessions district of .....

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Rule 10

of \_\_\_\_\_  
 Applicant  
 of \_\_\_\_\_  
 Respondent(s)

} Petty Sessions District of \_\_\_\_\_  
 }  
 } County Court Division of \_\_\_\_\_

Date of hearing .....  
 Person from whom money seized\* .....  
 Address of that person\* .....  
 Amount seized .....  
 Date of seizure .....  
 Time of seizure .....  
 Place of seizure .....  
 Date of latest order for continued detention of seized cash (if any) .....  
 Amount detained under latest order for continued detention (if any) .....  
 Amounts released since the latest order for continued detention (if any) .....  
 On the application of ..... (name of applicant), after  
 hearing oral evidence from the applicant [and representations from .....  
 (name), being the person from whom the cash was seized/a person likely to be  
 affected by the above-mentioned order for continued detention].  
 It is ordered that the whole/part\*\* of above-mentioned cash be forfeited.  
 Sum forfeited

*Note to the Parties to these proceedings*

Any party to the proceedings in which this forfeiture order is made may appeal against the order under paragraph 7 of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 to a county court. The appeal must be brought before the end of the period of 30 days beginning with the date on which this order was made.

Dated this      day of      20      .

Signed

[Resident Magistrate]  
[Justice of the Peace]  
[Clerk of Petty Sessions]

\* In the case of a letter, parcel, container or other means of unattended dispatch. Insert names and addresses, if known, of sender and intended recipient.

\*\* Delete as appropriate

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Rule 11

of  
 Appellant.  
 of  
 Respondent(s)

} Petty Sessions District of  
 }  
 } County Court Division of

TAKE NOTICE that I, *(name of appellant)* intend  
 to appeal to *county court sitting at (place) on*  
*(date)* against a forfeiture order made by *magistrates'*  
 court on *(date)*,

Dated this *day* of *20 .*

Signed *Party appealing*  
 [Solicitor or Agent for Party appealing]

To: *of (address)*

and to the Clerk of Petty Sessions for the above-named Petty Sessions District

Served on *(date)*

by

*(insert manner of service)*

Form 10Anti-terrorism, Crime and Security Act 2001Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules (Northern Ireland) 2002(*paragraph 7(11) of Schedule 1, Rule 11*)Form of Appeal to County Court

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Rule 11

of	}	Petty Sessions District of
Appellant		
of	}	County Court Division of
Respondent(s)		

I CERTIFY that upon the hearing of an application for the forfeiture of cash under paragraph 6(2) of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001, AN ORDER WAS MADE ON (date), by a magistrates' court for the above district forfeiting the cash of (the name of person whose cash is subject to forfeiture order).

This day of 20  
Clerk of Petty Sessions

I CERTIFY notice of appeal lodged.

This day of 20  
Clerk of Petty Sessions

I CERTIFY that upon hearing of the said appeal on the day of , the county court ordered that

This day of 20  
Chief Clerk

Form 11 Anti-terrorism, Crime and Security Act 2001 Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules (Northern Ireland) 2002 (paragraph 7(1) of Schedule 1, Rule 12) Notice by Clerk of Petty Sessions to Chief Clerk of abandonment of appeal to the County Court

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Rule 12

of	}	Petty Sessions District of
Appellant.		
of	}	County Court Division of
Respondent(s)		

THIS IS TO GIVE YOU NOTICE that I have received from the above-named Appellant notice that he has abandoned his appeal to the county court against a forfeiture order made by the magistrates' court for the above-named petty sessions district sitting on the            day of            20            .

This            day of            20            .

Clerk of Petty Sessions

To the Chief Clerk

at

Copy to the Respondent

of