SCHEDULE Rule 4

Form 1Anti-terrorism, Crime and Security Act 2001Magistrates' 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		1							
		1	Petty	Sessi	ons I	Distric	lof:		
	Applicant.								
of	Respondent(s)	$\int$	Coun	ly Co	unt D	ivisio	n of		
Person from whom	n cash was seized*	٠,							
	rson*								
detention of the ca	sses of any other pash (if known)	· · ·							
	· · · · · · · · · · · · · · · · · · ·								
Amount seized (es	•								
	n)								
	nii) will apply [at								
( <i>place</i> ) on order under paragi Act 2001 authorisi	(d. raph 3(2) of Scheduing the continued di at one of the ground	<i>hte</i> ) a de 1 t etentio	t o the A on of fl	nti-ter w abo	roris ve-it	 m, C.	(time) cime a	(****], and So	for an curity
**1. There are i	reasonable erounds	for s	uspectu	ne tha	ı the	cash	is in	lended	i to be

- \*\*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 each is properly 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 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 eash is connected have been started and have not been concluded.(state grounds)

Dated this day of 20

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.
- \*\*\* Details of the time, date and place at which the hearing of the application is to be heard should always be included, unless these details are not known to the applicant.

## NOTE TO THE APPLICANT.

(1) You must give a copy of this application and notification of the hearing of it to the person from whom the eash was seized. The magistrates' court that considers this application will require the facts alleged in it to be sworn on eath and may require the applicant to answer any questions on eath. The magistrates' court may require any statement in response by the person from whom the eash was seized to be given on eath.

Form 2The Anti-Terrorism, Crime and Security Act 2001Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules (Northern Ireland) 2002(paragraph 3(2) of Schedule 1, Rule 6)Order/Further Order for Continued Detention of Seized Cash

of Petty Sessions District of Applicant ofRespondent(s) Date of hearing ........ Person from whom each seized\* Amount seized (estimated\*\*) . . . Date of setzure Time of scizure . . . Place of serzure 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 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 eash 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.

### Important

Notice of this order must be given forthwith to the person from whom the eash 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

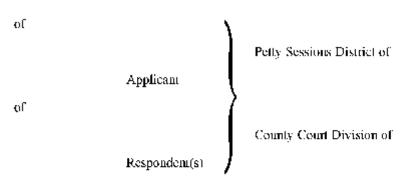
20 .

## 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



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 be was deprived of was not, immediately before he was deprived of it, property 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 eash. An application may be made for forfeiture

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.

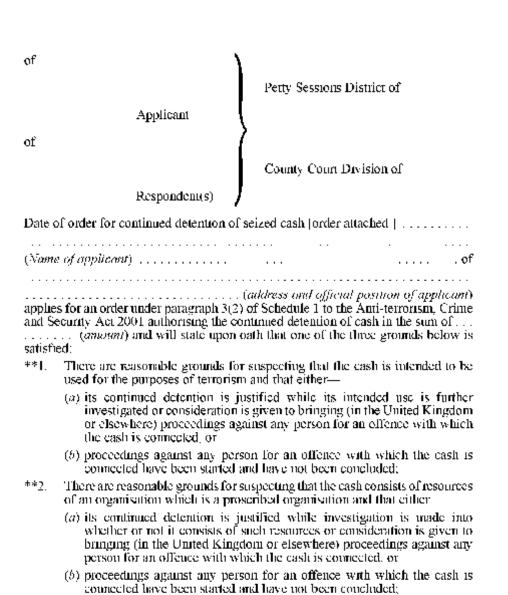
# Signed

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

#### Date

\* In the case of a letter, parcel, container or other means of unautended 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



There are reasonable grounds for suspecting that cash is property earmarked.

 (a) its continued detention is justified while its derivation is further investigated or consideration is given to bringing (in the United Kingdom

as terrorist property and that either-

- 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.

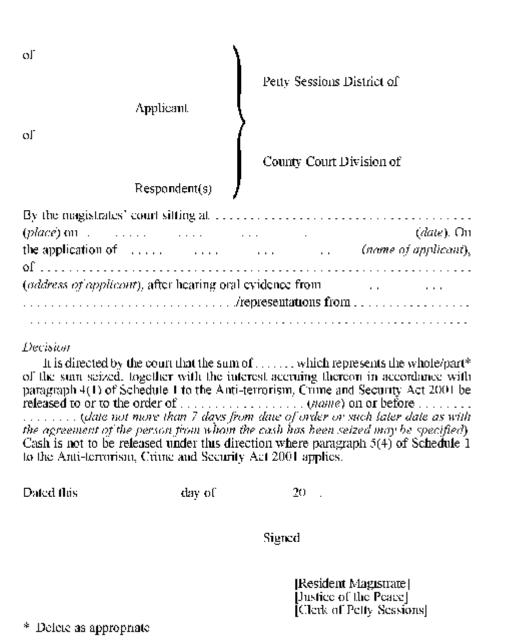
Dated this day of 20 .

Signed

Applicant

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

Form 5Anti-terrorism, Crime and Security Act 2001Magistrates' 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

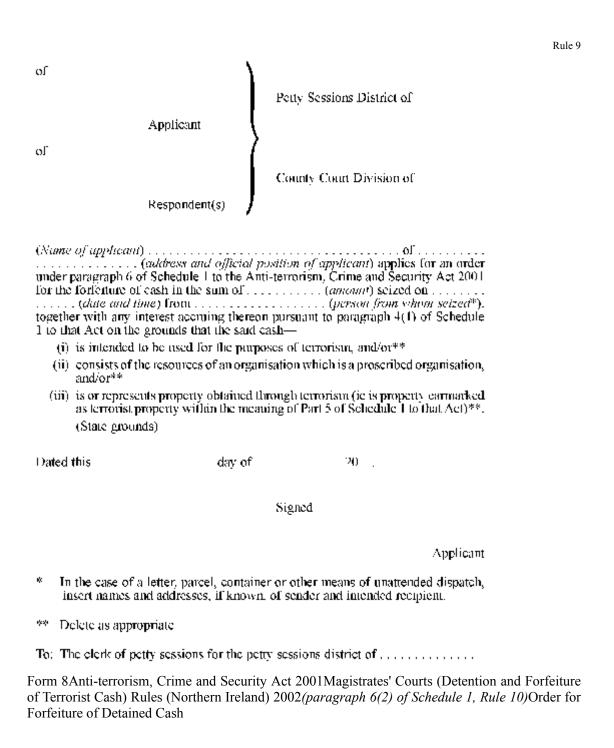


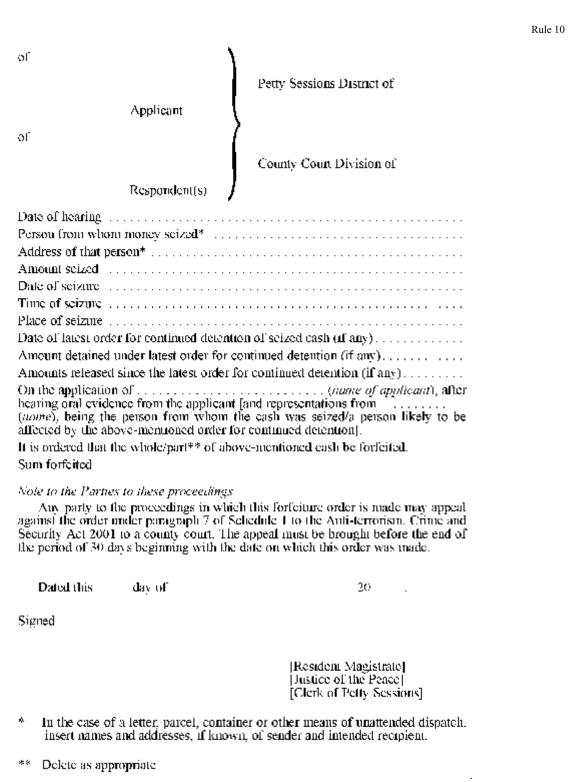
Form 6Anti-terrorism, Crime and Security Act 2001Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules (Northern Ireland) 2002(paragraph 9(3) of Schedule 1, Rule 8)Order for Release of Detained Cash under paragraph 9(3) of Schedule 1 to the Anti-Terrorism, Crime and Security Act 2001

Rule 8 oΓ Petty Sessions District of Applicant. of County Count Division of Respondent(s) By the magistrates' court sitting at (place) on (name - (alate)). On the application of (name - (alate))of applicant), after hearing oral evidence from . . . . . /representations It appears to the court that the sum below— belongs to the applicant; (ii) that the applicant was deprived of it or of property which it represents by eriminal 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 serzed, together with any interest accrumg 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]

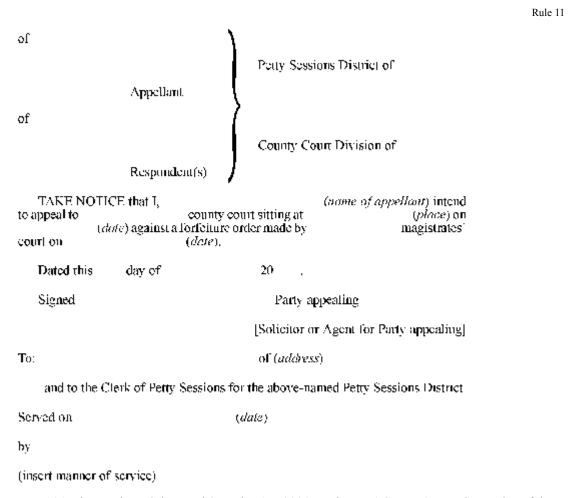
Form 7Anti-terrorism, Crime and Security Act 2001Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules (Northern Ireland) 2002(paragraph 6(1) of Schedule 1, Rule 9)Application for Forfeiture of Seized Cash

[Clerk of Petty Sessions]

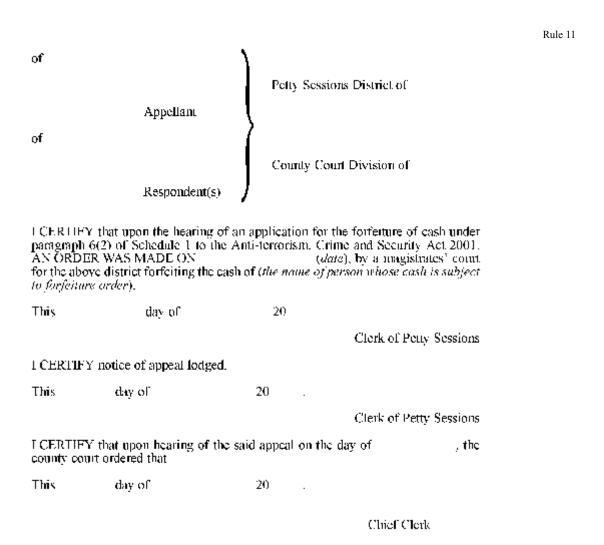




Form 9Anti-terrorism, Crime and Security Act 2001Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules (Northern Ireland) 2002(paragraph 7(1) of Schedule 1, Rule 11)Notice of Appeal to the County Court



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



Form 11Anti-terrorism, Crime and Security Act 2001Magistrates' 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

Copy to the Respondent

of

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

