

*Status: Point in time view as at 06/04/2018.*

*Changes to legislation: Customs and Excise Management Act 1979, Cross Heading: Condemnation is up to date with all changes known to be in force on or before 30 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 3

#### PROVISIONS RELATING TO FORFEITURE

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

- C1 Sch. 3 extended by S.I. 1987/1521, **reg. 3(2)**; 1987/2105, reg. 5(1) and 1988/1476, art. 5(1)
- C1 Sch. 3 amended by S.I. 1988/1852 (N.I. 19), **art. 4(2)**
- C1 Sch. 3 extended (E.W.S.) by Scotch Whisky Act 1988 (c. 22, SIF 109:1), **s. 1(4)**
- C1 Sch. 3 extended (01.01.1992) by S.I. 1991/2724, **reg. 10(1)**  
Sch. 3 extended (01.01.1992) by S.I. 1991/2725, **reg. 6(1)**
- C1 Sch. 3 extended (01.01.1992) by S.I. 1991/2727, **reg. 7(1)**
- C1 Sch. 3 applied (23.6.1993) by S.I. 1993/1353, **reg. 4(1)**  
Sch. 3 applied (1.7.1995) by S.I. 1995/1447, **reg. 4(1)**
- C1 Sch. 3 applied (1.7.2004) by The Goods Infringing Intellectual Property Rights (Customs) Regulations 2004 (S.I. 2004/1473), **regs. 1, 7(1)** (with reg. 2(3))
- C1 Sch. 3 applied (10.1.2012) by The Postal Packets (Revenue and Customs) Regulations 2011 (S.I. 2011/3036), **regs. 1, 20(2)** (with regs. 8, 25)
- C1 Sch. 3 applied (with modifications) (6.4.2018) by The Soft Drinks Industry Levy (Enforcement) Regulations 2018 (S.I. 2018/264), **regs. 1(1), 2, Sch.** (with regs. 3-5)

##### *Condemnation*

- 5 If on the expiration of the relevant period under paragraph 3 above for the giving of notice of claim in respect of any thing no such notice has been given to the Commissioners, or if, in the case of any such notice given, any requirement of paragraph 4 above is not complied with, the thing in question shall be deemed to have been duly condemned as forfeited.
- 6 Where notice of claim in respect of any thing is duly given in accordance with paragraphs 3 and 4 above, the Commissioners shall take proceedings for the condemnation of that thing by the court, and if the court finds that the thing was at the time of seizure liable to forfeiture the court shall condemn it as forfeited.
- 7 Where any thing is in accordance with either of paragraphs 5 or 6 above condemned or deemed to have been condemned as forfeited, then, without prejudice to any delivery up or sale of the thing by the Commissioners under paragraph 16 below, the forfeiture shall have effect as from the date when the liability to forfeiture arose.

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