



# Terrorism Act 2000

## 2000 CHAPTER 11

### PART III

#### TERRORIST PROPERTY

##### *[<sup>F1</sup>Forfeiture*

VALID FROM 18/06/2009

##### <sup>F1</sup>[ <sup>F2</sup>23B] **Forfeiture: supplementary provisions**

- (1) Before making an order under section 23 or 23A, a court must give an opportunity to be heard to any person, other than the convicted person, who claims to be the owner or otherwise interested in anything which can be forfeited under that section.
- (2) In considering whether to make an order under section 23 or 23A in respect of any property, a court shall have regard to—
  - (a) the value of the property, and
  - (b) the likely financial and other effects on the convicted person of the making of the order (taken together with any other order that the court contemplates making).
- (3) A court in Scotland must not make an order under section 23 or 23A except on the application of the prosecutor—
  - (a) in proceedings on indictment, when the prosecutor moves for sentence, and
  - (b) in summary proceedings, before the court sentences the accused;and for the purposes of any appeal or review, an order under either of those sections made by a court in Scotland is a sentence.
- (4) Schedule 4 makes further provision in relation to forfeiture orders under section 23 or 23A.]]

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*Status: Point in time view as at 14/10/2005. This version of this provision is not valid for this point in time.*

*Changes to legislation: Terrorism Act 2000, Section 23B is up to date with all changes known to be in force on or before 23 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)*

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#### Textual Amendments

- F1** S. 23 and preceding cross-heading substituted (18.6.2009) for s. 23 by Counter-Terrorism Act 2008 (c. 28), **ss. 34, 100(5)** (with s. 101(2)); S.I. 2009/1256, **art. 2(c)**
- F2** S. 23B inserted (18.6.2009) by Counter-Terrorism Act 2008 (c. 28), **ss. 36, 100(5)** (with s. 101(2)); S.I. 2009/1256, **art. 2(c)**

**Status:**

Point in time view as at 14/10/2005. This version of this provision is not valid for this point in time.

**Changes to legislation:**

Terrorism Act 2000, Section 23B is up to date with all changes known to be in force on or before 23 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.