

Status: This is the original version (as it was originally made).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

SCHEDULE

Rule 1(2)(b)

FORMS

FORM A *Application for Continued Detention of Seized Cash (Criminal Justice (International Co-operation) Act 1990 s.25(2))*

Status: This is the original version (as it was originally made).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

Rule 1(2)(b)

SCHEDULE

FORMS

FORM A

Application for Continued Detention of Seized Cash (Criminal Justice (International Co-operation) Act 1990 s.25(2))

.....Magistrates' Court

.....Code

Date.....

Person from whom cash seized*

Address.....*

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

Date of seizure

Time of seizure.....

Place of seizure.....

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

.....
applies for an order under section 25(2) of the Criminal Justice (International Co-operation) Act 1990 authorising the continued detention of the above-mentioned cash and will state upon oath that

(a) there are reasonable grounds for suspecting that it directly or indirectly represents any person's proceeds of, or is intended by any person for use in, drug trafficking, namely- (state grounds)

and

(b) the continued detention of the cash for a period ofis justified while-

- (i) its origin or derivation is further investigated,**
- (ii) consideration is given to the institution of criminal proceedings against any person for an offence with which the cash is connected.**

Note:

A copy of this application must be given to the person from whom the cash was seized. The justice of the peace who considers this application will require the facts alleged in it to be sworn under oath and may require the applicant to answer any questions under oath. The justice may require any statement in response by the person from whom the cash was seized to be given under oath.

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

** Delete as appropriate

FORM B Order for Continued Detention of Seized Cash (Criminal Justice (International Co-operation) Act 1990 s.25(2))

Status: This is the original version (as it was originally made).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

FORM B

Order for Continued Detention of Seized Cash (Criminal Justice (International Co-operation) Act 1990 s.25(2))

.....Magistrates' Court

.....Code

Date.....

Person from whom money seized.....*

Address.....*

Amount seized.....

Date of seizure.....

Time of seizure.....

Place of seizure.....

On the application of.....(name of applicant), after hearing oral evidence from the applicant/representations from(name), being the person from whom the cash was seized,

Decision. It is ordered that the above-mentioned cash be further detained for a period of (state period up to a maximum of three months) from the date of this order or until its release may be sooner directed.

Notice of this order must be given forthwith by the applicant to any person appearing to him to be affected by it. Such notice shall be in the form set out overleaf, and shall be accompanied by a copy of this order.

Justice of the Peace

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

NOTICE TO PERSONS AFFECTED BY ORDER FOR CONTINUED DETENTION OF SEIZED CASH

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

NOTICE TO PERSONS AFFECTED BY ORDER FOR CONTINUED DETENTION OF SEIZED CASH

Cash in the sum of.....(amount) was seized on(date and time).....at (place) from(person from whom seized), and on(date of order) an order was made under section 25(2) of the Criminal Justice (International Co-operation) Act 1990 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 that you may be affected by it. You may be able to apply for the release of the cash under section 25(5) of the Criminal Justice (International Co-operation) Act 1990.

At the end of the above-mentioned period of detention an application may be made for its further detention. You will be notified by the court if such an application is made, or if any other person makes an application to the court for release of the cash.

Signed.....

Date.....

FORM C Application for Further Detention of Seized Cash (Criminal Justice (International Co-operation) Act 1990 s.25(3))

5013

SI 1991/1923

FORM C

Application for Further Detention of Seized Cash (Criminal Justice (International Co-operation) Act 1990 s.25(3))

.....Magistrates' Court
.....Code

Date.....
Date of order for continued detention of seized cash
(Name of applicant).....of
(address and official position of applicant) applies for an order under section 25(3) of the Criminal Justice (International Co-operation) Act 1990 authorising the further detention of cash in the sum of(amount).

To: The Clerk to the Justices
.....Magistrates' Court

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

FORM D *Direction for Release of Detained Cash (Criminal Justice (International Co-operation) Act 1990 s.25(2))*

5014 MAGISTRATES' COURTS

FORM D

Direction for Release of Detained Cash (Criminal Justice (International Co-operation) Act 1990 s.25(2))

Magistrates' Court Code

Date.....

On the application of (name of applicant).....
of (address of applicant).....
after hearing oral evidence from...../representations from.....

Decision. It is directed that the sum of..... together with the interest accruing thereon in accordance with section 27 of the Criminal Justice (International Co-operation) Act 1990, 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).

Justice of the Peace

FORM E *Application for Forfeiture of Cash Seized Under Section 25 Criminal Justice (International Co-operation) Act 1990 (Criminal Justice (International Co-operation) Act 1990 s.26(1))*

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

FORM E

Application for Forfeiture of Cash Seized Under Section 25 Criminal Justice (International Co-operation) Act 1990 (Criminal Justice (International Co-operation) Act 1990 s.26(1))

.....Magistrates' Court

.....Code

Date.....

(Name of applicant)of

(address and official position of applicant) applies for an order under section 26(1) of the Criminal Justice (International Co-operation) Act 1990 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 section 27 of that Act, on the grounds that the said cash

- (i) directly or indirectly represents any person's proceeds of drug trafficking, and/or
- (ii) is intended by any person for use in drug trafficking. *

To: The Clerk to the Justices

.....Magistrates' Court

* Delete as appropriate