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STATUTORY INSTRUMENTS

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**1994 No. 3154**

**The Magistrates' Courts (Miscellaneous  
Amendments) Rules 1994**

**The Magistrates' Courts (Detention and Forfeiture of Drug Trafficking Cash) Rules 1991**

3. The Magistrates' Courts (Detention and Forfeiture of Drug Trafficking Cash) Rules 1991(1) shall be amended as follows—

(a) after rule 9, there shall be inserted the following rule—

**“Appeal against order forfeiting cash**

**9A.**—(1) An application under section 44(4) of the Drug Trafficking Act 1994(2) for the release of cash to meet the appellant’s legal expenses shall be made in writing and shall contain the name and address of the solicitor instructed by the appellant and the amount requested to be released, together with any evidence in support of the application.

(2) A copy of the written application under paragraph (1) above shall be served by the appellant on the complainant.

(3) The clerk of the magistrates' court who receives such an application shall fix a date for the hearing of the application, shall notify the appellant thereof, and shall notify any persons to whom notice of forfeiture was given.

(4) A direction for the release of cash under section 44(4) of the Drug Trafficking Act 1994 shall be in Form F.”;

(b) In rule 12(1), after the words “under section 26 thereof” there shall be inserted the words, “or under section 44 of the Drug Trafficking Act 1994”;

(c) In the Schedule, at the end there shall be added the form in the Schedule to this Order.