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STATUTORY INSTRUMENTS

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**2017 No. 1291**

**The Magistrates' Courts (Detention and Forfeiture of Cash) (Amendment) Rules 2017**

**Applications for the release of detained cash**

**6.** In rule 6—

(a) in paragraph (1)—

- (i) for “section 297(3)” substitute “sections 297(3), 297F(3)”; and
- (ii) omit “designated officer for the local justice area of the”;

(b) in paragraph (2), for “designated officer who” substitute “court which”;

(c) for paragraph (3) substitute—

“(3) The court shall send a copy of the application to—

- (a) the Commissioners of Her Majesty’s Revenue and Customs, if the cash which is the subject of the application was seized by an officer of Revenue and Customs;
- (b) the Director of the SFO if the cash which is the subject of the application was seized by a SFO officer;
- (c) the Director General of the National Crime Agency, if the cash which is the subject of the application was seized by a National Crime Agency officer who is designated under section 10 of the Crime and Courts Act 2013<sup>(1)</sup>;
- (d) the chief officer of the police force to which the constable belongs, if the cash which is the subject of the application was seized by a constable;
- (e) the chief officer of the police force concerned, if the cash which is the subject of the application was seized by an accredited financial investigator who is—
  - (i) a member of the civilian staff of a police force, including the metropolitan police force, (within the meaning of Part 1 of the Police Reform and Social Responsibility Act 2011<sup>(2)</sup>), or
  - (ii) a member of staff of the City of London police force;
- (f) the solicitor acting for the Secretary of State, if the cash which is the subject of the application was seized by an immigration officer;
- (g) the solicitor acting for a government department, if the cash which is the subject of the application was seized by an accredited financial investigator who is a member of staff of that government department, but who is not an officer of Revenue and Customs, a constable or an immigration officer;
- (h) the employer of an accredited financial investigator, if the cash which is the subject of the application was seized by that accredited financial investigator, and the employer is not otherwise mentioned in this paragraph;

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(1) 2013 c. 22.  
(2) 2011 c. 13.

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

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- (i) the Director of Public Prosecutions, where the Director has given notification under rule 8B; and
  - (j) every person to whom notice of the most recent order made under section 295(2) of the Act must be given.”;
- (d) in paragraph (4)—
- (i) for “justices’ clerk” substitute “court”;
  - (ii) for “he directs” substitute “directed”; and
  - (iii) omit “the designated officer”; and
- (e) in paragraph (7) after “section 297(2)” insert “or section 297F(2)”.