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STATUTORY INSTRUMENTS

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**2017 No. 1295**

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

**First application for the continued detention of seized cash**

**4.** In rule 4—

(a) in paragraph (1)—

(i) for “may be made in Form A and may be” substitute “must be in writing and must be”; and

(ii) for “justices’ clerk for the local justice area in which the cash was seized” substitute “court before which the applicant wishes to make the application”;

(b) after paragraph (1) insert—

“(1A) But where the reasonable grounds for suspicion which led to the seizure of cash to which an application under paragraph 3(5) of Schedule 1 relates are connected to—

(a) the reasonable grounds for suspicion which led to the seizure of other cash or property to which a previous order made under paragraph 3(2) or 10D(1) of Schedule 1 relates; or

(b) the reasonable grounds for suspicion which led to the making of a previous account freezing order under paragraph 10S(2) of Schedule 1,

then the application may be sent to any court which made a previous order listed in subparagraph (a) or (b).”;

(c) in paragraph (2), for “A copy” substitute “Except where paragraph (3) or (4A) applies, a copy”;

(d) after paragraph (3) insert—

“(3A) But where paragraph (3) applies the applicant is not required to send copies of the written application and notification of the hearing to a sender or intended recipient who cannot be identified.”;

(e) after rule 4(4) insert—

“(4A) Where unattended cash is seized (other than where the cash is found in a means of unattended dispatch) the applicant need not give a copy of the written application and notification of the hearing to any person.

(4B) The applicant must inform the court of any person known to be affected by the order, as soon as practicable after that person is so identified.”;

(f) in paragraph (6), for “justices’ clerk” substitute “court”.