

Changes to legislation: There are currently no known outstanding effects for the Anti-terrorism, Crime and Security Act 2001, Paragraph 5A. (See end of Document for details)

SCHEDULES

SCHEDULE 1

FORFEITURE OF TERRORIST ^[F1]PROPERTY]

Textual Amendments

- F1** Word in Sch. 1 heading substituted (27.4.2017 for specified purposes, 31.1.2018 in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), s. 58(5)(6), [Sch. 5 para. 16\(2\)](#); S.I. 2018/78, reg. 5(1)(c)

^[F1]PART 2A

FORFEITURE OF TERRORIST CASH WITHOUT COURT ORDER

Textual Amendments

- F1** Sch. 1 Pt. 2A inserted (27.4.2017 for specified purposes, 30.1.2018 for the insertion of Sch. 1 para. 5A(10), 31.1.2018 in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), [ss. 38\(4\)](#), [58\(1\)\(6\)](#); S.I. 2018/78, regs. 2(d), 3(u)

Cash forfeiture notice

- 5A (1) This paragraph applies while any cash is detained in pursuance of an order under paragraph 3(2).
- (2) A senior officer may give a notice for the purpose of forfeiting the cash or any part of it if satisfied that the cash or part is terrorist cash.
- (3) A notice given under sub-paragraph (2) is referred to in this Schedule as a cash forfeiture notice.
- (4) A cash forfeiture notice must—
- state the amount of cash in respect of which it is given,
 - state when and where the cash was seized,
 - confirm that the senior officer is satisfied as mentioned in sub-paragraph (2),
 - specify a period for objecting to the proposed forfeiture and an address to which any objections must be sent, and
 - explain that the cash will be forfeited unless an objection is received at that address within the period for objecting.
- (5) The period for objecting must be at least 30 days starting with the day after the notice is given.
- (6) The Secretary of State must by regulations made by statutory instrument make provision about how a cash forfeiture notice is to be given.

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- (7) The regulations may (amongst other things) provide—
- (a) for a cash forfeiture notice to be given to such person or persons, and in such manner, as may be prescribed;
 - (b) for a cash forfeiture notice to be given by publication in such manner as may be prescribed;
 - (c) for circumstances in which, and the time at which, a cash forfeiture notice is to be treated as having been given.
- (8) The regulations must ensure that where a cash forfeiture notice is given it is, if possible, given to every person to whom notice of an order under paragraph 3(2) in respect of the cash has been given.
- (9) A statutory instrument containing regulations under this paragraph is subject to annulment in pursuance of a resolution of either House of Parliament.
- (10) In this Part of this Schedule—
- “senior officer” means—
- (a) a senior police officer;
 - (b) an officer of Revenue and Customs of a rank designated by the Commissioners for Her Majesty's Revenue and Customs as equivalent to that of a senior police officer;
 - (c) an immigration officer of a rank designated by the Secretary of State as equivalent to that of a senior police officer;
- “senior police officer” means a police officer of at least the rank of superintendent.]

Changes to legislation:

There are currently no known outstanding effects for the Anti-terrorism, Crime and Security Act 2001, Paragraph 5A.