

**2002 No. 12**

**MAGISTRATES' COURTS**

**Magistrates' Courts (Detention and Forfeiture of Terrorist Cash)  
Rules (Northern Ireland) 2002**

*Made* . . . . . 19th January 2002

*Coming into operation* . . . . . 11th February 2002

The Lord Chancellor, in exercise of the powers conferred on him by Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981(a), on the advice of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice, hereby makes the following Rules:—

*Citation and commencement*

**1.** These Rules may be cited as the Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules (Northern Ireland) 2002 and shall come into operation on 11th February 2002.

*Revocation*

**2.** The Magistrates' Courts (Terrorism Act 2000) Rules (Northern Ireland) 2001(b) are hereby revoked.

*Interpretation*

**3.** In these Rules—

(a) "the Act" means the Anti-terrorism, Crime and Security Act 2001(c) and a reference to a Schedule by number alone is a reference to the Schedule so numbered in the Act and expressions used have the same meaning as in Schedule 1; and

(b) any reference to the clerk of petty sessions is a reference to the clerk of petty sessions for the petty sessions district in which the seizure of cash under Schedule 1 was made.

*Application for continued detention of seized cash*

**4.—(1)** A first application under paragraph 3(5) of Schedule 1 for an order under paragraph 3(2) of Schedule 1 for continued detention of cash seized under paragraph 2 of Schedule 1 shall be made to a magistrates' court in writing in Form 1.

(2) The applicant shall give—

(a) a copy of the application under paragraph (1); and

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(a) S.I. 1981/1675 (N.I. 26)

(b) S.R. 2001 No. 65

(c) 2001 c. 24

(b) notification of the hearing of the application;  
to the person from whom the cash was seized.

*Unattended parcels and other containers*

5. In rules 4, 7 and 8, references to the person from whom the cash was seized include references to the sender and the intended recipient, where this is known, of a letter, parcel, container or other means of unattended dispatch, but a magistrates' court shall not decline to hear an application in such a case solely on the ground that it has not been proved that the sender or intended recipient has received a copy of the application and notification of hearing under rule 4(2).

*Order and notice of order for continued detention of seized cash*

6.—(1) An order made under paragraph 3(2) of Schedule 1 shall be in Form 2.

(2) Notice of any order made under paragraph 3(2) of Schedule 1 shall be given forthwith by the court to the person from whom the cash was seized and to any other person who is affected by, and specified in, the said order. Notice shall be in Form 3 and shall be accompanied by a copy of the order.

*Further applications for continued detention of seized cash*

7.—(1) An application under paragraph 3(5) of Schedule 1 for a further order under paragraph 3(2) of Schedule 1 for the continued detention of cash shall be made in writing in Form 4 and shall be lodged with the clerk of petty sessions and shall be accompanied by a copy of the relevant order for continued detention.

(2) A copy of the application under paragraph (1) shall be given by the applicant to the person from whom cash was seized and to any other person affected by, and specified in, the order made in relation to the previous application under paragraph 3(5) of Schedule 1.

(3) The clerk of petty sessions who receives an application in accordance with paragraph (1) shall fix a date for the hearing of the application, shall notify the applicant and every person to whom notice of the order for continued detention has been given of the date fixed for the hearing which, unless the clerk of petty sessions directs otherwise in any particular case, shall not be within seven days of the date on which the application is received.

(4) A further order for continued detention of cash made under paragraph 3(2) of Schedule 1 shall be in Form 2 and shall be given by the clerk of petty sessions to every person to whom the notice of the order for continued detention has been given.

*Applications for release of detained cash*

8.—(1) An application under paragraph 5(2) or paragraph 9(1) of Schedule 1 for the release of detained cash shall be made in writing, shall state the grounds on which it is made, and shall be lodged with the clerk of petty sessions.

(2) The clerk of petty sessions who receives an application in accordance with paragraph (1) shall fix a date for the hearing of the application, shall notify the applicant and every person to whom notice of the order for continued detention has been given of the date fixed for the hearing which, unless the clerk of petty sessions directs otherwise in any particular case, shall not be within seven days of the date on which the application is received.

(3) The clerk of petty sessions shall in addition give a copy of the written application to every person, other than the applicant, to whom notice of the order for continued detention has been given.

(4) A direction under paragraph 5(2) of Schedule 1 for the release of detained cash shall be in Form 5, and shall provide for the release of the cash within seven days of the date of the direction, or such longer period as with the agreement of the person from whom the cash was seized may be specified in the direction, except that the cash shall not be released while paragraph 5(4) of Schedule 1 applies.

(5) An order under paragraph 9(3) of Schedule 1 for the release of detained cash shall be in Form 6, and shall provide for the release of the cash within seven days of the date of the making of the order or such longer period as with the agreement of the applicant may be specified in the order.

#### *Forfeiture*

**9.**—(1) An application under paragraph 6(1) of Schedule 1 for the forfeiture of detained cash shall be made in writing in Form 7 and shall be lodged with the clerk of petty sessions.

(2) A copy of the application under paragraph (1) shall be given by the applicant to the person from whom cash was seized and to any other person affected by, and specified in, the order made in relation to the previous application under paragraph 3(5) of Schedule 1.

(3) The clerk of petty sessions who receives such an application shall fix a date for the hearing, shall notify the applicant and every person to whom notice of an order for continued detention has been given of the hearing date. Unless the clerk of petty sessions directs otherwise in any particular case, the date for hearing shall not be within seven days of the date on which the application is received.

#### *Order for forfeiture of detained cash*

**10.** An order for the forfeiture of detained cash made by a magistrates' court under paragraph 6(2) of Schedule 1 shall be in Form 8 and a copy of the order shall be given to every person to whom notice of the order for continued detention was given.

#### *Appeal against order forfeiting cash*

**11.**—(1) Where an appeal against a forfeiture order is made to a county court under paragraph 7(1) of Schedule 1 the appellant shall, within the period prescribed by paragraph 7 of Schedule 1, serve on every person to whom notice of the order for continued detention of the cash was given notice of

his appeal in writing in Form 9 and shall within the said period serve a copy of such notice on the clerk of petty sessions.

(2) The notice of appeal to be served on the parties and the copy of the notice to be served on the clerk of petty sessions under paragraph (1) shall be prepared and signed by the appellant or by his solicitor or other duly authorised agent and shall contain his address or that of his solicitor or other duly authorised agent.

(3) The copy of the notice served on the clerk of petty sessions shall be endorsed with the date upon which and the manner in which the notice was served.

(4) As soon as practicable after the clerk of petty sessions has received the notice of appeal, the resident magistrate or justice of the peace from whose order the appeal is to be brought or the clerk of petty sessions shall in Form 10 (“the form of appeal”) set out the terms of the order appealed against and that form shall include a certificate signed by the clerk of petty sessions to the effect that notice of appeal has been given.

(5) As soon as practicable after complying with the above paragraphs, the clerk of petty sessions shall—

(a) send to the chief clerk for the county court division in which the appeal will be heard, the copy of the notice of appeal and the form of appeal duly completed; and

(b) send to the appellant and to the respondent a copy of the form of appeal.

(6) After the county court has decided an appeal under paragraph 7(1) of Schedule 1, the chief clerk for the county court division for which that county court is held shall, within seven days of that decision, certify the decision at the foot of the form of appeal and shall transmit the form of appeal to the clerk of petty sessions, who shall enter the decision in his Order Book.

(7) Any notice of abandonment of an appeal under paragraph 7(1) of Schedule 1 shall be in Form 11.

#### *Application for compensation*

**12.**—(1) An application under paragraph 10(1) of Schedule 1 for compensation shall be made in writing and shall be lodged with the clerk of petty sessions and shall specify the grounds on which it is made.

(2) The clerk of petty sessions shall send a copy of the application to—

(a) the Commissioners for Customs and Excise, if the cash which is the subject of the application was seized by a customs officer;

(b) the Chief Constable, if the cash which is the subject of the application was seized by a constable;

(c) the Secretary of State, if the cash which is the subject of the application was seized by an immigration officer.

(3) The clerk of petty sessions who receives an application in accordance with paragraph (1) shall fix a date for the hearing of the application and shall notify the applicant and the person referred to in paragraph (2) of the date

fixed for the hearing which, unless the clerk of petty sessions directs otherwise in any particular case, shall not be within seven days of the date on which the application is received.

*Joinder*

**13.** At any hearing of an application under paragraph 3(5), paragraph 5(2), paragraph 6(1) or paragraph 9(1) of Schedule 1, or on the application of any person affected by an order for continued or further detention, the court may, if it thinks fit, order that such a person be joined as a party to the proceedings and, if the court so orders, otherwise than at such a hearing, the clerk of petty sessions shall give notice to the other parties of the joinder.

*Notice*

**14.**—(1) Any notice, notification, copy of any order or any other document required to be given to any person under the provisions of rule 6(2), 7(3) and (4), 8(2) and (3), 9(3), 11(5)-(7), 12 or 13 may be given by ordinary first class post to his last known address.

(2) A notice under rule 11(1) shall be served in accordance with section 24(2) of the Interpretation Act (Northern Ireland) 1954(a).

*Procedure at hearings*

**15.**—(1) At the hearing of an application under Schedule 1 to the Act any person to whom notice of the application has been given, or should have been given, may attend and be heard on the question whether the application should be granted, but the fact that any such person does not attend shall not prevent the court from hearing the application.

(2) At the hearing of an application under Schedule 1 to the Act, the court shall require the matters contained in the application to be sworn by the applicant under oath, may require the applicant to answer any questions under oath and may require any response from the respondent to the application to be made under oath.

(3) The court shall record or cause to be recorded in writing the substance of any statements made under oath which are not already recorded in the written application.

**16.** The Magistrates' Courts Rules (Northern Ireland) 1984(b) shall have effect subject to the provisions of these Rules.

Dated 19th January 2002.

*Irvine of Lairg, C.*

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(a) 1954 c. 33 (N.I.)  
(b) S.R. 1984 No. 225

**Anti-terrorism, Crime and Security Act 2001**

**Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules  
(Northern Ireland) 2002**

*(paragraph 3(5) of Schedule 1, Rule 4)*

**Application for Continued Detention of Seized Cash**

of	}	Petty Sessions District of
Applicant		
of	}	County Court Division of
Respondent(s)		

Person from whom cash was seized\* .....

Address of that person\* .....

Names and addresses of any other persons likely to be affected by an order for detention of the cash (if known) .....

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

Date of seizure .....

Time of seizure .....

Place of seizure .....

(Name of applicant) .....of

.....(address and official

position of applicant) will apply [at .....

(place) on ..... (date) at ..... (time)\*\*\*], for an

order under paragraph 3(2) of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 authorising the continued detention of the above-mentioned cash and will state upon oath that one of the grounds below is satisfied:

\*\*1. There are reasonable grounds for suspecting that the cash is intended to be used for the purposes of terrorism and that either—

- (a) its continued detention is justified while its intended use is further investigated or consideration is given to bringing (in the United Kingdom or elsewhere) proceedings against any person for an offence with which the cash is connected, or
- (b) proceedings against any person for an offence with which the cash is connected have been started and have not been concluded;

\*\*2. There are reasonable grounds for suspecting that the cash consists of resources of an organisation which is a proscribed organisation and that either—

(a) its continued detention is justified while investigation is made into whether or not it consists of such resources or consideration is given to bringing (in the United Kingdom or elsewhere) proceedings against any person for an offence with which the cash is connected, or

(b) proceedings against any person for an offence with which the cash is connected have been started and have not been concluded;

\*\*3. There are reasonable grounds for suspecting that cash is properly earmarked as terrorist property and that either—

(a) its continued detention is justified while its derivation is further investigated or consideration is given to bringing (in the United Kingdom or elsewhere) proceedings against any person for an offence with which the cash is connected, or

(b) proceedings against any person for an offence with which the cash is connected have been started and have not been concluded.

(state grounds)

Dated this            day of                            20            .

Applicant

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

\*\* Delete as appropriate.

\*\*\* Details of the time, date and place at which the hearing of the application is to be heard should always be included, unless these details are not known to the applicant.

*NOTE TO THE APPLICANT:*

- (1) You must give a copy of this application and notification of the hearing of it to the person from whom the cash was seized. The magistrates' court that considers this application will require the facts alleged in it to be sworn on oath and may require the applicant to answer any questions on oath. The magistrates' court may require any statement in response by the person from whom the cash was seized to be given on oath.

**The Anti-Terrorism, Crime and Security Act 2001**

**Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules  
(Northern Ireland) 2002**

*(paragraph 3(2) of Schedule 1, Rule 6)*

**Order/Further Order for Continued Detention of Seized Cash**

of

Applicant



Petty Sessions District of

of

Respondent(s)

County Court Division of

- Date of hearing .....
- Person from whom cash seized\* .....
- Address of that person\* .....
- Amount seized (estimated\*\*) .....
- Date of seizure .....
- Time of seizure .....
- Place of seizure .....
- Date of latest order for continued detention of seized cash (if any) .....
- Amount detained under latest order for continued detention (if any) .....
- Amounts released since the latest order for continued detention (if any) .....
- Names and addresses of any other persons whom the court has identified as being affected by this order .....
- .....
- .....

On the application of ..... (*name of applicant*), after hearing oral evidence from the applicant [and representations from ..... (*name*), being the person from whom the cash was seized/a person likely to be affected by the order].

*Decision*

It is ordered that the above-mentioned cash be continued to be detained for a period of ..... (*state period up to a maximum of three months from from the date of this order, and not beyond the end of a period of two years from the date of the first order*) from the date of this order or until its release may be sooner directed.



*Important*

Notice of this order must be given forthwith to the person from whom the cash was seized and any other person specified in this order as being affected by it. Such notice shall be in the prescribed form (Form 3 in the Schedule to the Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules (Northern Ireland) 2002) and shall be accompanied by a copy of this order.

Dated this                      day of                      20   .

Signed

[Resident Magistrate]  
[Justice of the Peace]  
[Clerk of Petty Sessions]

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

**The Anti-terrorism, Crime and Security Act 2001**

**Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules  
(Northern Ireland) 2002**

*(paragraph 3(4) of Schedule 1, Rule 6)*

**Notice to Persons Affected by Order for Continued Detention of Seized Cash**

of

Applicant

of

Respondent(s)



Petty Sessions District of

County Court Division of

Cash in the sum of . . . . . (*amount*) was seized on . . . . . (*date and time*) at . . . . . (*place*) from . . . . . (*person from whom seized\**) (in the case of a letter, parcel, container or other means of unattended dispatch, insert names and addresses, if known, of sender and intended recipient), and on . . . . . (*date of order*) an order was made under paragraph 3(2) of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 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 to the court that you may be effected by it.

The person from whom the cash was seized may apply for the release of the detained cash or any part of it under paragraph 5(2) of Schedule 1 to that Act. If the cash was in a letter, parcel, container or other means of unattended dispatch the sender or the intended recipient may make the application.

A person who claims that—

- (i) any cash detained or any part of it belongs to him;
- (ii) that he was deprived of it or of property which it represents by criminal conduct; and
- (iii) that the property he was deprived of was not, immediately before he was deprived of it, property obtained by or in return from criminal conduct and nor did it represent such property,

may apply for the release of the detained cash or part of it under paragraph 9(1) of Schedule 1 to that Act. Such a person may apply to the court to be joined as a party to proceedings.

An application under paragraph 5(2) or paragraph 9(1) of Schedule 1 should be made in writing, should state the grounds on which it is made and should be lodged with the clerk of petty sessions.

At the end of the above-mentioned period of detention an application may be made for the further detention of the cash. An application may be made for forfeiture

of the cash. You will be notified if an application is made, or if any other person makes an application to the court for the release of the detained cash.

Signed

[Resident Magistrate]  
[Justice of the Peace]  
[Clerk of Petty Sessions]

Date

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

**Anti-terrorism, Crime and Security Act 2001**

**Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules  
(Northern Ireland) 2002**

*(paragraph 3(5) of Schedule 1, Rule 7)*

**Further Application for Continued Detention of Seized Cash**

of

Applicant

of

Respondent(s)



Petty Sessions District of

County Court Division of

Date of order for continued detention of seized cash [order attached ] . . . . .

*(Name of applicant)* . . . . . of

*(address and official position of applicant)*

applies for an order under paragraph 3(2) of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 authorising the continued detention of cash in the sum of . . . . . *(amount)* and will state upon oath that one of the three grounds below is satisfied:

- \*\*1. There are reasonable grounds for suspecting that the cash is intended to be used for the purposes of terrorism and that either—
  - (a) its continued detention is justified while its intended use is further investigated or consideration is given to bringing (in the United Kingdom or elsewhere) proceedings against any person for an offence with which the cash is connected, or
  - (b) proceedings against any person for an offence with which the cash is connected have been started and have not been concluded;
- \*\*2. There are reasonable grounds for suspecting that the cash consists of resources of an organisation which is a proscribed organisation and that either—
  - (a) its continued detention is justified while investigation is made into whether or not it consists of such resources or consideration is given to bringing (in the United Kingdom or elsewhere) proceedings against any person for an offence with which the cash is connected, or
  - (b) proceedings against any person for an offence with which the cash is connected have been started and have not been concluded;
- \*\*3. There are reasonable grounds for suspecting that cash is property earmarked as terrorist property and that either—
  - (a) its continued detention is justified while its derivation is further investigated or consideration is given to bringing (in the United Kingdom

or elsewhere) proceedings against any person for an offence with which the cash is connected, or;

(b) proceedings against any person for an offence with which the cash is connected have been started and have not been concluded.

(state grounds)

*Note to the Applicant:*

This application must wherever possible be submitted to the clerk of petty sessions at least seven days before the expiry of the last period of detention which was ordered by the court. You must attach to this application a copy of any order made in relation to the previous applications under paragraph 3(5) of Schedule 1, and send copies of both documents to the person from whom the cash was seized and any other person specified in any order made in relation to the previous applications under paragraph 3(5) of Schedule 1.

Dated this                      day of                      20 .

Signed

Applicant

To: The clerk of petty sessions for the petty sessions district of . . . . . being the district in which the seizure of cash was made.

**Anti-Terrorism, Crime and Security Act 2001**

**Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules  
(Northern Ireland) 2002**

*(paragraph 5(2) of Schedule 1, Rule 8)*

**Direction for Release of Detained Cash under paragraph 5(2) of Schedule 1 to  
the Anti-terrorism, Crime and Security Act 2001**

of

Applicant

of

Respondent(s)



Petty Sessions District of

County Court Division of

By the magistrates' court sitting at .....  
*(place)* on ..... *(date)*. On  
the application of ..... *(name of applicant)*,  
of .....  
*(address of applicant)*, after hearing oral evidence from .....  
...../representations from .....  
.....

*Decision*

It is directed by the court that the sum of ..... which represents the whole/part\*  
of the sum seized, together with the interest accruing thereon in accordance with  
paragraph 4(1) of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 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)*.  
Cash is not to be released under this direction where paragraph 5(4) of Schedule 1  
to the Anti-terrorism, Crime and Security Act 2001 applies.

Dated this                      day of                      20 .

Signed

[Resident Magistrate]  
[Justice of the Peace]  
[Clerk of Petty Sessions]

\* Delete as appropriate

**Anti-Terrorism, Crime and Security Act 2001**

**Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules  
(Northern Ireland) 2002**

*(paragraph 9(3) of Schedule 1, Rule 8)*

**Order for Release of Detained Cash under paragraph 9(3) of Schedule 1 to  
the Anti-Terrorism, Crime and Security Act 2001**

of	}	Petty Sessions District of
Applicant		
of	}	County Court Division of
Respondent(s)		

By the magistrates' court sitting at ..... (*place*) on .....  
..... (*date*). On the application of ..... (*name  
of applicant*), of ..... (*address  
of applicant*), after hearing oral evidence from ..... /representations  
from .....

It appears to the court that the sum below—

- (i) belongs to the applicant;
- (ii) that the applicant was deprived of it or of property which it represents by criminal conduct; and
- (iii) that the property the applicant was deprived of was not, immediately before he was deprived of it, property obtained by or in return for criminal conduct and nor did it represent such property.

*Decision*

It is ordered that the sum of ..... which represents the whole/part\* of the sum seized, together with any interest accruing thereon in accordance with paragraph 4(1) of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001, 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 applicant may be specified*)

Dated this ..... day of ..... 20 ..

Signed

[Resident Magistrate]  
[Justice of the Peace]  
[Clerk of Petty Sessions]

**Anti-terrorism, Crime and Security Act 2001**

**Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules  
(Northern Ireland) 2002**

*(paragraph 6(1) of Schedule 1, Rule 9)*

**Application for Forfeiture of Seized Cash**

of

Applicant

of

Respondent(s)



Petty Sessions District of

County Court Division of

*(Name of applicant)* . . . . . of . . . . .  
. . . . . *(address and official position of applicant)* applies for an order  
under paragraph 6 of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001  
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 paragraph 4(1) of Schedule  
1 to that Act on the grounds that the said cash—

- (i) is intended to be used for the purposes of terrorism, and/or\*\*
  - (ii) consists of the resources of an organisation which is a proscribed organisation,  
and/or\*\*
  - (iii) is or represents property obtained through terrorism (ie is property earmarked  
as terrorist property within the meaning of Part 5 of Schedule 1 to that Act)\*\*.
- (State grounds)

Dated this                      day of                      20 .

Signed

Applicant

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

\*\* Delete as appropriate

To: The clerk of petty sessions for the petty sessions district of . . . . .



**Anti-terrorism, Crime and Security Act 2001  
Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules  
(Northern Ireland) 2002**

*(paragraph 6(2) of Schedule 1, Rule 10)*

**Order for Forfeiture of Detained Cash**

of

Applicant

of

Respondent(s)



Petty Sessions District of

County Court Division of

Date of hearing .....

Person from whom money seized\* .....

Address of that person\* .....

Amount seized .....

Date of seizure .....

Time of seizure .....

Place of seizure .....

Date of latest order for continued detention of seized cash (if any) .....

Amount detained under latest order for continued detention (if any) .....

Amounts released since the latest order for continued detention (if any) .....

On the application of ..... *(name of applicant)*, after hearing oral evidence from the applicant [and representations from ..... *(name)*], being the person from whom the cash was seized/a person likely to be affected by the above-mentioned order for continued detention].

It is ordered that the whole/part\*\* of above-mentioned cash be forfeited.

Sum forfeited

*Note to the Parties to these proceedings*

Any party to the proceedings in which this forfeiture order is made may appeal against the order under paragraph 7 of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 to a county court. The appeal must be brought before the end of the period of 30 days beginning with the date on which this order was made.

Dated this      day of                                  20      .

Signed

[Resident Magistrate]  
[Justice of the Peace]  
[Clerk of Petty Sessions]

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

\*\* Delete as appropriate

**Anti-terrorism, Crime and Security Act 2001  
Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules  
(Northern Ireland) 2002**

*(paragraph 7(1) of Schedule 1, Rule 11)*

**Notice of Appeal to the County Court**

of

Appellant

of

Respondent(s)



Petty Sessions District of

County Court Division of

TAKE NOTICE that I, *(name of appellant)* intend  
to appeal to *(date)* county court sitting at *(place)* on  
court on *(date)* against a forfeiture order made by magistrates'

Dated this *(day)* day of *(month)* 20 *(year)* .

Signed *(Signature)* Party appealing

[Solicitor or Agent for Party appealing]

To: *(Name)* of *(address)*

and to the Clerk of Petty Sessions for the above-named Petty Sessions District.

Served on *(Name)* *(date)*

by

*(insert manner of service)*

**Anti-terrorism, Crime and Security Act 2001  
Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules  
(Northern Ireland) 2002**

*(paragraph 7(11) of Schedule 1, Rule 11)*

**Form of Appeal to County Court**

of	}	Petty Sessions District of
Appellant		
of	}	County Court Division of
Respondent(s)		

I CERTIFY that upon the hearing of an application for the forfeiture of cash under paragraph 6(2) of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001. AN ORDER WAS MADE ON (date), by a magistrates' court for the above district forfeiting the cash of *(the name of person whose cash is subject to forfeiture order)*.

This            day of            20    .  
Clerk of Petty Sessions

I CERTIFY notice of appeal lodged.  
This            day of            20    .  
Clerk of Petty Sessions

I CERTIFY that upon hearing of the said appeal on the day of            , the county court ordered that  
This            day of            20    .  
Chief Clerk

**Anti-terrorism, Crime and Security Act 2001**

**Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) Rules  
(Northern Ireland) 2002**

*(paragraph 7(1) of Schedule 1, Rule 12)*

**Notice by Clerk of Petty Sessions to Chief Clerk of abandonment of appeal to  
the County Court**

of	}	Petty Sessions District of
Appellant		
of	}	County Court Division of
Respondent(s)		

THIS IS TO GIVE YOU NOTICE that I have received from the above-named Appellant notice that he has abandoned his appeal to the county court against a forfeiture order made by the magistrates' court for the above-named petty sessions district sitting on the        day of        20        .

This        day of        20        .

Clerk of Petty Sessions

To the Chief Clerk

at

Copy to the Respondent

of

## EXPLANATORY NOTE

*(This note is not part of the Rules.)*

These Rules revoke and replace the Magistrates' Courts (Terrorism Act 2000) Rules (Northern Ireland) 2001. They prescribe the procedure to be followed for applications to a magistrates' court for the detention, further detention, forfeiture or release of cash seized by a constable, customs officer, or immigration officer under Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 on reasonable suspicion of a connection to terrorism. They also prescribe the procedure to be followed for applications to a magistrates' court for compensation where no forfeiture order is made. These Rules prescribe the forms to be used in connection with the application and hearings.

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