STATUTORY RULES OF NORTHERN IRELAND

2010 No. 14

MAGISTRATES' COURTS

The Magistrates' Courts (Detention and Forfeiture of Seized Cash) (Amendment) Rules (Northern Ireland) 2010

Made - - - - 26th January 2010

Coming into operation in accordance with rule 1

The Magistrates' Courts Rules Committee makes the following Rules in exercise of the powers conferred by Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981(**1**) after consultation with the Lord Chancellor and with the agreement of the Lord Chief Justice.

Citation and commencement

1. These Rules may be cited as the Magistrates' Court (Detention and Forfeiture of Seized Cash) (Amendment) Rules (Northern Ireland) 2010 and shall come into operation on the same day as sections 64 and 65 of the Policing and Crime Act 2009(**2**) come into force.

Amendment of the Magistrates' Courts (Detention and Forfeiture of Seized Cash) Rules (Northern Ireland) 2003

2. The Magistrates' Courts (Detention and Forfeiture of Seized Cash) Rules (Northern Ireland) 2003(**3**) are amended as follows—

(1) after rule 7 insert—

"**Application to set aside the forfeiture of cash made under a forfeiture notice.**

7A.—(1) An application under section 297E(**4**) shall be made in writing, accompanied by a copy of the forfeiture notice, shall state the grounds on which it is made, and shall be lodged with the clerk of petty sessions for the petty sessions district in which the cash was seized.

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

(a) the Commissioners of Revenue and Customs, where the forfeiture notice was given by a senior officer of Revenue and Customs; or

(**1**) S. I. 1981/1675 (N.I. 26); Article 13 was amended by paragraph 65 of Schedule 5 to the Constitutional Reform Act 2005 (c.4).
(**2**) 2009 c.26.
(**3**) S.R. 2003/17; to which the most recent relevant amendments were made by S.R. 2008 No.362.
(**4**) Section 297E was inserted by section 65 of the Policing and Crime Act 2009 (c.26).