STATUTORY RULES OF NORTHERN IRELAND

2008 No. 362

MAGISTRATES' COURTS

The Magistrates' Courts (Detention and Forfeiture of Seized Cash) (Amendment) Rules (Northern Ireland) 2008

Made - - - - 3rd September 2008

Coming into operation 1st October 2008

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' Courts (Detention and Forfeiture of Seized Cash) (Amendment) Rules (Northern Ireland) 2008 and shall come into operation on the 1st October 2008.

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(**2**) are amended as follows:—

(1) for Rule 7(3), substitute—

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

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

(b) the Chief Constable or, as the case may be, 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;

(c) the Chief Constable, if the cash which is the subject of the application was seized by an accredited financial investigator who was a member of staff of the Police Service of Northern Ireland;

(d) the Minister of the Crown in charge of the department of the Government of the United Kingdom, or the department, if the cash which is the subject of the

(**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**) S.R. 2003 No. 17