

[<sup>F1</sup>SCHEDULE

Forfeiture of indecent photographs of children

**F1** Sch. inserted (1.4.2008) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 40(4), 53(1)(a), [Sch. 12](#) (with s. 40(6)(7)); S.I. 2008/790, [art. 3\(a\)](#)

**Modifications etc. (not altering text)**

**C1** Sch. applied (6.4.2010) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 67(2)(b), 182(5) (with s. 180, Sch. 22 para. 12(2)); S.I. 2010/816, [art. 2](#), Sch. para. 1

**C1** Sch. applied (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), ss. 69(6)(b), 88(1); S.I. 2015/820, reg. 2(m)

*Return of property if no forfeiture proceedings*

**9.**—(1) This paragraph applies if, in a case in which a notice of claim has been given, the relevant officer decides—

- (a) not to take proceedings for condemnation of the property, or
- (b) not to take proceedings for condemnation of a part of the property.

(2) The relevant officer must return the property or part to the person who appears to him to have a legitimate reason for possessing the property or, if there is more than one such person, to one of those persons.

(3) Any property required to be returned in accordance with sub-paragraph (2) must be returned as soon as reasonably practicable after the decision not to take proceedings for condemnation.]

**Changes to legislation:**

There are currently no known outstanding effects for the Protection of Children (Northern Ireland) Order 1978, Cross Heading: Return of property if no forfeiture proceedings.