

SCHEDULES

SCHEDULE 4

FORFEITURE ORDERS

PART III

NORTHERN IRELAND

Proceedings for an offence: timing

- 41 (1) For the purposes of this Part of this Schedule proceedings for an offence are instituted—
- (a) when a summons or warrant is issued under Article 20 of the Magistrates' Courts (Northern Ireland) Order 1981 in respect of the offence;
 - (b) when a person is charged with the offence after being taken into custody without a warrant;
 - (c) when an indictment charging a person with the offence is presented under section 2(2)(c), (e) or (f) of the Grand Jury (Abolition) Act (Northern Ireland) 1969.
- (2) Where the application of sub-paragraph (1) would result in there being more than one time for the institution of proceedings they shall be taken to be instituted at the earliest of those times.
- (3) For the purposes of this Part of this Schedule proceedings are concluded—
- (a) when a forfeiture order has been made in those proceedings and effect has been given to it in respect of all the forfeited property, or
 - (b) when no forfeiture order has been made in those proceedings and there is no further possibility of one being made as a result of an appeal (disregarding any power of a court to grant leave to appeal out of time).