



Terrorism Act 2000

2000 CHAPTER 11

PART III

TERRORIST PROPERTY

Seizure of terrorist cash

28 Forfeiture

- (1) An authorised officer or the Commissioners of Customs and Excise may apply to a magistrates' court, or in Scotland the procurator fiscal may apply to the sheriff, for an order forfeiting cash being detained under section 25.
- (2) A magistrates' court or the sheriff may grant an application only if satisfied on the balance of probabilities that the cash is cash of a kind mentioned in section 25(1)(a), (b) or (c).
- (3) Before making an order under this section, a magistrates' court or the sheriff must give an opportunity to be heard to any person—
 - (a) who is not a party to the proceedings, and
 - (b) who claims to be the owner of or otherwise interested in any of the cash which can be forfeited under this section.
- (4) An order may be made under this section whether or not proceedings are brought against any person for an offence with which the cash is connected.
- (5) Proceedings on an application under this section to the sheriff shall be civil proceedings.