
Changes to legislation: There are currently no known outstanding effects for the Terrorism Act 2006, Cross Heading: Forfeiture by the court in other cases. (See end of Document for details)

SCHEDULES

SCHEDULE 2

SEIZURE AND FORFEITURE OF TERRORIST PUBLICATIONS

Forfeiture by the court in other cases

- 6 (1) Where a notice of claim in respect of an article is duly given in accordance with paragraphs 3 and 4, the relevant constable must decide whether to take proceedings to ask the court to condemn the article as forfeited.
- (2) The decision whether to take such proceedings must be made as soon as reasonably practicable after the giving of the notice of claim.
- (3) If the relevant constable takes such proceedings and the court—
- (a) finds that the article was liable to forfeiture at the time of its seizure, and
 - (b) is not satisfied that its forfeiture would be inappropriate,
- the court must condemn the article as forfeited.
- (4) If that constable takes such proceedings and the court—
- (a) finds that the article was not liable to forfeiture at the time of its seizure, or
 - (b) is satisfied that its forfeiture would be inappropriate,
- the court must order the return of the article to the person who appears to the court to be entitled to it.
- (5) If the relevant constable decides not to take proceedings for condemnation in a case in which a notice of claim has been given, he must return the article to the person who appears to him to be the owner of the article, or to one of the persons who appear to him to be owners of it.
- (6) An article required to be returned in accordance with sub-paragraph (5) must be returned as soon as reasonably practicable after the decision not to take proceedings for condemnation.

Commencement Information

II Sch. 2 para. 6 in force at 13.4.2006 by S.I. 2006/1013, art. 2(2)(b)

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