

**Changes to legislation:** Marine and Coastal Access Act 2009, Cross Heading: Supplementary provision about forfeiture proceedings is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 18

#### FORFEITURE OF PROPERTY UNDER SECTION 275 OR 276

##### *Supplementary provision about forfeiture proceedings*

- 9 Proceedings by virtue of this Schedule are civil proceedings and may be instituted—
- (a) in the High Court, or
  - (b) in any magistrates' court in England or Wales.

##### **Commencement Information**

**11** Sch. 18 para. 9 in force at 12.1.2010 by S.I. 2009/3345, art. 2, Sch. para. 22

- 10 (1) In proceedings by virtue of this Schedule, the claimant or the claimant's solicitor must make an oath that, at the time of the seizure, the property was, or was to the best of that person's knowledge and belief, the property of the claimant.
- (2) In proceedings by virtue of this Schedule instituted in the High Court—
- (a) the court may require the claimant to give such security for the costs of the proceedings as may be determined by the court, and
  - (b) the claimant must comply with such a requirement.
- (3) If a requirement of this paragraph is not complied with, the court must give judgment for the relevant authority.

##### **Commencement Information**

**12** Sch. 18 para. 10 in force at 12.1.2010 by S.I. 2009/3345, art. 2, Sch. para. 22

- 11 (1) In the case of proceedings by virtue of this Schedule instituted in a magistrates' court in England or Wales, either party may appeal against the decision of that court to the Crown Court.
- (2) This paragraph does not affect any right to require the statement of a case for the opinion of the High Court.

##### **Commencement Information**

**13** Sch. 18 para. 11 in force at 12.1.2010 by S.I. 2009/3345, art. 2, Sch. para. 22

- 12 Where an appeal has been made (whether by case stated or otherwise) against the decision of the court in proceedings by virtue of this Schedule in relation to property, the property is to be left with the relevant authority pending the final determination of the matter.

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#### Commencement Information

**I4** [Sch. 18 para. 12](#) in force at 12.1.2010 by [S.I. 2009/3345](#), art. 2, [Sch. para. 22](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 72A(2A) inserted by [2023 c. 55 s. 232\(2\)\(d\)](#)
- s. 72A(6)(a) words in s. 72A(6) renumbered as s. 72A(6)(a) by [2023 c. 55 s. 232\(2\)\(f\)\(i\)](#)
- s. 72A(6)(a) words inserted by [2023 c. 55 s. 232\(2\)\(f\)\(ii\)](#)
- s. 72A(6)(b) and word inserted by [2023 c. 55 s. 232\(2\)\(f\)\(iii\)](#)
- Sch. 6 para. 1(2)(da) inserted by [2023 c. 55 Sch. 8 para. 31\(2\)\(a\)](#)