

**Changes to legislation:** Drug Trafficking Act 1994, SCHEDULE 2 is up to date with all changes known to be in force on or before 15 March 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 2

Section 66.

#### TRANSITIONAL PROVISIONS ETC

##### *General transitional provisions and savings*

- 1 Anything done or having effect as if done (including the making of subordinate legislation) under or for the purposes of any provision repealed or revoked by this Act has effect as if done under or for the purposes of any corresponding provision of this Act.
- 2 Any reference (express or implied) in this Act or any other enactment, or in any instrument or document, to a provision of this Act is (so far as the context permits) to be read as being or (according to the context) including in relation to times, circumstances and purposes before the commencement of this Act a reference to the corresponding provision repealed or revoked by this Act.
- 3 Any reference (express or implied) in any enactment, or in any instrument or document, to a provision repealed or revoked by this Act is (so far as the context permits) to be read as being or (according to the context) including in relation to times, circumstances and purposes after the commencement of this Act a reference to the corresponding provision of this Act.
- 4 Paragraphs 1 to 3 above—
  - (a) have effect in place of section 17(2) of the Interpretation<sup>M1</sup> Act 1978 (but are without prejudice to any other provision of that Act); and
  - (b) are subject to section 66(2) to (6) of this Act.

#### Marginal Citations

M1 1978 c. 30.

##### *Provision in relation to section 32 of this Act*

- 5 In any case in which a petition in bankruptcy was presented, or a receiving order or adjudication in bankruptcy was made, before 29 December 1986 (the date on which the Insolvency<sup>M2</sup> Act 1986 came into force), section 32 of this Act has effect with the following modifications—
  - (a) for references to the bankrupt's estate for the purposes of Part IX of that Act there are substituted references to the property of the bankrupt for the purposes of the Bankruptcy<sup>M3</sup> Act 1914;
  - (b) for references to the Act of 1986 and sections 280(2)(c), 286, 339 and 423 of that Act there are respectively substituted references to the Act of 1914 and to sections 26(2), 8, 27 and 42 of that Act;

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- (c) the references in subsection (4) to an interim receiver appointed as there mentioned include, where a receiving order has been made, a reference to the receiver constituted by virtue of section 7 of the Act of 1914; and
- (d) subsection (2)(b) is omitted.

#### Marginal Citations

**M2** 1986 c. 45.  
**M3** 1914 c. 59.

#### *Provision in relation to section 34 of this Act*

- 6 In any case in which a winding up of a company commenced, or is treated as having commenced, before 29 December 1986 (the date on which the Insolvency Act 1986 came into force), section 34 of this Act has effect with the substitution for references to the Insolvency Act 1986 of references to the Companies <sup>M4</sup> Act 1985.

#### Marginal Citations

**M4** 1985 c. 6.

#### *Provision in relation to Part II of this Act*

- 7 Nothing in sections 43(4), 44 or 45 of this Act shall apply to an order made before the coming into force of this Act under section 26 of the Criminal <sup>M5</sup> Justice (International Co-operation) Act 1990.

#### Marginal Citations

**M5** 1990 c. 5.

#### *Provision in relation to section 21(3) of the Criminal Justice Act 1993*

- 8 The repeal by this Act of subsection (2) of section 21 of the Criminal <sup>M6</sup> Justice Act 1993 (which substitutes a new subsection for section 24A(6) of the Drug <sup>M7</sup> Trafficking Offences Act 1986) shall not affect the operation of paragraphs (c) to (h) of subsection (3) of that section (which provides for the same subsection as is set out in subsection (2) to be substituted for certain other enactments).

#### Marginal Citations

**M6** 1993 c. 36.  
**M7** 1986 c. 32.

#### *Provision in relation to section 26(1) of the Criminal Justice Act 1993*

- 9 The repeal by this Act of subsection (1) of section 26 of the Criminal Justice Act 1993 (which inserts subsections (2A) and (2B) into section 31 of the Drug

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Trafficking Offences Act 1986) shall not affect the operation of subsection (2) of that section (which provides for the same subsections to be inserted into section 42 of the Criminal <sup>M8</sup> Justice (Scotland) Act 1987).

**Marginal Citations**

**M8** 1987 c. 41.

*Provision in relation to Schedule 4 to the Criminal Justice Act 1993*

- 10 The repeal by this Act of paragraph 1 of Schedule 4 to the Criminal Justice Act 1993 (which inserts a section 36B into the Drug Trafficking Offences Act 1986) shall not affect the operation of the remaining provisions of that Schedule (which provide for a modified version of that section to be inserted into certain other Acts).

*Further transitional provision*

- 11 The Secretary of State may by order made by statutory instrument, in connection with the coming into force of any provision of this Act in so far as it reproduces the effect of any provision of the Criminal Justice Act 1993, make such further transitional provision or savings as he considers appropriate.

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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. 60(6A)(aa) inserted by [2003 c. 44 Sch. 36 para. 12\(3\)](#)
- s. 60(6A)(aa) words substituted by [2015 c. 2 Sch. 11 para. 15\(3\)](#) (This amendment not applied to legislation.gov.uk. The text prospectively inserted by 2003 c. 44, Sch. 36 para. 12 has not yet been brought into force and therefore cannot be substituted.)