

## SCHEDULES

### SCHEDULE 2

Article 38(1).

#### AMENDMENTS

##### **The Rehabilitation of Offenders (Northern Ireland) Order 1978 (NI 27)**

1. In Article 3(2)(a) (failure to pay fines, etc., not to prevent person becoming rehabilitated) the reference to a fine or other sum adjudged to be paid by or imposed on a conviction does not include a reference to an amount payable under a confiscation order.

##### **The Bankruptcy Amendment (Northern Ireland) Order 1980 (NI 4)**

2. Article 31 (effect of order of discharge) shall have effect as if amounts payable under confiscation orders were debts excepted under paragraph (1)(a) of that Article.

##### **The Magistrates' Courts (Northern Ireland) Order 1981 (NI 26)**

3. In Article 2(5) (interpretation of “sum adjudged to be paid by a conviction”) for “or compensation” substitute “, compensation or other sums”.

##### **The Criminal Justice Act 1988 (c. 33)**

4. For section 152(4) (remands of suspected drug offenders to customs detention) substitute—
- “(4) In the application of this section to Northern Ireland, “drug trafficking offence” means a drug trafficking offence as defined by Article 2(2) of the Criminal Justice (Confiscation) (Northern Ireland) Order 1990 (other than offences under Article 29 of that Order (assisting another to retain the benefit of drug trafficking)).”.

##### **The Extradition Act 1989 (c. 33)**

5. At the end of section 22(4)(h) (extradition offences under Conventions) there shall be inserted—

“and

- (iii) any drug trafficking offence within the meaning of the Criminal Justice (Confiscation) (Northern Ireland) Order 1990;”.

6. In paragraph 15 of Schedule 1 (extradition offences treated as within jurisdiction of foreign states) after paragraph (k) insert—

“or

- (l) a drug trafficking offence within the meaning of the Criminal Justice (Confiscation) (Northern Ireland) Order 1990;”.

##### **The Insolvency (Northern Ireland) Order 1989 (NI 19)**

7. Article 255 (discharge of bankrupt not to release him from liabilities in respect of fines, etc.) shall have effect as if the reference to a fine included a reference to a confiscation order.

**The Criminal Justice (International Co-operation) Act 1990 (c. 5)**

8. In section 24(2) (interpretation of Part II) at the end insert “and, in section 22(1),” drug trafficking offences “includes drug trafficking offences within the meaning of the Criminal Justice (Confiscation) (Northern Ireland) Order 1990”.

9. In section 29(1) (interpretation of Part III)—

- (a) in the definition of “drug trafficking” at the end add “or, as respects Northern Ireland, in the Criminal Justice (Confiscation) (Northern Ireland) Order 1990”;
- (b) in the definition of “the proceeds of drug trafficking” after “1987” insert “or in the said Order of 1990”.