



Criminal Justice Act 1988

1988 CHAPTER 33

PART XI

MISCELLANEOUS

Provisions relating to Customs and Excise

151 Customs and Excise power of arrest.

- (1) If—
- (a) a person—
 - (i) has been released on bail in criminal proceedings for an offence falling within subsection (4) below; and
 - (ii) is under a duty to surrender into customs detention; and
 - (b) an officer of Customs and Excise has reasonable grounds for believing that that person is not likely to surrender to custody,
- he may be arrested without warrant by an officer of Customs and Excise.
- (2) A person arrested in pursuance of subsection (1) above shall be brought as soon as practicable and in any event within 24 hours after his arrest before a justice of the peace^{F1}
- (3) In reckoning for the purposes of subsection (2) above any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.
- (4) The offences that fall within this subsection are—
- (a) an offence against section 5(2) of the^{M1} Misuse of Drugs Act 1971 (possession of controlled drugs);^{F2} . . .
 - (b) a drug trafficking offence.
 - [^{F3}(c) a money laundering offence;]
- (5) In this section and section 152 below “drug trafficking offence” means [^{F4}any offence which is specified in—

Changes to legislation: Criminal Justice Act 1988, Section 151 is up to date with all changes known to be in force on or before 22 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

- (a) paragraph 1 of Schedule 2 to the Proceeds of Crime Act 2002 (drug trafficking offences), or
- (b) so far as it relates to that paragraph, paragraph 10 of that Schedule.]

[^{F5}(6) In this section “money laundering offence” means any offence which by virtue of section 415 of the Proceeds of Crime Act 2002 is a money laundering offence for the purposes of Part 8 of that Act.]

Textual Amendments

- F1** Words in s. 151(2) omitted (1.4.2005) by virtue of [The Courts Act 2003 \(Consequential Provisions\) Order 2005 \(S.I. 2005/886\)](#), art. 2, [Sch. para. 45](#)
- F2** Word in s. 151(4) repealed (24.2.2003) by [2002 c. 29](#), ss. 456, 457, 458, [Sch. 11 para. 17\(3\)](#), [Sch. 12](#); [S.I. 2003/120](#), [art. 2\(1\)](#), [Sch.](#) (subject to transitional provisions and savings in [arts. 3-7](#) (as amended (24.3.2003) by [S.I. 2003/333](#), art. 14 and [S.I. 2003/531](#), art. 3))
- F3** S. 151(4)(c) inserted (24.2.2003) by [2002 c. 29](#), ss. 456, 458, [Sch. 11 para. 17\(3\)](#); [S.I. 2003/120](#), [art. 2\(1\)](#), [Sch.](#) (subject to transitional provisions and savings in [arts. 3-7](#) (as amended (24.3.2003) by [S.I. 2003/333](#), art. 14 and [S.I. 2003/531](#), art. 3))
- F4** S. 151(5)(a)(b) substituted (24.3.2003) for words by [2002 c. 29](#), ss. 456, 458, [Sch. 11 para. 17\(4\)](#); [S.I. 2003/333](#), [art. 2\(1\)](#), [Sch.](#) (subject to transitional provisions and savings in [arts. 3-14](#) (as amended by [S.I. 2003/531](#), art. 3))
- F5** S. 151(6) inserted (24.2.2003) by [2002 c. 29](#), ss. 456, 458, [Sch. 11 para. 17\(5\)](#); [S.I. 2003/120](#), [art. 2\(1\)](#), [Sch.](#) (subject to transitional provisions and savings in [arts. 3-7](#) (as amended (24.3.2003) by [S.I. 2003/333](#), art. 14 and [S.I. 2003/531](#), art. 3))

Commencement Information

- I1** S. 151 partly in force; s. 151 not in force at Royal Assent, see s. 171; s. 151(5) in force at 3.4.1989 by [S.I. 1989/264](#), art. 2, [Sch. Pt. II](#)

Marginal Citations

- M1** 1971 c. 38.

Changes to legislation:

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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. 36(2)(b)(v) and word inserted by [2019 c. 17 s. 13\(3\)\(b\)](#)
- s. 36(3A)(3B) substituted for s. 36(3A) by [2008 c. 4 s. 46\(2\)](#)
- s. 41(4A) inserted by [2004 c. 28 Sch. 10 para. 28](#)
- s. 139AZA(1)(a)(iii) and word inserted by [2019 c. 17 s. 13\(4\)\(b\)](#)