



# Criminal Justice Act 1993

## CHAPTER 36

### CRIMINAL JUSTICE ACT 1993

#### PART I

##### JURISDICTION

- 1 Offences to which this Part applies.
- 2 Jurisdiction in respect of Group A offences.
- 3 Questions immaterial to jurisdiction in the case of certain offences.
- 4 Rules for determining certain jurisdictional questions relating to the location of events.
- 5 Conspiracy, attempt and incitement.
- 6 Relevance of external law.

#### PART II

##### DRUG TRAFFICKING OFFENCES

###### *Confiscation orders*

- 7 Confiscation orders.
- 8 Postponed determinations.
- 9 Assumptions about proceeds of drug trafficking.
- 10 Provision of information.
- 11 Variation of confiscation orders.
- 12 Revised assessment of proceeds of drug trafficking.
- 13 Availability of powers and satisfaction of orders.

###### *Death or absence of defendant*

- 14 Defendant who has died or absconded.
- 15 Compensation.

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### *Offences*

- 16 Acquisition, possession or use of proceeds of drug trafficking.
- 17 Acquisition, possession or use of proceeds of drug trafficking: Scotland.
- 18 Offences in connection with laundering money from drug trafficking.
- 19 Offences in connection with laundering money from drug trafficking: Scotland.
- 20 Prosecution by order of the Commissioners of Customs and Excise.

### *Enforcement*

- 21 Enforcement of certain orders.
- 22 Enforcement of Northern Ireland orders: drug trafficking.
- 23 Transfer of certain enforcement powers to the Commissioners of Customs and Excise.

### *Miscellaneous*

- 24 Miscellaneous amendments.
- 25 Appeal against order forfeiting drug trafficking cash.
- 26 Disclosure of information etc. received in privileged circumstances.

## **PART III**

### **PROCEEDS OF CRIMINAL CONDUCT**

#### *Confiscation orders*

- 27 Confiscation orders.
- 28 Postponed determinations.

#### *Money laundering and other offences*

- 29 Assisting another to retain the benefit of criminal conduct.
- 30 Acquisition, possession or use of proceeds of criminal conduct.
- 31 Concealing or transferring proceeds of criminal conduct.
- 32 Tipping-off.
- 33 Application to Scotland of sections 93A to 93D of 1988 Act.
- 34 Enforcement of Northern Ireland orders: proceeds of criminal conduct.
- 35 Prosecution by order of the Commissioners of Customs and Excise.

## **PART IV**

### **FINANCING ETC. OF TERRORISM**

#### *Amendments of the 1991 Act*

- 36 Confiscation orders.
- 37 Revised assessments.
- 38 Statements, etc. relevant to making confiscation orders.
- 39 Provision of information.
- 40 Variation of confiscation orders.
- 41 Availability of powers and satisfaction of orders.
- 42 Defendant who has died or absconded.
- 43 Compensation.
- 44 Realisable property.
- 45 Enforcement.
- 46 Enforcement of orders outside Northern Ireland.

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- 47 Offences relating to proceeds of terrorist-related activities.
- 48 Failure to disclose knowledge or suspicion relating to proceeds of terrorist-related activities.

#### *Amendments of the 1989 Act*

- 49 Financial assistance for terrorism.
- 50 Investigation of terrorist activities.
- 51 Failure to disclose knowledge or suspicion of financial assistance for terrorism.

### **PART V**

#### **INSIDER DEALING**

##### *The offence of insider dealing*

- 52 The offence.
- 53 Defences.

##### *Interpretation*

- 54 Securities to which Part V applies.
- 55 “Dealing” in securities.
- 56 “Inside information”, etc.
- 57 “Insiders”.
- 58 Information “made public”.
- 59 “Professional intermediary”.
- 60 Other interpretation provisions.

##### *Miscellaneous*

- 61 Penalties and prosecution.
- 61A Summary proceedings: venue and time limit for proceedings
- 62 Territorial scope of offence of insider dealing.
- 63 Limits on section 52.
- 64 Orders.

### **PART VI**

#### **MISCELLANEOUS**

- 65 Fixing of fines.
- 66 Powers of courts to deal with offenders.
- 67 Penalty for causing death by dangerous driving or by careless driving.
- 68 Appeals in Scotland against lenient disposals, etc.
- 69 Supervised release of certain young offenders in Scotland.
- 70 Penalties under implementation regulations.
- 71 Offences in connection with taxation etc. in the European Union .
- 72 Backing of warrants: safeguards.
- 73 Power of Secretary of State to make grants in relation to combating drug misuse.
- 74 Persons not eligible for early release.
- 75 Compassionate release of certain children and other persons in Scotland.
- 76 Life prisoners transferred to Scotland.
- 77 Power to extend certain offences to Crown servants and to exempt regulators etc.

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## PART VII SUPPLEMENTARY

- 78 Commencement etc.
- 79 Short title, extent etc.

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### SCHEDULES

#### SCHEDULE 1 — Special defences

##### *Market makers*

- 1 (1) An individual is not guilty of insider dealing by...

##### *Market information*

- 2 (1) An individual is not guilty of insider dealing by...
- 3 An individual is not guilty of insider dealing by virtue...
- 4 For the purposes of paragraphs 2 and 3 market information...

##### *Buy-back programmes and stabilisation*

- 5 An individual is not guilty of insider dealing by virtue...

#### SCHEDULE 2 — Securities

##### *Shares*

- 1 Shares and stock in the share capital of a company...

##### *Debt securities*

- 2 Any instrument creating or acknowledging indebtedness which is issued by...

##### *Warrants*

- 3 Any right (whether conferred by warrant or otherwise) to subscribe...

##### *Depository receipts*

- 4 (1) The rights under any depository receipt.

##### *Options*

- 5 Any option to acquire or dispose of any security falling...

##### *Futures*

- 6 (1) Rights under a contract for the acquisition or disposal...

##### *Contracts for differences*

- 7 (1) Rights under a contract which does not provide for...

#### SCHEDULE 3 — Financial penalties

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*Increases in certain maximum fines*

1 (1) In section 17 of the Criminal Justice Act 1991...

*Statements as to offenders' financial circumstances*

2 .....

*Remission of fines*

3 .....

*Default in paying unit fines*

4 Section 22 of the Act of 1991 (default in paying...

*Responsibility of parents and guardians*

5 .....

*Other amendments*

6 (1) In section 15 of the Children and Young Persons...

Schedule 4 — Extensions and Exemptions

*The Drug Trafficking Offences Act 1986 (c.32)*

1 .....

*The Criminal Justice (Scotland) Act 1987 (c.41)*

2 The same section as is inserted in the Act of...

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

3 The same section as is inserted in the Act of...

*The Prevention of Terrorism (Temporary Provisions) Act 1989 (c.4)*

4 .....

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

5 The same section as is inserted in the Act of...

*The Northern Ireland (Emergency Provisions) Act 1991 (c.24)*

6 .....

SCHEDULE 5 — Consequential Amendments

Part I — ENACTMENTS

*The Criminal Appeal Act 1968 (c.19)*

1 In section 50 of the Criminal Appeal Act 1968 (meaning...

*The Criminal Procedure (Scotland) Act 1975 (c. 21)*

2 .....

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	<i>The Criminal Appeal (Northern Ireland) Act 1980 (c.47)</i>
3	.....
	<i>The Companies Act 1985 (c.6)</i>
4	(1) In section 744 of the Companies Act 1985 (interpretation),...
	<i>The Drug Trafficking Offences Act 1986 (c.32)</i>
5	.....
6	.....
	<i>The Financial Services Act 1986 (c.60)</i>
7	.....
8	.....
9	.....
10	.....
11	.....
12	.....
	<i>The Banking Act 1987 (c.22)</i>
13	.....
	<i>The Criminal Justice Act 1988 (c.33)</i>
14	.....
	<i>The Prevention of Terrorism (Temporary Provisions) Act 1989 (c.4)</i>
15	.....
	<i>The Companies Act 1989 (c.40)</i>
16	In section 82(2)(b) of the Companies Act 1989 (request for...
	<i>The Northern Ireland (Emergency Provisions) Act 1991 (c.24)</i>
17	.....
	Part II — ORDERS IN COUNCIL UNDER THE NORTHERN IRELAND ACT 1974
	<i>The Companies (Northern Ireland) Order 1986 (Statutory Instrument S.I. 1986/1032 (N.I.6))</i>
18	.....
19	.....
20	.....
	<i>The Companies (Northern Ireland) Order 1989 (Statutory Instrument S.I. 1989/2404 (N.I.18))</i>
21	.....
	<i>The Insolvency (Northern Ireland) Order 1989 (Statutory Instrument S.I. 1989/2405 (N.I. 19))</i>
22	.....
	SCHEDULE 6 — Repeals and Revocations
	Part I — REPEALS

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## Part II — REVOCATIONS

**Changes to legislation:**

Criminal Justice Act 1993 is up to date with all changes known to be in force on or before 10 March 2019. 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.

**Changes and effects yet to be applied to :**

- s. 67(1) repealed by [2003 c. 44 Sch. 37 Pt. 7](#)
- Sch. 1 para. 5(2) inserted by [S.I. 2019/310 reg. 2\(c\)](#)
- Sch. 1 para. 5(1) words renumbered by [S.I. 2019/310 reg. 2\(a\)](#)
- Sch. 5 para. 19(1)(2) repealed by [S.I. 2005/1967 \(N.I.\) Sch. 3](#) (This amendment not applied to legislation.gov.uk. The affecting Order is repealed by Companies Act 2006 (c. 46), ss. 1295, 1300(2), Sch. 16, the repeal was brought into force on different dates, the final date being 1.10.2009, see S.I. 2008/2860, art. 4, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch. and S.I. 2009/2476, reg. 2(3)(4))); for details of the earlier dates see individual provisions in previous version of the Order. treat as whole extent but add "(N.I.)" in annotation)
- Sch. 6 repealed by [2006 c. 46 Sch. 16](#)

**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):

- Sch. 1 para. 5(1)(a) words inserted by [S.I. 2019/310 reg. 2\(b\)\(i\)](#)
- Sch. 1 para. 5(1)(a) words substituted by [S.I. 2019/310 reg. 2\(b\)\(ii\)](#)
- Sch. 1 para. 5(1)(a) words substituted by [S.I. 2019/310 reg. 4](#)