



Drug Trafficking Act 1994

1994 CHAPTER 37

PART IV

MISCELLANEOUS AND SUPPLEMENTAL

Interpretation of Act

62 Meaning of “property” and related expressions

- (1) In this Act “property” includes money and all other property, real or personal, heritable or moveable, including things in action and other intangible or incorporeal property.
- (2) This Act applies to property whether it is situated in England and Wales or elsewhere.
- (3) In this Act “interest”, in relation to property, includes right.
- (4) In this Act—
 - (a) references to property held by a person include a reference to property vested in his trustee in bankruptcy, permanent or interim trustee within the meaning of the Bankruptcy (Scotland) Act 1985 or liquidator; and
 - (b) references to an interest held by a person beneficially in property include a reference to an interest which would be held by him beneficially if the property were not so vested.
- (5) For the purposes of this Act—
 - (a) property is held by any person if he holds any interest in it; and
 - (b) property is transferred by one person to another if the first person transfers or grants to the other any interest in the property.

63 General interpretation

- (1) In this Act—

Status: This is the original version (as it was originally enacted).

“constable” includes a person commissioned by the Commissioners of Customs and Excise under section 6(3) of the Customs and Excise Management Act 1979;

“defendant” means a person against whom proceedings have been instituted (within the meaning given in section 41(2) of this Act) for a drug trafficking offence (whether or not he has been convicted);

“modifications” includes additions, alterations and omissions.

- (2) In this Act references to anything received in connection with drug trafficking include a reference to anything received both in that connection and in some other connection.
- (3) Subject to section 66(2) and (6) of this Act—
- (a) any reference in this Act to an offence includes a reference to an offence committed before the commencement of this Act; and
 - (b) any reference in this Act to “drug trafficking” includes a reference to drug trafficking carried out before the commencement of this Act.

64 Index of defined expressions

In this Act the expressions listed below are defined by, or otherwise fall to be construed in accordance with, the provisions of this Act indicated below—

acting as an insolvency practitioner	section 35(4)
amount that might be realised	section 6(1)
amount to be recovered	section 5(1)
benefited from drug trafficking	section 2(3)
charging order	section 27(2)
conclusion of an application	
—under section 13, 14 or 19	section 41(4)
—under section 15 or 16	section 41(5)
conclusion of proceedings for a drug trafficking offence	section 41(3)
confiscation order	section 2(9)
constable	section 63(1)
defendant	section 63(1)
drug trafficking	
—generally	section 1(1) and (2)
—for the application of Part II in Scotland and Northern Ireland	section 48(2)
drug trafficking offence	section 1(3)
gift caught by this Act	section 8(1)
“held”, in relation to property	section 62(5)(a)
institution of proceedings for an offence	section 41(2)

Status: This is the original version (as it was originally enacted).

“interest”, in relation to property	section 62(3)
making a gift	section 8(2)
modifications	section 63(1)
proceeds of drug trafficking	
—generally	section 4(1)(a)
—for the application of Part II in Scotland and Northern Ireland	section 48(2)
property	section 62(1)
realisable property	section 6(2)
restraint order	section 26(1)
“satisfied”, in relation to a confiscation order	section 41(6) and (7)
“subject to appeal”, in relation to an order	section 41(8)
“transferred” in relation to property	section 62(5)(b)
value of gift, payment or reward	section 7(2)
value of proceeds of drug trafficking	section 4(1)(b)
value of property	section 7(1).
