

**Changes to legislation:** Drug Trafficking Act 1994, Cross Heading: Criminal Justice (Scotland) Act 1987 (c. 41) is up to date with all changes known to be in force on or before 25 July 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 1

#### Extent Information

**E1** [Sch. 1](#) amendments as specified therein have the same extent as the enactments to which they relate.

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

- 12 In section 3 of the Criminal Justice (Scotland) Act 1987 (assessment of the proceeds of drug trafficking), for paragraph (a) of subsection (4) there shall be substituted—  
“(a) section 2 of the Drug Trafficking Act 1994; or”.
- 13 In section 7 of that Act (application of provisions relating to fines to enforcement of confiscation orders), in subsection (2), in the entry relating to section 403 of the Criminal <sup>M1</sup> Procedure (Scotland) Act 1975, for the words “Drug Trafficking Offences Act 1986” there shall be substituted the words “ Drug Trafficking Act 1994 ”.

#### Marginal Citations

**M1** [1975 c. 21](#).

- 14 In section 10 of that Act (seizure of property subject to restraint order), in subsection (1), for the words “Drug Trafficking Offences Act 1986” there shall be substituted the words “ Drug Trafficking Act 1994 ”.
- 15 In section 11 of that Act (inhibition and arrestment of property affected by restraint order or interdict under section 12 of that Act), in subsection (6) (which applies section 11 of that Act, with modifications, to certain orders under section 8 of the Drug Trafficking Offences Act 1986)—
- (a) for the words “section 8 of the Drug Trafficking Offences Act 1986” there shall be substituted the words “ section 26 of the Drug Trafficking Act 1994 ”;
  - (b) in paragraph (a)—
    - (i) for the words “subsection (2) of section 7” there shall be substituted the words “ subsection (3) of section 25 ”; and
    - (ii) for the words “subsection (3)(b)” there shall be substituted the words “ subsection (4)(b) ”;
  - (c) in paragraph (b)—
    - (i) for the words “section 5” there shall be substituted the words “ section 6 ”; and
    - (ii) for the words “subsection (2) of the said section 7” there shall be substituted the words “ subsection (3) of the said section 25 ”;

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- (d) in the subsection (3A) set out in paragraph (g), for the words “section 13 of the Drug Trafficking Offences Act 1986” there shall be substituted the words “section 31 of the Drug Trafficking Act 1994”; and
  - (e) in sub-paragraph (ii) of paragraph (h), for the words “section 8, 11 or 12 of the said Act of 1986” there shall be substituted the words “section 26, 29 or 30 of the said Act of 1994”.
- 16 In section 23 of that Act (exercise of powers by Court of Session or administrator), in subsection (7)—
  - (a) for the words “section 13 of the Drug Trafficking Offences Act 1986” there shall be substituted the words “section 31 of the Drug Trafficking Act 1994”; and
  - (b) for the words “section 13”, in the second place where they occur, there shall be substituted the words “section 31”.
- 17 In section 26 of that Act (compensation), in subsection (2)(b), for the words “section 24A of the Drug Trafficking Offences Act 1986”, there shall be substituted the words “section 37 of the Drug Trafficking Act 1994”.
- 18 (1) Section 27 of that Act (recognition and enforcement of orders under the Drug Trafficking Offences Act 1986) shall be amended as set out in this paragraph.
  - (2) In subsection (2), for the words “section 8, 11 or 12 of the Drug Trafficking Offences Act 1986” there shall be substituted the words “section 26, 29 or 30 of the Drug Trafficking Act 1994”.
  - (3) In subsection (4), for the words “section 11(3)(a) of the said Act of 1986” there shall be substituted the words “section 29(3)(a) of the said Act of 1994”.
  - (4) In subsection (5)—
    - (a) in paragraph (a), for the words “section 8, 11, 12 or 30 of the said Act of 1986” there shall be substituted the words “section 26, 29, 30 or 59 of the said Act of 1994”; and
    - (b) in paragraph (c), for the words “section 8, 11 or 12” there shall be substituted the words “section 26, 29 or 30”.
  - (5) In subsection (6)—
    - (a) for the words “section 8 of the said Act of 1986” there shall be substituted the words “section 26 of the said Act of 1994”; and
    - (b) for the words “section 7(4)” there shall be substituted the words “section 25(5)”.
  - (6) In subsection (8), for the words “section 11(6) of the said Act of 1986” there shall be substituted the words “section 29(6) of the said Act of 1994”.
- 19 (1) Section 28 of that Act (provisions supplementary to section 27 of that Act) shall be amended as set out in this paragraph.
  - (2) In subsection (4), for the words “Drug Trafficking Offences Act 1986” there shall be substituted the words “Drug Trafficking Act 1994”.
  - (3) In subsection (5)(b), for the words “section 8, 11 or 12 of the said Act of 1986” there shall be substituted the words “section 26, 29 or 30 of the said Act of 1994”.
  - (4) In subsection (6) for the words “Drug Trafficking Offences Act 1986” there shall be substituted the words “Drug Trafficking Act 1994”.

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- 20      In section 35 of that Act (winding up of company holding realisable property), in subsection (4), for the words “section 1 of the Drug Trafficking Offences Act 1986” there shall be substituted the words “ section 2 of the Drug Trafficking Act 1994 ”.

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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.)