



# Drug Trafficking Act 1994

## 1994 CHAPTER 37

### PART I

#### CONFISCATION ORDERS

##### *Confiscation orders where defendant has absconded or died*

#### **20 Effect of conviction where High Court has acted under section 19**

- (1) Where, in the case of any defendant, the High Court has made a confiscation order by virtue of section 19 of this Act, the Crown Court shall, in respect of the offence or, as the case may be, any of the offences concerned—
  - (a) take account of the order before—
    - (i) imposing any fine on the defendant;
    - (ii) making any order involving any payment by him; or
    - (iii) making any order under section 27 of the Misuse of Drugs Act 1971 (forfeiture orders) or section 43 of the Powers of Criminal Courts Act 1973 (deprivation orders); and
  - (b) subject to paragraph (a) above, leave the order out of account in determining the appropriate sentence or other manner of dealing with him.
- (2) Where the High Court has made a confiscation order by virtue of section 19 of this Act and the defendant subsequently appears before the Crown Court to be sentenced in respect of one or more of the offences concerned, section 2(1) of this Act shall not apply so far as his appearance is in respect of that offence or those offences.