



Drug Trafficking Act 1994

1994 CHAPTER 37

PART I

CONFISCATION ORDERS

Enforcement of orders made outside England and Wales

39 Enforcement of external confiscation orders

- (1) Her Majesty may by Order in Council—
- (a) direct in relation to a country or territory outside the United Kingdom designated by the Order (a “designated country”) that, subject to such modifications as may be specified, the relevant provisions of this Act shall apply to external confiscation orders and to proceedings which have been or are to be instituted in the designated country and may result in an external confiscation order being made there;
 - (b) make—
 - (i) such provision in connection with the taking of action in the designated country with a view to satisfying a confiscation order,
 - (ii) such provision as to evidence or proof of any matter for the purposes of this section and section 40 of this Act, and
 - (iii) such incidental, consequential and transitional provision, as appears to Her Majesty to be expedient; and
 - (c) (without prejudice to the generality of this subsection) direct that, in such circumstances as may be specified, proceeds which arise out of action taken in the designated country with a view to satisfying a confiscation order shall be treated as reducing the amount payable under the order to such extent as may be specified.
- (2) In this section “external confiscation order” means an order made by a court in a designated country for the purpose of recovering, or recovering the value of, payments or other rewards received in connection with drug trafficking.

Status: This is the original version (as it was originally enacted).

- (3) An Order in Council under this section may make different provision for different cases or classes of case.
- (4) The power to make an Order in Council under this section includes power to modify the relevant provisions of this Act in such a way as to confer power on a person to exercise a discretion.
- (5) An Order in Council under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) For the purposes of this section, “the relevant provisions of this Act” are this Part, except sections 10 and 16, and Part IV.