



Psychoactive Substances Act 2016

CHAPTER 2

PSYCHOACTIVE SUBSTANCES ACT 2016

Introductory

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Psychoactive substances

- 2 Meaning of “psychoactive substance” etc
3 Exempted substances

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- 4 Producing a psychoactive substance
5 Supplying, or offering to supply, a psychoactive substance
6 Aggravation of offence under section 5
7 Possession of psychoactive substance with intent to supply
8 Importing or exporting a psychoactive substance
9 Possession of a psychoactive substance in a custodial institution
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Powers for dealing with prohibited activities

- 12 Meaning of “prohibited activity”
13 Prohibition notices
14 Premises notices
15 Prohibition notices and premises notices: supplementary
16 Further provision about giving notices under sections 13 to 15
17 Meaning of “prohibition order”
18 Prohibition orders on application
19 Prohibition orders following conviction

- 20 Premises orders
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- 25 Access prohibitions: exemption from liability
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- 27 Offence of failing to comply with an access prohibition, etc
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- 39 Power to enter and search premises
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- 41 Powers of examination, etc
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- 49 Retention of seized items
- 50 Power of police, etc to dispose of seized psychoactive substances
- 51 Forfeiture of seized items by court on application
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- 56 Offences by directors, partners, etc
- 57 Providers of information society services
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SCHEDULES

SCHEDULE 1 — EXEMPTED SUBSTANCES

- 1 Controlled drugs
- 2 Medicinal products
- 3 Alcohol
- 4 Nicotine and tobacco products
- 5 Tobacco products. In this paragraph “tobacco product” means—
- 6 Caffeine
- 7 Food

SCHEDULE 2 — EXEMPTED ACTIVITIES

- 1 Healthcare-related activities
- 2 Any activity carried on for the purpose of, or in...
- 3 Any activity carried on in respect of an active substance...
- 4 Research

SCHEDULE 3 — SEARCH WARRANTS: ENGLAND AND WALES AND NORTHERN IRELAND

PART 1 — APPLICATION OF THIS SCHEDULE

- 1 This Schedule applies to— (a) applications for search warrants made...

PART 2 — SEARCH WARRANTS: APPLICATIONS AND SAFEGUARDS

- 2 Applications for warrants
 - 3 Safeguards in connection with power of entry conferred by warrant
 - 4 (1) A search warrant must— (a) specify the name of...
 - 5 (1) Two copies must be made of a search warrant...
- #### PART 3 — EXECUTION OF SEARCH WARRANTS
- 6 Warrant to be executed within one month
 - 7 All-premises warrants
 - 8 Search of premises more than once
 - 9 Time of search
 - 10 Evidence of authority etc
 - 11 Extent of search
 - 12 Securing premises after entry
 - 13 Return and retention of warrant

SCHEDULE 4 — PROVIDERS OF INFORMATION SOCIETY SERVICES

PART 1 — OFFERING TO SUPPLY A PSYCHOACTIVE SUBSTANCE

- 1 Domestic service providers: extension of liability
- 2 Non-UK service providers: restriction on institution of proceedings
- 3 Exceptions for mere conduits
- 4 Exception for caching
- 5 Exception for hosting

PART 2 — PROHIBITION NOTICES AND PROHIBITION ORDERS

- 6 Domestic service providers: extension of liability
- 7 Non-UK service providers: restriction on including terms in prohibition notice or order
- 8 Protections for service providers of intermediary services
- 9 (1) In paragraph 8 “intermediary services” means an information society...

PART 3 — INTERPRETATION

- 10 In this Schedule— “established”, in relation to a service provider,...
- 11 (1) A service provider is “established” in a particular part...

SCHEDULE 5 — CONSEQUENTIAL AMENDMENTS

- 1 Intoxicating Substances (Supply) Act 1985
- 2 Proceeds of Crime Act 2002
- 3 Police Reform Act 2002
- 4 Police (Northern Ireland) Act 2003
- 5 Licensing Act 2003
- 6 Gambling Act 2005
- 7 Armed Forces Act 2006
- 8 Serious Crime Act 2007
- 9 Regulatory Enforcement and Sanctions Act 2008
- 10 Policing and Crime Act 2009