



Psychoactive Substances Act 2016

2016 CHAPTER 2

Offences

11 Exceptions to offences

- (1) It is not an offence under this Act for a person to carry on any activity listed in subsection (3) if, in the circumstances in which it is carried on by that person, the activity is an exempted activity.
- (2) In this section “exempted activity” means an activity listed in Schedule 2.
- (3) The activities referred to in subsection (1) are—
 - (a) producing a psychoactive substance;
 - (b) supplying such a substance;
 - (c) offering to supply such a substance;
 - (d) possessing such a substance with intent to supply it;
 - (e) importing or exporting such a substance;
 - (f) possessing such a substance in a custodial institution (within the meaning of section 9).
- (4) The Secretary of State may by regulations amend Schedule 2 in order to—
 - (a) add or vary any description of activity;
 - (b) remove any description of activity added under paragraph (a).
- (5) Before making any regulations under this section the Secretary of State must consult—
 - (a) the Advisory Council on the Misuse of Drugs, and
 - (b) such other persons as the Secretary of State considers appropriate.
- (6) The power to make regulations under this section is exercisable by statutory instrument.
- (7) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

Changes to legislation: There are currently no known outstanding effects for the Psychoactive Substances Act 2016, Section 11. (See end of Document for details)

Commencement Information

- I1** S. 11 in force at Royal Assent for specified purposes, see s. 63(1)(b)
- I2** S. 11 in force at 26.5.2016 in so far as not already in force by S.I. 2016/553, reg. 2

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There are currently no known outstanding effects for the Psychoactive Substances Act 2016, Section 11.