



# Psychoactive Substances Act 2016

## 2016 CHAPTER 2

### *Powers for dealing with prohibited activities*

#### **21 Applications for prohibition orders and premises orders**

- (1) An application for a prohibition order under section 18 or a premises order may be made—
- (a) in England and Wales, by the chief officer of police for a police area,
  - (b) in Scotland, by the chief constable of the Police Service of Scotland,
  - (c) in Northern Ireland, by the chief constable of the Police Service of Northern Ireland,
  - (d) in England and Wales or Scotland, by the chief constable of the British Transport Police Force,
  - (e) by the Director General of the National Crime Agency,
  - (f) by the Secretary of State by whom general customs functions are exercisable, or
  - (g) by a local authority.

This is subject to subsection (2).

- (2) Where an application is made based on a failure to comply with a prohibition notice or a premises notice (as the case may be), the application must be made—
- (a) where the notice was given by a constable, by the chief officer of police or chief constable (as the case may be) of the police force of which the constable was a member when the notice was given;
  - (b) where the notice was given by a designated NCA officer, by the Director General of the National Crime Agency;
  - (c) where the notice was given by a general customs official, by the Secretary of State by whom general customs functions are exercisable;
  - (d) where the notice was given by a local authority, by that local authority.
- (3) An application for a prohibition order under section 18 or a premises order is—
- (a) in England and Wales, to be made by complaint;

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*Changes to legislation: There are currently no known outstanding effects for the Psychoactive Substances Act 2016, Section 21. (See end of Document for details)*

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- (b) in Northern Ireland, to be made by complaint under Part 8 of the Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26)).

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**Commencement Information**

**II** [S. 21](#) in force at 26.5.2016 by [S.I. 2016/553](#), [reg. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Psychoactive Substances Act 2016, Section 21.