



# Psychoactive Substances Act 2016

## 2016 CHAPTER 2

### *Offences*

#### **8 Importing or exporting a psychoactive substance**

- (1) A person commits an offence if—
- (a) the person intentionally imports a substance,
  - (b) the substance is a psychoactive substance,
  - (c) the person knows or suspects, or ought to know or suspect, that the substance is a psychoactive substance, and
  - (d) the person—
    - (i) intends to consume the psychoactive substance for its psychoactive effects, or
    - (ii) knows, or is reckless as to whether, the psychoactive substance is likely to be consumed by some other person for its psychoactive effects.
- (2) A person commits an offence if—
- (a) the person intentionally exports a substance,
  - (b) the substance is a psychoactive substance,
  - (c) the person knows or suspects, or ought to know or suspect, that the substance is a psychoactive substance, and
  - (d) the person—
    - (i) intends to consume the psychoactive substance for its psychoactive effects, or
    - (ii) knows, or is reckless as to whether, the psychoactive substance is likely to be consumed by some other person for its psychoactive effects.
- (3) In a case where a person imports or exports a controlled drug suspecting it to be a psychoactive substance, the person is to be treated for the purposes of this section as if the person had imported or exported a psychoactive substance suspecting it to be such a substance.

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**Changes to legislation:** There are currently no known outstanding effects for the Psychoactive Substances Act 2016, Section 8. (See end of Document for details)

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In this subsection “controlled drug” has the same meaning as in the Misuse of Drugs Act 1971.

(4) Section 5 of the Customs and Excise Management Act 1979 (time of importation, exportation, etc) applies for the purposes of this section as it applies for the purposes of that Act.

(5) This section is subject to section 11 (exceptions to offences).

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**Commencement Information**

**II** S. 8 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 8.