
STATUTORY INSTRUMENTS

1994 No. 1757

CRIMINAL LAW, ENGLAND AND WALES

The Drug Trafficking Offences Act 1986 (Crown Servants and Regulators etc.) Regulations 1994

<i>Made</i>	- - - -	<i>1st July 1994</i>
<i>Laid before Parliament</i>		<i>8th July 1994</i>
<i>Coming into force</i>	- -	<i>1st August 1994</i>

In exercise of the powers conferred on me by section 36B(1) to (5) of the Drug Trafficking Offences Act 1986(1), I hereby make the following Regulations:

Title and commencement

1. These Regulations may be cited as the Drug Trafficking Offences Act 1986 (Crown Servants and Regulators etc.) Regulations 1994 and shall come into force on 1st August 1994.

Interpretation

2. In these Regulations—

“the 1986 Act” means the Drug Trafficking Offences Act 1986; and

“relevant financial business” has the meaning given by regulation 4 of the Money Laundering Regulations 1993(2).

Application of the Act to Director of Savings and staff

3. Sections 23A, 24, 26B, 26C and 31 of the 1986 Act(3) shall apply to the following persons, namely—

(a) the Director of Savings; and

(b) any person employed by or otherwise engaged in the service of the Director of Savings,

in circumstances where the said Director or any such person is carrying on relevant financial business.

(1) 1986 c. 32; section 36B was inserted by section 77 of, and Schedule 4 to, the Criminal Justice Act 1993 (c. 36).

(2) S.I.1993/1933.

(3) Sections 23A, 26B and 26C were inserted by sections 16(1) and 18(1) of the Criminal Justice Act 1993.

Designation of persons performing regulatory etc. functions

4.—(1) Section 26B of the 1986 Act shall not apply to the following persons, being hereby designated for the purposes of section 36B(2)(a) of that Act—

- (a) the Bank of England
- (b) the Building Societies Commission
- (c) a designated agency within the meaning of the Financial Services Act 1986⁽⁴⁾
- (d) a recognised self-regulating organisation within the meaning of the Financial Services Act 1986;
- (e) a recognised professional body within the meaning of the Financial Services Act 1986;
- (f) a transferee body within the meaning of the Financial Services Act 1986;
- (g) a recognised self-regulating organisation for friendly societies within the meaning of the Financial Services Act 1986;
- (h) the Council of Lloyd's;
- (i) the Friendly Societies Commission;
- (j) the Chief Registrar of Friendly Societies;
- (k) the Assistant Registrar of Friendly Societies for Scotland;
- (l) the Central Office of the Registry of Friendly Societies;
- (m) the Registrar of Credit Unions for Northern Ireland;
- (n) the Assistant Registrar of Credit Unions for Northern Ireland.

(2) The following category of persons is hereby prescribed for the purposes of section 36B(2)(b) of the 1986 Act, namely, persons who are (for the purpose of performing regulatory, supervisory, investigative or registration functions) employed by or otherwise engaged in the service of any person designated under paragraph (1) of this regulation.

(3) Section 26B of the 1986 Act shall not apply in any circumstances to any person who falls within a category of person prescribed for the purposes of section 36B(2) of that Act.

Home Office

1st July 1994

Michael Howard
One of Her Majesty's Principal Secretaries of
State

(4) 1986 c. 60.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Criminal Justice Act 1993 contains provisions which were needed in order to implement Council Directive [91/308/EEC](#) (OJNo. L166, 28.6.91, p. 77) on money laundering. These provisions include amendments to the Drug Trafficking Offences Act 1986. These Regulations apply sections 23A, 24, 26B, 26C and 31 of the Drug Trafficking Offences Act to the Director of Savings and his staff.

These Regulations also designate various persons to whom section 26B of the Drug Trafficking Offences Act 1986 is not to apply.