

## SCHEDULE 2

### MODIFICATIONS OF THE DRUG TRAFFICKING ACT 1994

**9.** In section 26—

- (a) for subsection 2(a) and (b) there shall be substituted the following:
  - “(a) where an application under subsection (4) below relates to an external confiscation order made in respect of specified property, to property which is specified in that order; and
  - (b) in any other case—
    - (i) to all realisable property held by a specified person, whether the property is described in the restraint order or not, and
    - (ii) to realisable property held by a specified person, being property transferred to him after the making of the restraint order.”;
- (b) in subsection 4(a)—
  - (i) for the words “the prosecutor” there shall be substituted the words “or on behalf of the government of a designated country or, in a case where an external confiscation order has been registered under section 40 of this Act, by a Crown Prosecutor or a person authorised in that behalf by the Commissioners of Customs and Excise”, and
  - (ii) for paragraph (c) there shall be substituted the following paragraph:
    - “(c) shall provide for service on, or the provision of notice to, persons affected by the order in such manner as the High Court may direct.”;
- (c) for subsection (5)(b) there shall be substituted:
  - “(b) shall be discharged when the proceedings in relation to which the order was made are concluded.”;
- (d) in subsection (7) the words “or a county court” shall be omitted;
- (e) in subsection (8)(b) and in subsection (9), for the words “Great Britain” there shall be substituted the words “England and Wales”;
- (f) subsection (10) shall be omitted;
- (g) in subsection (13), for the words “The prosecutor” there shall be substituted the words “A person applying for a restraint order under subsection 4(a) above”.