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*Status:* This version of this cross heading contains provisions that are prospective.  
*Changes to legislation:* There are currently no known outstanding effects for the  
Disclosure (Scotland) Act 2020, Cross Heading: Drugs. (See end of Document for details)

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PROSPECTIVE

SCHEDULE 2  
LIST B OFFENCES

**PART 2**

STATUTORY OFFENCES

*Drugs*

- 40 An offence under any of the following provisions of the Misuse of Drugs Act 1971—
- (a) section 3 (restriction of importation and exportation of controlled drugs),
  - (b) section 4 (restriction of production and supply of controlled drugs),
  - (c) section 4A (aggravation of offence of supply of controlled drug),
  - (d) section 5(3) (restriction of possession of controlled drugs),
  - (e) section 6 (restriction of cultivation of cannabis plant),
  - (f) section 8(a) and (b) (occupiers etc. of premises to be punishable for certain activities taking place there),
  - (g) section 12 (directions prohibiting prescribing, supply etc. of controlled drugs by practitioners etc. convicted of certain offences),
  - (h) section 13 (directions prohibiting prescribing, supply etc. of controlled drugs by practitioners in other cases),
  - (i) section 17 (power to obtain information from doctors, pharmacists etc. in certain circumstances),
  - (j) section 19 (attempts etc. to commit offences), but only in relation to an offence listed in sub-paragraphs (a) to (i) of this paragraph,
  - (k) section 20 (assisting in or inducing commission outside United Kingdom of offence punishable under corresponding law).
- 41 An offence under any of the following provisions of the Customs and Excise Management Act 1979 in relation to goods prohibited to be imported or exported under section 3(1) of the Misuse of Drugs Act 1971 (restriction of importation and exportation of controlled drugs)—
- (a) section 50(2) or (3) (penalty for improper importation of goods),
  - (b) section 68(2) (offences in relation to exportation of prohibited or restricted goods),
  - (c) section 170 (fraudulent evasion of duty).
- 42 An offence under the Criminal Justice (International Co-operation) Act 1990.
- 43 An offence under any of the following provisions of the Psychoactive Substances Act 2016—
- (a) section 5 (supplying, or offering to supply, a psychoactive substance),
  - (b) section 7 (possession of psychoactive substance with intent to supply),
  - (c) section 8 (importing or exporting a psychoactive substance),

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- (d) section 9 (possession of a psychoactive substance in a custodial institution),
- (e) section 48 (offence in relation to enforcement officers).

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