



# Drug Trafficking Offences Act 1986

## 1986 CHAPTER 32

F1

An Act to make provision for the recovery of the proceeds of drug trafficking and other provision in connection with drug trafficking, to make provision about the supply of articles which may be used or adapted for use in the administration of controlled drugs or used to prepare a controlled drug for administration and to increase the number of assistant commissioners of police for the metropolis. [8th July 1986]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### Textual Amendments

F1 Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by [1994 c. 37, ss. 67, 69\(2\)](#), [Sch. 3](#)

### Modifications etc. (not altering text)

C1 Act applied with modifications by [S.I. 1989/485, arts. 3, 4](#) Schs. 1, 2

C2 Act modified by [S.I. 1990/1199, arts. 3, 4, 5](#), [Sch. 2](#)

### *Confiscation of proceeds of drug trafficking*

F21 .....

### Textual Amendments

F2 Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by [1994 c. 37, ss. 67, 69\(2\)](#), [Sch. 3](#)

F31A .....

*Changes to legislation: There are currently no known outstanding effects for the Drug Trafficking Offences Act 1986. (See end of Document for details)*

**Textual Amendments**

**F3** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

**F4**2 .....

**Textual Amendments**

**F4** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

**F5**3 .....

**Textual Amendments**

**F5** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

**F6**3A .....

**Textual Amendments**

**F6** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

**F7**4 .....

**Textual Amendments**

**F7** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

**F8**4A .....

**Textual Amendments**

**F8** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

**F9**4B .  
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**Textual Amendments**

**F9** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

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*Changes to legislation: There are currently no known outstanding effects for the Drug Trafficking Offences Act 1986. (See end of Document for details)*

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**F10**<sup>5</sup> .....

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**Textual Amendments**

**F10** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by [1994 c. 37, ss. 67, 69\(2\)](#), **Sch. 3**

**F11**<sup>5A</sup> .....

.....  
**Textual Amendments**

**F11** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by [1994 c. 37, ss. 67, 69\(2\)](#), **Sch. 3**

**F12**<sup>5B</sup> .....

.....  
**Textual Amendments**

**F12** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by [1994 c. 37, ss. 67, 69\(2\)](#), **Sch. 3**

**F13**<sup>5C</sup> .  
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.....  
**Textual Amendments**

**F13** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by [1994 c. 37, ss. 67, 69\(2\)](#), **Sch. 3**

*Enforcement etc. of confiscation orders*

**F14**<sup>6</sup> .....

.....  
**Textual Amendments**

**F14** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by [1994 c. 37, ss. 67, 69\(2\)](#), **Sch. 3**

**F15**<sup>7</sup> .....

.....  
**Textual Amendments**

**F15** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by [1994 c. 37, ss. 67, 69\(2\)](#), **Sch. 3**

**F16**<sup>8</sup> .....

*Changes to legislation: There are currently no known outstanding effects for the Drug Trafficking Offences Act 1986. (See end of Document for details)*

**Textual Amendments**

**F16** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

**F17**<sup>9</sup> .....

**Textual Amendments**

**F17** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

**F18**<sup>10</sup> .....

**Textual Amendments**

**F18** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

**F19**<sup>11</sup> .....

**Textual Amendments**

**F19** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

**F20**<sup>12</sup> .....

**Textual Amendments**

**F20** The whole Act, except ss. 24(6), 32, 34, and 40(1)(3)-(5), repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

**F21**<sup>13</sup> .....

**Textual Amendments**

**F21** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

**F22**<sup>14</sup> .....

**Textual Amendments**

**F22** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

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*Changes to legislation: There are currently no known outstanding effects for the Drug Trafficking Offences Act 1986. (See end of Document for details)*

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F23 **15** .....

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**Textual Amendments**

**F23** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by [1994 c. 37, ss. 67, 69\(2\)](#), **Sch. 3**

F24 **16** .....

.....  
**Textual Amendments**

**F24** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by [1994 c. 37, ss. 67, 69\(2\)](#), **Sch. 3**

F25 **17** .....

.....  
**Textual Amendments**

**F25** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by [1994 c. 37, ss. 67, 69\(2\)](#), **Sch. 3**

F26 **17A** .....

.....  
**Textual Amendments**

**F26** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by [1994 c. 37, ss. 67, 69\(2\)](#), **Sch. 3**

F27 **18** .....

.....  
**Textual Amendments**

**F27** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by [1994 c. 37, ss. 67, 69\(2\)](#), **Sch. 3**

F28 **19** .....

.....  
**Textual Amendments**

**F28** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by [1994 c. 37, ss. 67, 69\(2\)](#), **Sch. 3**

F29 **19A** .....

*Changes to legislation: There are currently no known outstanding effects for the Drug Trafficking Offences Act 1986. (See end of Document for details)*

**Textual Amendments**

**F29** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

<sup>F30</sup>**19B** .....

**Textual Amendments**

**F30** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

<sup>F31</sup>**19C** .....

**Textual Amendments**

**F31** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

**20–23** ..... <sup>F32</sup>

**Textual Amendments**

**F32** Ss. 20–23 repealed by Criminal Justice (Scotland) Act 1987 (c. 41, SIF 39:1), ss. 47(4)(a), 70(2), **Sch. 2**

*[<sup>F33</sup> Acquiring etc. property derived from drug trafficking]*

**Textual Amendments**

**F33** Cross heading and S. 23A inserted (*prosp.*) by 1993 c. 36, ss. 16(1), 78(3) (with s. 78(6)(9))

<sup>F34</sup>**23A** .....

**Textual Amendments**

**F34** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

*Offence of assisting drug traffickers*

<sup>F35</sup>**24** **Assisting another to retain the benefit of drug trafficking.**

(1) .....

<sup>F35</sup>(2) .....

*Changes to legislation: There are currently no known outstanding effects for the Drug Trafficking Offences Act 1986. (See end of Document for details)*

- F<sup>35</sup>(3) .....
- F<sup>35</sup>(4) .....
- F<sup>35</sup>(4A) .....
- F<sup>35</sup>(5) .....
- F<sup>35</sup>(5A) .....

(6) In Part II of Schedule 1 to the <sup>M1</sup>Criminal Justice Act 1982 (persons convicted of offences under certain enactments not eligible for early release), after paragraph 25 there is inserted—

“ DRUG TRAFFICKING OFFENCES ACT 1986 (C. 32)

26           Section 24 (assisting another to retain the benefit of drug trafficking).”

**Textual Amendments**

F<sup>35</sup> Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), Sch. 3

**Modifications etc. (not altering text)**

C<sup>3</sup> S.24 applied (1.8.1994) by S.I. 1994/1757, reg. 3

**Marginal Citations**

M<sup>1</sup> 1982 c. 48.

F<sup>36</sup> **24A** .....

**Textual Amendments**

F<sup>36</sup> Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), Sch. 3

*Enforcement of external orders*

F<sup>37</sup> **25** .....

**Textual Amendments**

F<sup>37</sup> Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), Sch. 3

F<sup>38</sup> **26** .....

*Changes to legislation: There are currently no known outstanding effects for the Drug Trafficking Offences Act 1986. (See end of Document for details)*

**Textual Amendments**

**F38** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

<sup>F39</sup>**26A** .....

**Textual Amendments**

**F39** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

*<sup>F40</sup>Offences in connection with money laundering*

**Textual Amendments**

**F40** Cross heading and ss. 26B, 26C inserted (1.4.1994) by 1993 c. 36, **s. 18(1)**, (with s. 78(6)(9)); S.I. 1994/700, art. 2, **Sch.**

<sup>F41</sup>**26B** .  
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**Textual Amendments**

**F41** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

<sup>F42</sup>**26C]** .....

**Textual Amendments**

**F42** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

*Investigations into drug trafficking*

<sup>F43</sup>**27** .....

**Textual Amendments**

**F43** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

<sup>F44</sup>**28** .....



*Changes to legislation: There are currently no known outstanding effects for the Drug Trafficking Offences Act 1986. (See end of Document for details)*

**Textual Amendments**

**F44** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

<sup>F45</sup>**29** .....

**Textual Amendments**

**F45** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

<sup>F46</sup>**30** .....

**Textual Amendments**

**F46** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

<sup>F47</sup>**31** .....

**Textual Amendments**

**F47** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

**32 Authorisation of delay in notifying arrest.**

(1) In section 56 of the <sup>M2</sup>Police and Criminal Evidence Act 1984 (right to have someone informed when arrested), at the beginning of subsection (5) there is inserted “Subject to subsection (5A) below” and after that subsection there is inserted—

“(5A) An officer may also authorise delay where the serious arrestable offence is a drug trafficking offence and the officer has reasonable grounds for believing—

- (a) that the detained person has benefited from drug trafficking, and
- (b) that the recovery of the value of that person’s proceeds of drug trafficking will be hindered by telling the named person of the arrest.”

(2) In section 58 of that Act (access to legal advice) at the beginning of subsection (8) there is inserted “Subject to subsection (8A) below” and after that subsection there is inserted—

“(8A) An officer may also authorise delay where the serious arrestable offence is a drug trafficking offence and the officer has reasonable grounds for believing—

- (a) that the detained person has benefited from drug trafficking, and
- (b) that the recovery of the value of that person’s proceeds of drug trafficking will be hindered by the exercise of the right conferred by subsection (1) above.”

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*Changes to legislation: There are currently no known outstanding effects for the Drug Trafficking Offences Act 1986. (See end of Document for details)*

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- (3) In section 65 of that Act (interpretation)—
- (a) after the definition of “appropriate consent” there is inserted—
    - ““drug trafficking” and “drug trafficking offence” have the same meaning as in the Drug Trafficking Offences Act 1986”; and
  - (b) at the end of that section there is inserted “and references in this Part to any person’s proceeds of drug trafficking are to be construed in accordance with the Drug Trafficking Offences Act 1986”.
- (4) Without prejudice to section 20(2) of the <sup>M3</sup>Interpretation Act 1978, the <sup>M4</sup>Police and Criminal Evidence Act 1984 (Application to Customs and Excise) Order 1985 applies to sections 56 and 58 of the <sup>M5</sup>Police and Criminal Evidence Act 1984 as those sections have effect by virtue of this section.

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**Marginal Citations**

- M2** 1984 c. 60.  
**M3** 1978 c. 30.  
**M4** S.I. 1985/1800.  
**M5** 1984 c. 60.

**33** ..... <sup>F48</sup>

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**Textual Amendments**

- F48** S. 33 repealed by Land Registration Act 1988 (c. 3, SIF 98:2), ss. 1(2)(f), 2, Sch.

*Drug administration kits etc.*

**34 Prohibition of supply etc. of articles for administering or preparing controlled drugs.**

- (1) After section 9 of the <sup>M6</sup>Misuse of Drugs Act 1971 there is inserted the following section—

**“9A Prohibition of supply etc. of articles for administering or preparing controlled drugs.**

- (1) A person who supplies or offers to supply any article which may be used or adapted to be used (whether by itself or in combination with another article or other articles) in the administration by any person of a controlled drug to himself or another, believing that the article (or the article as adapted) is to be so used in circumstances where the administration is unlawful, is guilty of an offence.
- (2) It is not an offence under subsection (1) above to supply or offer to supply a hypodermic syringe, or any part of one.
- (3) A person who supplies or offers to supply any article which may be used to prepare a controlled drug for administration by any person to himself or

*Changes to legislation: There are currently no known outstanding effects for the Drug Trafficking Offences Act 1986. (See end of Document for details)*

another believing that the article is to be so used in circumstances where the administration is unlawful is guilty of an offence.

- (4) For the purposes of this section, any administration of a controlled drug is unlawful except—
  - (a) the administration by any person of a controlled drug to another in circumstances where the administration of the drug is not unlawful under section 4(1) of this Act, or
  - (b) the administration by any person of a controlled drug to himself in circumstances where having the controlled drug in his possession is not unlawful under section 5(1) of this Act.
- (5) In this section, references to administration by any person of a controlled drug to himself include a reference to his administering it to himself with the assistance of another”.

(2) In Schedule 4 to that Act, after the entry relating to section 9 there is inserted—

“Section 9A	Prohibition of supply etc. of articles for administering or preparing controlled drugs.	Summary	6 months or level 5 on the standard scale, or both.”
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**Marginal Citations**

**M6** 1971 c. 38.

*Miscellaneous and Supplemental*

<sup>F49</sup>**35** .....

**Textual Amendments**

**F49** S. 35 repealed (8.8.1994) by 1994 c. 29, s. 93, **Sch. 9 Pt. I**; S.I. 1994/2025, **art. 3**

<sup>F50</sup>**36** .....

**Textual Amendments**

**F50** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

<sup>F51</sup>**36A** .....

*Changes to legislation: There are currently no known outstanding effects for the Drug Trafficking Offences Act 1986. (See end of Document for details)*

**Textual Amendments**

**F51** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

<sup>F52</sup>**36B** .....

**Textual Amendments**

**F52** The whole Act, except ss. 24(6), 32, 34, and 40(1) and (3) to (5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

<sup>F53</sup>**37** .....

**Textual Amendments**

**F53** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

<sup>F54</sup>**38** .....

**Textual Amendments**

**F54** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

<sup>F55</sup>**39** .....

**Textual Amendments**

**F55** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**

**40 Short title, commencement and extent.**

(1) This Act may be cited as the Drug Trafficking Offences Act 1986.

<sup>F56</sup>(2) .....

(3) Subject to subsections (4) and (5) below, this Act extends to England and Wales only.

[<sup>F57</sup>(4) Section 34 of this Act and, so far as it relates to that section, this section, extend also to Scotland.]

(5) Section 34 extends also to Northern Ireland.

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**Changes to legislation:** *There are currently no known outstanding effects for the Drug Trafficking Offences Act 1986. (See end of Document for details)*

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**Textual Amendments**

- F56** Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**
- F57** S. 40(4) substituted (3.2.1995) by 1994 c. 37, ss. 65, 69(2), **Sch. 1 para. 11**

**Changes to legislation:**

There are currently no known outstanding effects for the Drug Trafficking Offences Act 1986.