



Drug Trafficking Offences Act 1986

1986 CHAPTER 32

E+W

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F1 Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), Sch. 3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

F2

..... **E+W**

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F2 Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), Sch. 3

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

F3 **1A** **E+W**

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F3 Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**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

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F4 Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**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

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F5 Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**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

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F6 Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**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

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F7 Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**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

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F8 Act except ss. 24(6), 32, 34, 40(1)(3)-(5) repealed (3.2.1995) by 1994 c. 37, ss. 67, 69(2), **Sch. 3**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

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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)

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**

F10**5** **E+W**

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**5A** **E+W**

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**5B** **E+W**

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**5C** . **E+W**
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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**6** **E+W**

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**7** **E+W**

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

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 **E+W**

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 **E+W**

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 **U.K.**

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 **E+W**

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 **E+W**

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 **E+W**

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**

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

F22 **14** **E+W**

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**

F23 **15** **E+W+S**

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** **E+W+S**

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** **E+W+S**

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** **E+W**

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** **E+W+S**

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** **E+W**

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

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** **E+W**

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**

^{F30} **19B** **E+W**

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**

^{F31} **19C** **E+W**

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 ^{F32} **E+W**

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**

[^{F33} 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))

^{F34} **23A** **E+W**

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**

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

Offence of assisting drug traffickers

^{F35}**24** **Assisting another to retain the benefit of drug trafficking.** **E+W**

- (1)
- ^{F35}(2)
- ^{F35}(3)
- ^{F35}(4)
- ^{F35}(4A)
- ^{F35}(5)
- ^{F35}(5A)

(6) In Part II of Schedule 1 to the ^{M1}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

F35 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)

C3 **S.24** applied (1.8.1994) by **S.I. 1994/1757, reg. 3**

Marginal Citations

M1 1982 c. 48.

^{F36}**24A** **E+W**

Textual Amendments

F36 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

^{F37}**25** **E+W**

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

F37 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**

^{F38}**26** **E+W**

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**

^{F39}**26A** **E+W**

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**

^{F40}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.**

^{F41}**26B** . **E+W**
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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**

^{F42}**26C]** **E+W**

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

^{F43}**27** **E+W**

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

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**

^{F44}**28** **E+W**

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**

^{F45}**29** **E+W**

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**

^{F46}**30** **E+W+S**

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**

^{F47}**31** **E+W**

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. E+W

(1) In section 56 of the ^{M2}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—

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

“(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.”

(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 ^{M3}Interpretation Act 1978, the ^{M4}Police and Criminal Evidence Act 1984 (Application to Customs and Excise) Order 1985 applies to sections 56 and 58 of the ^{M5}Police and Criminal Evidence Act 1984 as those sections have effect by virtue of this section.

Marginal Citations

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

33 ^{F48} **E+W**

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.** **U.K.**

(1) After section 9 of the ^{M6}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

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

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 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

F49 35 **E+W**

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**

F50 36 **E+W**

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

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**

^{F51}**36A** **E+W**

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**

^{F52}**36B** **E+W**

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**

^{F53}**37** **E+W**

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**

^{F54}**38** **E+W+S**

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**

^{F55}**39** **E+W+S**

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. U.K.

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

^{F56}(2)

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

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

[^{F57}(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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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.