

SCHEDULES

SCHEDULE 4

Section 77.

EXTENSIONS AND EXEMPTIONS

The Drug Trafficking Offences Act 1986 (c. 32)

- 1 The following section shall be inserted in the Drug Trafficking Offences Act 1986, after section 36A—

“36B Extension of certain offences to Crown servants and exemptions for regulators etc.

- (1) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, sections 23A, 24, 26B, 26C and 31 of this Act shall apply to such persons in the public service of the Crown, or such categories of person in that service, as may be prescribed.
- (2) Section 26B of this Act shall not apply to—
 - (a) any person designated by regulations made by the Secretary of State for the purpose of this paragraph; or
 - (b) in such circumstances as may be prescribed, any person who falls within such category of person as may be prescribed for the purpose of this paragraph.
- (3) The Secretary of State may designate, for the purpose of paragraph (a) of subsection (2) above, any person appearing to him to be performing regulatory, supervisory, investigative or registration functions.
- (4) The categories of person prescribed by the Secretary of State, for the purpose of paragraph (b) of subsection (2) above, shall be such categories of person connected with the performance by any designated person of regulatory, supervisory, investigative or registration functions as he considers it appropriate to prescribe.
- (5) In this section—

“the Crown” includes the Crown in right of Her Majesty’s Government in Northern Ireland; and

“prescribed” means prescribed by regulations made by the Secretary of State.
- (6) The power to make regulations under this section shall be exercisable by statutory instrument.
- (7) Any such instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.”.

Status: This is the original version (as it was originally enacted).

The Criminal Justice (Scotland) Act 1987 (c. 41)

- 2 The same section as is inserted in the Act of 1986 by paragraph 1 shall be inserted in the Criminal Justice (Scotland) Act 1987, after section 46, as section 46A, but with the substitution—
- (a) in subsection (1), of “sections 42 to 43B of this Act” for “sections 23A, 24, 26B, 26C and 31 of this Act”; and
 - (b) in subsection (2), of “43A” for “26B”.

The Criminal Justice Act 1988 (c. 33)

- 3 The same section as is inserted in the Act of 1986 by paragraph 1 shall be inserted in the Criminal Justice Act 1988, after section 93F, as section 93G, but with—
- (a) the substitution in subsection (1), of “sections 93A, 93B, 93C(2) and 93D above” for “sections 23A, 24, 26B, 26C and 31 of this Act”; and
 - (b) the omission of subsections (2) to (4).

The Prevention of Terrorism (Temporary Provisions) Act 1989 (c. 4)

- 4 The same section as is inserted in the Act of 1986 by paragraph 1 shall be inserted in the Prevention of Terrorism (Temporary Provisions) Act 1989, immediately after section 19, as section 19A, but with the substitution—
- (a) in subsection (1), of “sections 9 to 11, 17 and 18A above” for “sections 23A, 24, 26B, 26C and 31 of this Act”; and
 - (b) in subsection (2), of “18A” for “26B”.

The Criminal Justice (International Co-operation) Act 1990 (c. 5)

- 5 The same section as is inserted in the Act of 1986 by paragraph 1 shall be inserted in the Criminal Justice (International Co-operation) Act 1990, after section 23, as section 23A, but with—
- (a) the substitution in subsection (1), of “section 14(2) above” for “sections 23A, 24, 26B, 26C and 31 of this Act”; and
 - (b) the omission of subsections (2) to (4).

The Northern Ireland (Emergency Provisions) Act 1991 (c. 24)

- 6 The same section as is inserted in the Act of 1986 by paragraph 1 shall be inserted in the Northern Ireland (Emergency Provisions) Act 1991, after section 55, as section 55A, but with the substitution—
- (a) in subsection (1), of “sections 53, 54(2) to (6) and 54A above” for “sections 23A, 24, 26B, 26C and 31 of this Act”; and
 - (b) in subsection (2), of “54A” for “26B”.