
STATUTORY INSTRUMENTS

2017 No. 1240

**The Drug Dealing Telecommunications
Restriction Orders Regulations 2017**

Power to make a DDTRO

- 3.—(1) The court⁽¹⁾ may make a DDTRO if the court—
- (a) is satisfied that a relevant item identified in the order—
 - (i) has been, or is likely to have been, used; or
 - (ii) is likely to be used in the future,in connection with drug dealing offences⁽²⁾; and
 - (b) it has reasonable grounds to believe that the order would prevent or restrict the use of a communication device in connection with drug dealing offences.
- (2) A DDTRO has effect—
- (a) until the date, or the end of the period, that the order specifies (if any); or
 - (b) if no date or period is specified, until discharged under regulation 10.
- (3) A DDTRO may provide for the order, or any specified requirements of it, not to apply in relation to any relevant item that the applicant discovers is not being used in connection with drug dealing offences.
- (4) A DDTRO must specify the date and time on or before which the requirements of the order are to be complied with.
- (5) The date and time specified for the purposes of paragraph (4) must be the end of the fifth working day after the date of the order unless the applicant requests that the court specify a different date and time and the court agrees that the request is reasonable.
- (6) A DDTRO must include provision permitting the applicant and the communications provider⁽³⁾ subject to the order to agree a date and time at which the requirements of the order must be complied with that is earlier than the date and time specified in the DDTRO.
- (7) In this regulation, “working day” means a day other than—
- (a) Saturday or Sunday;
 - (b) Christmas Day or Good Friday; or
 - (c) a day that is a bank holiday under the Banking and Financial Dealings Act 1971⁽⁴⁾ in the part of the United Kingdom in which—
 - (i) in the case of a communications provider which is a company or limited liability partnership, it has its registered office;
 - (ii) in all other cases, the communications provider has its principal place of business.

(1) The word “court” is defined in section 80A(12) of the Serious Crime Act 2015.

(2) The expression “drug dealing offences” is defined in section 80A(4) of the Serious Crime Act 2015.

(3) The expression “communications provider” is defined in section 80A(12) of the Serious Crime Act 2015.

(4) 1971 c. 80.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
