



# Criminal Justice Act 1993

## 1993 CHAPTER 36

### PART II

#### DRUG TRAFFICKING OFFENCES

##### *Enforcement*

#### **21 Enforcement of certain orders**

- (1) In section 9 of the Criminal Justice (International Co-operation) Act 1990 (enforcement of overseas forfeiture orders), in subsection (1)(b), the words “or intended for use” shall be inserted after “used”.
- (2) In section 24A of the Drug Trafficking Offences Act 1986 (recognition and enforcement of certain orders), the following shall be substituted for subsection (6)—
  - “(6) An Order in Council under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.”.
- (3) The same subsection as is inserted in section 24A of the Act of 1986 by subsection (2) shall be inserted in—
  - (a) section 25 of that Act (but in substitution for subsection (4));
  - (b) section 26 of that Act (but in substitution for subsection (5));
  - (c) section 29 of the Criminal Justice (Scotland) Act 1987 (but in substitution for subsection (4));
  - (d) section 30 of the Act of 1987 (but in substitution for subsection (5));
  - (e) section 94 of the Criminal Justice Act 1988 (but in substitution for subsection (4));
  - (f) section 95 of the Act of 1988 (but in substitution for subsection (3));
  - (g) section 96 of the Act of 1988 (but in substitution for subsection (5));
  - (h) section 9 of the Criminal Justice (International Co-operation) Act 1990 (but in substitution for subsection (5)).

## **22 Enforcement of Northern Ireland orders: drug trafficking**

- (1) In section 25 of the Drug Trafficking Offences Act 1986 (enforcement of Northern Ireland orders), in subsection (1), for “19” there shall be substituted “18” and the following subsection shall be inserted after subsection (3)—

“(3A) An Order in Council under this section may, in particular, provide for section 18 of the Civil Jurisdiction and Judgments Act 1982 (enforcement of United Kingdom judgments in other parts of the United Kingdom) not to apply in relation to such orders as may be prescribed by the Order.”.

- (2) In section 29 of the Criminal Justice (Scotland) Act 1987 (enforcement of Northern Ireland orders), the following subsection shall be inserted after subsection (3)—

“(3A) An Order in Council under this section may, in particular, provide for section 18 of the Civil Jurisdiction and Judgments Act 1982 (enforcement of United Kingdom judgments in other parts of the United Kingdom) not to apply in relation to such orders as may be prescribed by the Order.”.

## **23 Transfer of certain enforcement powers to the Commissioners of Customs and Excise**

- (1) The functions of the Secretary of State under section 20 of the Criminal Justice (International Co-operation) Act 1990 (enforcement powers in relation to ships) are transferred to the Commissioners of Customs and Excise.
- (2) The following consequential amendments shall be made in the Act of 1990—
- (a) in section 20, for “Secretary of State”, “he” and “his”, wherever they occur, there shall be substituted, respectively, “Commissioners of Customs and Excise”, “they” and “their”;
  - (b) in section 21(3), for “ Secretary of State”, where first occurring, there shall be substituted “Commissioners of Customs and Excise”; and
  - (c) in paragraph 2(2) of Schedule 3, for “Secretary of State” there shall be substituted “Commissioners of Customs and Excise”.
- (3) The transfer of functions effected by this section shall not affect the validity of any action taken or begun under section 20 of the Act of 1990 before the coming into force of this section.