

*Status: Point in time view as at 30/11/2011.*

*Changes to legislation: Customs and Excise Management Act 1979, SCHEDULE 1 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

Sections 50(5), 68(4) and 170(4).

#### CONTROLLED DRUGS: VARIATION OF PUNISHMENTS FOR CERTAIN OFFENCES UNDER THIS ACT

1 Section 50(4), 68(3) and 170(3) of this Act shall have effect in a case where the goods in respect of which the offence referred to in that subsection was committed were a Class A drug [<sup>F1</sup>, Class B drug or a temporary class drug] as if for the words from shall be liable onwards there were substituted the following words, that is to say—

“shall be liable—

(a) on summary conviction, to a penalty of the prescribed sum or of three times the value of the goods, whichever is the greater, or to imprisonment for a term not exceeding 6 months, or to both;

[<sup>F2</sup>(b) on conviction on indictment—

(i) where the goods were a Class A drug, to a penalty of any amount, or to imprisonment for life, or to both; and

(ii) where they were a Class B drug [<sup>F3</sup> or a temporary class drug], to a penalty of any amount, or to imprisonment for a term not exceeding 14 years, or to both.”].

#### Textual Amendments

- F1** Words in Sch. 1 para. 1 substituted (15.11.2011) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 17 para. 21\(a\)\(i\)](#); S.I. 2011/2515, art. 3(g)
- F2** Sch. 1 para. 1: paragraph set out as para. (b) of ss. 50(4), 68(3) and 170(3) substituted by [Controlled Drugs \(Penalties\) Act 1985 \(c. 39, SIF 84\), ss. 1\(2\), 2\(2\)](#)
- F3** Words in Sch. 1 para. 1(b)(ii) inserted (15.11.2011) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 17 para. 21\(a\)\(ii\)](#); S.I. 2011/2515, art. 3(g)

2 Section 50(4), 68(3) and 170(3) of this Act shall have effect in a case where the goods in respect of which the offence referred to in that subsection was committed were a Class C drug as if for the words from shall be liable onwards there were substituted the following words, that is to say—

“shall be liable—

(a) on summary conviction <sup>F4</sup>, to a penalty of three times the value of the goods or £500, whichever is the greater, or to imprisonment for a term not exceeding 3 months, or to both;

(b)

<sup>F5</sup>(c) on conviction on indictment, to a penalty of any amount, or to imprisonment for a term not exceeding [<sup>F6</sup>14 years ], or to both.”.

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#### **Textual Amendments**

- F4** Words repealed by [S.I. 1980/704 \(N.I. 6\)](#) Sch. 1 para. 83, Sch. 2
- F5** Sch. 1 para. 2: paragraph set out as para. (b) of ss. 50(4), 68(3) and 170(3) repealed by [S.I. 1980/704 \(N.I. 6\)](#) Sch. 1 para. 83, Sch. 2
- F6** Words in [Sch. 1 para. 2\(c\)](#) substituted (29.1.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 28 para. 2](#); [S.I. 2004/81](#), art. 4(1)(2)(k)

- 3 In this Schedule Class A drug, Class B drug [<sup>F7</sup>, “Class C drug” and “temporary class drug”] have the same meanings as in the <sup>M1</sup>Misuse of Drugs Act 1971.

#### **Textual Amendments**

- F7** Words in Sch. 1 para. 3 substituted (15.11.2011) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 17 para. 21\(b\)](#); [S.I. 2011/2515](#), art. 3(g)

#### **Marginal Citations**

- M1** 1971 c. 38.

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