

Status: Point in time view as at 26/04/2004.

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (International Co-operation) Act 1990. (See end of Document for details)

SCHEDULES

^{F1} SCHEDULE 1

Section 4(6).

Textual Amendments

- F1** Sch. 1 repealed (26.4.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\)](#), s. 94(1), Sch. 5 para. 44, [Sch. 6](#); [S.I. 2004/786](#), art. 3 (with savings in [S.I. 2004/787](#), arts. 3, 4)

SCHEDULE 2

Sections 12 and 13.

SUBSTANCES USEFUL FOR MANUFACTURING CONTROLLED DRUGS

Modifications etc. (not altering text)

- C1** Sch. 2 extended (with modifications) (to Anguilla) (14.7.1994) by [S.I. 1994/1635](#), art. 2, [Sch. 1](#).

Commencement Information

- I1** Schedule 2 wholly in force; Sch. 2 in force for certain purposes at 23.4.1991 and wholly in force at 1.7.1991 see [s. 32\(2\)](#) and [S.I. 1991/1072](#), [arts. 2\(b\)](#), 3 Schedule Pt. II

TABLE I

Commencement Information

- I2** Schedule 2 Table I wholly in force; Schedule 2 Table I in force for certain purposes at 23.4.1991 and wholly in force at 1.7.1991 see [s. 32\(2\)](#) and [S.I. 1991/1072](#), [arts. 2\(b\)](#), 3 Schedule Pt. II

^{F2}N-Acetylanthranilic Acid

Textual Amendments

- F2** Words in Sch. 2 Table I inserted (1.1.1993) by [S.I. 1992/2873](#), [art. 2\(a\)](#).

Ephedrine

Ergometrine

Ergotamine

^{F2}Isosafrole

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Lysergic acid

^{F2}3,4 Methylendioxy-Phenyl-2-Propanone

[^{F3}Norephedrine]

Textual Amendments

F3 Word in [Sch. 2](#) Table 1 inserted (12.12.2001) by [S.I. 2001/3933](#), [art. 2](#)

1-Phenyl-2-propanone

^{F2}Piperonal

Pseudoephedrine

^{F2}Safrole

The salts of the substances listed in this Table whenever the existence of such salts is possible.

TABLE II

Commencement Information

I3 [Schedule 2](#) Table II wholly in force; [Sch. 2](#) Table II in force for certain purposes at 23.4.1991 and wholly in force at 1.7.1991. See s. 32(2) and [S.I. 1991/1072](#), [arts. 2\(b\), 3](#), [Schedule Pt. II](#)

Acetic anhydride

Acetone

Anthranilic acid

Ethyl ether

^{F4}Hydrochloric Acid

Textual Amendments

F4 Words in [Sch. 2](#) Table II inserted (1.1.1993) by [S.I. 1992/2873](#), [art.2\(b\)](#).

^{F4}Methyl Ethyl Ketone (also referred to as 2-Butanone or M.E.K.)

Phenylacetic acid

Piperidine

^{F4}Potassium Permanganate

^{F4}Sulphuric Acid

^{F4}Toluene

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The salts of the substances listed in this Table [^{F4}except hydrochloric acid and sulphuric acid] whenever the existence of such salts is possible.

SCHEDULE 3

Section 20.

ENFORCEMENT POWERS IN RESPECT OF SHIPS

Modifications etc. (not altering text)

C2 Sch. 3 extended (with modifications) (to Anguilla) (14.7.1994) by S.I. 1994/1635, art. 2, Sch. 1.

Commencement Information

I4 Schedule 3 wholly in force; Sch. 3 partly in force for certain purposes 23.4.1991 and wholly in force at 1.7.1991. See s. 32(2) and S.I. 1991/1072, arts. 2(b), 3, Schedule Pt. II

Preliminary

- 1 (1) In this Schedule “an enforcement officer” means—
- a constable;
 - an officer commissioned by the Commissioners of Customs and Excise under section 6(3) of the ^{M1}Customs and Excise Management Act 1979; and
 - any other person of a description specified in an order made for the purposes of this Schedule by the Secretary of State.
- (2) The power to make an order under sub-paragraph (1)(c) above shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) In this Schedule “the ship” means the ship in relation to which the powers conferred by this Schedule are exercised.

Modifications etc. (not altering text)

C3 Sch. 3 para. 1 extended (15.2.1992) by S.I. 1992/77, art.2.

Commencement Information

I5 Sch. 3 para. 1 wholly in force; Para. 1(1)(c) in force for certain purposes at 23.4.1991 and para. 1 wholly in force at 1.7.1991. See s. 32(2) and S.I. 1991/1072, arts. 2(b), 3 Schedule Pt. II

Marginal Citations

M1 1979 c. 2.

Power to stop, board, divert and detain

- 2 (1) An enforcement officer may stop the ship, board it and, if he thinks it necessary for the exercise of his functions, require it to be taken to a port in the United Kingdom and detain it there.

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- (2) Where an enforcement officer is exercising his powers with the authority of the [^{F5}Commissioners of Customs and Excise] given under section 20(2) of this Act the officer may require the ship to be taken to a port in the Convention state in question or, if that state has so requested, in any other country or territory willing to receive it.
- (3) For any of those purposes he may require the master or any member of the crew to take such action as may be necessary.
- (4) If an enforcement officer detains a vessel he shall serve on the master a notice in writing stating that it is to be detained until the notice is withdrawn by the service on him of a further notice in writing signed by an enforcement officer.

Textual Amendments

F5 Words in [Sch. 3 para. 2\(2\)](#) substituted (1.12.1993) by [1993 c. 36, s. 23\(2\)\(c\)](#) (with [s. 78\(6\)](#)); [S.I. 1993/2734, art. 2](#), Sch.

Commencement Information

I6 [Sch. 3 para. 2](#) wholly in force at 1.7.1991 see [s. 32\(2\)](#) and [S.I. 1991/1072, art. 2\(b\)](#), [Schedule Pt. II](#)

Power to search and obtain information

- 3 (1) An enforcement officer may search the ship, anyone on it and anything on it including its cargo.
- (2) An enforcement officer may require any person on the ship to give information concerning himself or anything on the ship.
- (3) Without prejudice to the generality of those powers an enforcement officer may—
 - (a) open any containers;
 - (b) make tests and take samples of anything on the ship;
 - (c) require the production of documents, books or records relating to the ship or anything on it;
 - (d) make photographs or copies of anything whose production he has power to require.

Commencement Information

I7 [Sch. 3 para. 3](#) wholly in force at 1.7.1991 see [s. 32\(2\)](#) and [S.I. 1991/1072, art. 2\(b\)](#), [Schedule Pt. II](#)

Powers in respect of suspected offence

- 4 If an enforcement officer has reasonable grounds to suspect that an offence mentioned in section 18 or 19 of this Act has been committed on a ship to which that section applies he may—
 - (a) arrest without warrant anyone whom he has reasonable grounds for suspecting to be guilty of the offence; and
 - (b) seize and detain anything found on the ship which appears to him to be evidence of the offence.

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Commencement Information

I8 Sch. 3 para. 4 wholly in force at 1.7.1991 see s. 32(2) and S.I. 1991/1072, art. 2(b), Schedule Pt. II

Assistants

- 5 (1) An enforcement officer may take with him, to assist him in exercising his powers—
- (a) any other persons; and
 - (b) any equipment or materials.
- (2) A person whom an enforcement officer takes with him to assist him may perform any of the officer's functions but only under the officer's supervision.

Commencement Information

I9 Sch. 3 para. 5 wholly in force at 1.7.1991 see s. 32(2) and S.I. 1991/1072, art. 2(b), Schedule Pt. II

Use of reasonable force

- 6 An enforcement officer may use reasonable force, if necessary, in the performance of his functions.

Commencement Information

I10 Sch. 3 para. 6 wholly in force at 1.7.1991 see s. 32(2) and S.I. 1991/1072, art. 2(b), Schedule Pt. II

Evidence of authority

- 7 An enforcement officer shall, if required, produce evidence of his authority.

Commencement Information

I11 Sch. 3 para. 7 wholly in force at 1.7.1991 see s. 32(2) and S.I. 1991/1072, art. 2(b), Schedule Pt. II

Protection of officers

- 8 An enforcement officer shall not be liable in any civil or criminal proceedings for anything done in the purported performance of his functions under this Schedule if the court is satisfied that the act was done in good faith and that there were reasonable grounds for doing it.

Commencement Information

I12 Sch. 3 para. 8 wholly in force at 1.7.1991 see s. 32(2) and S.I. 1991/1072, art. 2(b), Schedule Pt. II

Offences

- 9 (1) A person is guilty of an offence if he—

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- (a) intentionally obstructs an enforcement officer in the performance of any of his functions under this Schedule;
 - (b) fails without reasonable excuse to comply with a requirement made by an enforcement officer in the performance of those functions; or
 - (c) in purporting to give information required by an officer for the performance of those functions—
 - (i) makes a statement which he knows to be false in a material particular or recklessly makes a statement which is false in a material particular; or
 - (ii) intentionally fails to disclose any material particular.
- (2) A person guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Commencement Information

I13 Sch. 3 para. 9 wholly in force at 1.7.1991 see s. 32(2) and S.I. 1991/1072, art. 2(b), Schedule Pt. II

SCHEDULE 4

Section 31(1).

CONSEQUENTIAL AND OTHER AMENDMENTS

Commencement Information

I14 Schedule 4 wholly in force; Sch. 4 in force for certain purposes at 10.6.1991 and wholly in force on 1.7.1991. See s. 32(2) and S.I. 1991/1072, art. 2(a)(b), Schedule Pts. I, II

The ^{M2}Misuse of Drugs Act 1971

Marginal Citations

M2 1971 c. 38.

F6₁

Textual Amendments

F6 Sch. 4 para. 1 repealed (24.3.2003 for S.) by Proceeds of Crime Act 2002 (c. 29), s. 458(1), Sch. 12; S.S.I. 2003/210, art. 2, sch. (with art. 7)

The ^{M3}Magistrates' Courts Act 1980

Marginal Citations

M3 1980 c. 43.

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Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (International Co-operation) Act 1990. (See end of Document for details)

2 After section 97(2) of the Magistrates’ Courts Act 1980 there shall be inserted—

“(2A) A summons may also be issued under subsection (1) above if the justice is satisfied that the person in question is outside the British Islands but no warrant shall be issued under subsection (2) above unless the justice is satisfied by evidence on oath that the person in question is in England or Wales.”

Commencement Information

I15 Schedule 4 para. 2 wholly in force at 10.6.1991. See s. 32(2) and S.I. 1991/1072, art. 2(a), Schedule

The^{M4} Criminal Justice Act 1982

Marginal Citations

M4 1982 c. 48.

3 At the end of Part II of Schedule 1 to the Criminal Justice Act 1982 there shall be inserted—

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

Section 14 (concealing or transferring proceeds of drug trafficking).”

Commencement Information

I16 Schedule 4 para. 3 wholly in force at 1.7.1991. See s. 32(2) and S.I. 1991/1072, art. 2(b), Schedule Pt. II

The^{M5} Drug Trafficking Offences Act 1986

Marginal Citations

M5 1986 c. 32.

F74

Textual Amendments

F7 Sch. 4 para. 4 repealed (3.2.1995) by 1994 c. 37, ss. 67(1), 69(2), Sch. 3.

The^{M6} Criminal Justice (Scotland) Act 1987

Marginal Citations

M6 1987 c. 41.

[F85 (1) The Criminal Justice (Scotland) Act 1987 shall be amended as follows.

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- (2) In section 1—
- (a) in subsection (2) after paragraph (c) there shall be inserted—
- “(cc) an offence under sections 12, 14 or 19 of the Criminal Justice (International Co-operation) Act 1990;”,
- and in paragraph (d) for “or (c)” there shall be substituted, “(c) or (cc)”;
- (b) in subsection (6) after paragraph (d) there shall be inserted—
- “(e) manufacturing or supplying a scheduled substance within the meaning of section 12 of the Criminal Justice (International Co-operation) Act 1990 where the manufacture or supply is an offence under that section;”.
- (3) In section 3(3) after the words “section 43 of this Act” there shall be inserted the words “or section 14 of the Criminal Justice (International Co-operation) Act 1990”.
- (4) In section 5(2) the words from “at the date” to “first occurs”, the words “on that date” and the words “as at that date” shall cease to have effect.]

Textual Amendments

F8 Sch. 4 para. 5 repealed (S.) (1.4.1996) by 1995 c. 40, ss. 6(1), 7(2), Sch. 5.

Commencement Information

I17 Sch. 4 para. 5 wholly in force at 1.7.1991 see s. 32(2) and S.I. 1991/1072, art. 2(b), Schedule Pt. II

M7 The Criminal Justice Act 1988

Marginal Citations

M7 1988 c. 33.

- 6 (1) The Criminal Justice Act 1988 shall be amended as follows.

^{F9}(2)

- (3) In paragraph 6(1) of Schedule 13 for the words “In section 29 above “criminal proceedings” does not include proceedings before a Service court” there shall be substituted the words “No application shall be made under section 3 of the Criminal Justice (International Co-operation) Act 1990 in relation to any offence which is or is to be the subject of proceedings before a Service court”.

Textual Amendments

F9 Sch. 4 para. 6(2) repealed (26.4.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\), s. 94\(1\), Sch. 6; S.I. 2004/786, art. 3\(3\)](#) (with savings in S.I. 2004/787, arts. 3, 4)

Commencement Information

I18 Sch. 4 para. 6 wholly in force at 10.6.1991 see s. 32(2) and S.I. 1991/1072, art. 2(a), Schedule Pt. I

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The ^{M8}Magistrates' Courts (Northern Ireland) Order 1981

Marginal Citations

M8 [S.I. 1981/1675 \(N.I. 26\)](#).

7 In Article 118(2) of the Magistrates' Courts (Northern Ireland) Order 1981 after the words "a person" there shall be inserted the words " in Northern Ireland ".

Commencement Information

I19 [Schedule 4 para. 7](#) wholly in force at 10.6.1991. See s. 32(2) and [S.I. 1991/1072](#), [art. 2\(a\)](#), [Schedule Pt. I](#)

The ^{M9}Criminal Justice (Evidence, Etc.)(Northern Ireland) Order 1988

Marginal Citations

M9 [S.I. 1988/1847 \(N.I. 17\)](#).

F10g

Textual Amendments

F10 Sch. 4 para. 8 repealed (26.4.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\)](#), s. 94(1), [Sch. 6](#); [S.I. 2004/786](#), [art. 3\(3\)](#) (with savings in [S.I. 2004/787](#), arts. 3, 4)

SCHEDULE 5

Section 31(3).

REPEALS

Commencement Information

I20 [Sch. 5](#) wholly in force: [Sch. 5](#) partly in force at 10.6.1991 and wholly in force 1.7.1991 see [s. 32\(2\)](#) and [S.I. 1991/1072](#), [art. 2](#), [Schedule](#)

Chapter	Short title	Extent of repeal
36 & 37 Vict. c. 60.	The Extradition Act 1873.	Section 5.
1975 c. 34.	The Evidence (Proceedings in Other Jurisdictions) Act 1975.	Section 5.
1978 c. 26.	The Suppression of Terrorism Act 1978.	In section 1, subsection (3) (d) together with the word "and" immediately preceding it, in subsection (4) the words from "and that

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		subsection (3)(d)(ii)” onwards and subsection (5) (b) together with the word “and” immediately preceding it.
1987 c. 41.	The Criminal Justice (Scotland) Act 1987.	In section 5(2) the words from “at the date” to “first occurs)”, the words “on that date” and the words “as at that date”.
1988 c. 33.	The Criminal Justice Act 1988.	Section 29.
1989 c. 33.	The Extradition Act 1989.	In section 22(4)(f)(ii) the word “and”. In Schedule 1, in paragraph 15(h) the word “or” where it last occurs.

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