



# Criminal Justice (International Co-operation) Act 1990

## 1990 CHAPTER 5

### PART II

#### THE VIENNA CONVENTION

##### *Substances useful for manufacture of controlled drugs*

#### **13 Regulations about scheduled substances.**

- (1) The Secretary of State may by regulations make provision—
- (a) imposing requirements as to the documentation of transactions involving scheduled substances;
  - (b) requiring the keeping of records and the furnishing of information with respect to such substances;
  - (c) for the inspection of records kept pursuant to the regulations;
  - (d) for the labelling of consignments of scheduled substances.
- (2) Regulations made by virtue of subsection (1)(b) may, in particular, require—
- (a) the notification of the proposed exportation of substances specified in Table I in Schedule 2 to this Act to such countries as may be specified in the regulations; and
  - (b) the production, in such circumstances as may be so specified, of evidence that the required notification has been given;

and for the purposes of section 68 of the <sup>M1</sup>Customs and Excise Management Act 1979 (offences relating to exportation of prohibited or restricted goods) any such substance shall be deemed to be exported contrary to a restriction for the time being in force with respect to it under this Act if it is exported without the requisite notification having been given.

*Status: Point in time view as at 07/03/2008.*

*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (International Co-operation) Act 1990, Section 13. (See end of Document for details)*

- (3) Regulations under this section may make different provision in relation to the substances specified in Table I and Table II in Schedule 2 to this Act respectively and in relation to different cases or circumstances.
- (4) The power to make regulations under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) Any person who fails to comply with any requirement imposed by the regulations or, in purported compliance with any such requirement, furnishes information which he knows to be false in a material particular or recklessly furnishes information which is false in a material particular is guilty of an offence and liable—
- (a) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both.
- (6) No information obtained pursuant to the regulations shall be disclosed except for the purposes of criminal proceedings or of proceedings under the provisions of the <sup>F1</sup>...<sup>M2</sup> relating to the confiscation of the proceeds of drug trafficking or corresponding provisions in force in Northern Ireland<sup>F2</sup> or of proceedings under Part 2, 3 or 4 of the Proceeds of Crime Act 2002].

#### Subordinate Legislation Made

**P1** S. 13: S. 13 power exercised by [S.I. 1991/1285](#)

#### Textual Amendments

**F1** Words in s. 13(6) omitted (24.3.2003) by virtue of [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), [Sch. 11 para. 21\(a\)](#), [Sch. 12](#); [S.I. 2003/333](#), art. 2, [Sch.](#) (with arts. 10-13)

**F2** Words in s. 13(6) inserted (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), [Sch. 11 para. 21\(b\)](#); [S.S.I. 2003/210](#), art. 2(1)(b)(2), [sch.](#) (with art. 7); [S.I. 2003/333](#), art. 2, [Sch.](#) (with arts. 10-13)

#### Modifications etc. (not altering text)

**C1** Ss. 1-6, 8-10, 12-16, 18-21, 24-30, 32, [Schs. 1-3](#) extended with modifications (to Anguilla) (14.7.1994) by [S.I. 1994/1635](#), art. 2, [Sch. 1](#)

**C2** S. 13(2) applied (with modifications) by [S.I. 1991/1285](#), [reg. 3\(b\)](#).

**C3** S. 13(5)(a) modified by [S.I. 1991/1285](#), [reg. 6\(d\)](#)

S. 13(5)(a) modified (6.10.1993) by [S.I. 1993/2166](#), [reg. 7](#).

**C4** [S. 13\(5\)\(a\)](#) modified (7.3.2008) by [Controlled Drugs \(Drug Precursors\) \(Community External Trade\) Regulations 2008 \(S.I. 2008/296\)](#), [regs. 1\(1\)](#), [5\(2\)](#)

#### Commencement Information

**I1** S. 13 wholly in force; s. 13 in force for certain purposes at 23.4.1991 and wholly in force at 1.7.1991. See s. 32(2) and [S.I. 1991/1702](#), [arts. 2\(b\)](#), 3, [Schedule Pt.II](#)

#### Marginal Citations

**M1** 1979 c. 2.

**M2** 1987 c. 41.

**Status:**

Point in time view as at 07/03/2008.

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice (International Co-operation) Act 1990, Section 13.