



# Criminal Justice (International Co-operation) Act 1990

## 1990 CHAPTER 5

### PART II

#### THE VIENNA CONVENTION

##### *Offences at sea*

#### **19 Ships used for illicit traffic.**

- (1) This section applies to a British ship, a ship registered in a state other than the United Kingdom which is a party to the Vienna Convention (a “Convention state”) and a ship not registered in any country or territory.
- (2) A person is guilty of an offence if on a ship to which this section applies, wherever it may be, he—
  - (a) has a controlled drug in his possession; or
  - (b) is in any way knowingly concerned in the carrying or concealing of a controlled drug on the ship,  
knowing or having reasonable grounds to suspect that the drug is intended to be imported or has been exported contrary to section 3(1) of the <sup>M1</sup>Misuse of Drugs Act 1971 or the law of any state other than the United Kingdom.
- (3) A certificate purporting to be issued by or on behalf of the government of any state to the effect that the importation or export of a controlled drug is prohibited by the law of that state shall be evidence, and in Scotland sufficient evidence, of the matters stated.
- (4) A person guilty of an offence under this section is liable—
  - (a) in a case where the controlled drug is a Class A drug—
    - (i) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both;
    - (ii) on conviction on indictment, to imprisonment for life or a fine or both;

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*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (International Co-operation) Act 1990, Section 19. (See end of Document for details)*

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- (b) in a case where the controlled drug is a Class B drug [<sup>F1</sup>or a temporary class drug]—
    - (i) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both;
    - (ii) on conviction on indictment, to imprisonment for a term not exceeding fourteen years or a fine or both;
  - (c) in a case where the controlled drug is a Class C drug—
    - (i) on summary conviction, to imprisonment for a term not exceeding three months or a fine not exceeding the statutory maximum or both;
    - (ii) on conviction on indictment, to imprisonment for a term not exceeding [<sup>F2</sup>fourteen years] or a fine or both.
- (5) In this section “a controlled drug” and the references to controlled drugs of a specified Class have the same meaning as in the said Act of 1971; and an offence under this section shall be included in the offences to which section 28 of that Act (defences) applies.

#### Textual Amendments

- F1** Words in s. 19 inserted (15.11.2011) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 17 para. 22](#); S.I. 2011/2515, art. 3(g)
- F2** Words in s. 19(4)(c)(ii) substituted (29.1.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 28 para. 3](#); S.I. 2004/81, art. 4(1)(2)(k)

#### 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](#)

#### Commencement Information

- I1** S. 19 wholly in force at 1.7.1991 see s. 32(2) and [S.I. 1991/1072](#), art. 2(b), [Schedule Pt. II](#)

#### Marginal Citations

- M1** 1971 c. 38.

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