



# 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 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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*Status: This is the original version (as it was originally enacted).*

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- (b) in a case where the controlled drug is a Class B 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 five 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.