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## SCHEDULES

### SCHEDULE 2

Section 75

#### LIFESTYLE OFFENCES: ENGLAND AND WALES

##### *Drug trafficking*

- 1 (1) An offence under any of the following provisions of the Misuse of Drugs Act 1971 (c. 38)—
- (a) section 4(2) or (3) (unlawful production or supply of controlled drugs);
  - (b) section 5(3) (possession of controlled drug with intent to supply);
  - (c) section 8 (permitting certain activities relating to controlled drugs);
  - (d) section 20 (assisting in or inducing the commission outside the UK of an offence punishable under a corresponding law).
- (2) An offence under any of the following provisions of the Customs and Excise Management Act 1979 (c. 2) if it is committed in connection with a prohibition or restriction on importation or exportation which has effect by virtue of section 3 of the Misuse of Drugs Act 1971—
- (a) section 50(2) or (3) (improper importation of goods);
  - (b) section 68(2) (exploration of prohibited or restricted goods);
  - (c) section 170 (fraudulent evasion).
- (3) An offence under either of the following provisions of the Criminal Justice (International Co-operation) Act 1990 (c. 5)—
- (a) section 12 (manufacture or supply of a substance for the time being specified in Schedule 2 to that Act);
  - (b) section 19 (using a ship for illicit traffic in controlled drugs).

##### **Commencement Information**

**II** Sch. 2 para. 1 in force at 24.3.2003 by [S.I. 2003/333](#), art. 2, [Sch.](#)

- [<sup>F1</sup>1A An offence under any of the following provisions of the Psychoactive Substances Act 2016—
- (a) section 4 (producing a psychoactive substance);
  - (b) section 5 (supplying, or offering to supply, a psychoactive substance);
  - (c) section 7 (possession of psychoactive substance with intent to supply);
  - (d) section 8 (importing or exporting a psychoactive substance).]

##### **Textual Amendments**

**F1** [Sch. 2 para. 1A](#) inserted (26.5.2016) by [Psychoactive Substances Act 2016 \(c. 2\)](#), s. 63(2), [Sch. 5 para. 2\(2\)](#); [S.I. 2016/553](#), reg. 2

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**Textual Amendments**

**F1** Sch. 2 para. 1A inserted (26.5.2016) by Psychoactive Substances Act 2016 (c. 2), s. 63(2), Sch. 5 para. 2(2); S.I. 2016/553, reg. 2

**Commencement Information**

**I1** Sch. 2 para. 1 in force at 24.3.2003 by S.I. 2003/333, art. 2, Sch.

*Money laundering*

- 2 An offence under either of the following provisions of this Act—
  - (a) section 327 (concealing etc criminal property);
  - (b) section 328 (assisting another to retain criminal property).

**Commencement Information**

**I2** Sch. 2 para. 2 in force at 24.3.2003 by S.I. 2003/333, art. 2, Sch.

*Directing terrorism*

- 3 An offence under section 56 of the Terrorism Act 2000 (c. 11) (directing the activities of a terrorist organisation).

**Commencement Information**

**I3** Sch. 2 para. 3 in force at 24.3.2003 by S.I. 2003/333, art. 2, Sch.

*Slavery etc*

- [<sup>F2</sup>3A An offence under section 1 of the Modern Slavery Act 2015 (slavery, servitude and forced or compulsory labour).]

**Textual Amendments**

**F2** Sch. 2 para. 3A inserted (31.7.2015) by Modern Slavery Act 2015 (c. 30), ss. 7(2), 61(1); S.I. 2015/1476, reg. 2(a)

*People trafficking*

- [<sup>F3</sup>4 (1) An offence under section 25, 25A or 25B of the Immigration Act 1971 (c. 77) (assisting unlawful immigration etc.).
- <sup>F4</sup>(2) .....
- <sup>F4</sup>(3) .....
- [<sup>F5</sup>(4) An offence under section 2 of the Modern Slavery Act 2015 (human trafficking).]]

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#### Textual Amendments

- F3** Sch. 2 para. 4 substituted (10.2.2003) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), s. 162(1), [Sch. 7 para. 31](#) (with s. 159); S.I. 2003/1, art. 2, Sch.
- F4** Sch. 2 para. 4(2)(3) omitted (31.7.2015) by virtue of [Modern Slavery Act 2015 \(c. 30\)](#), [ss. 7\(3\)\(a\)](#), 61(1); S.I. 2015/1476, reg. 2(a) (with [regs. 3, 8](#))
- F5** Sch. 2 para. 4(4) inserted (31.7.2015) by [Modern Slavery Act 2015 \(c. 30\)](#), [ss. 7\(3\)\(b\)](#), 61(1); S.I. 2015/1476, reg. 2(a) (with [regs. 3, 8](#))

#### Commencement Information

- I4** Sch. 2 para. 4 in force at 24.3.2003 by S.I. 2003/333, art. 2, [Sch.](#)

#### *Arms trafficking*

- 5 (1) An offence under either of the following provisions of the Customs and Excise Management Act 1979 if it is committed in connection with a firearm or ammunition—
- (a) section 68(2) (exportation of prohibited goods);
  - (b) section 170 (fraudulent evasion).
- (2) An offence under section 3(1) of the Firearms Act 1968 (c. 27) (dealing in firearms or ammunition by way of trade or business).
- (3) In this paragraph “firearm” and “ammunition” have the same meanings as in section 57 of the Firearms Act 1968 (c. 27).

#### Commencement Information

- I5** Sch. 2 para. 5 in force at 24.3.2003 by S.I. 2003/333, art. 2, [Sch.](#)

#### *Counterfeiting*

- 6 An offence under any of the following provisions of the Forgery and Counterfeiting Act 1981 (c. 45)—
- (a) section 14 (making counterfeit notes or coins);
  - (b) section 15 (passing etc counterfeit notes or coins);
  - (c) section 16 (having counterfeit notes or coins);
  - (d) section 17 (making or possessing materials or equipment for counterfeiting).

#### Commencement Information

- I6** Sch. 2 para. 6 in force at 24.3.2003 by S.I. 2003/333, art. 2, [Sch.](#)

#### *Intellectual property*

- 7 (1) An offence under any of the following provisions of the Copyright, Designs and Patents Act 1988 (c. 48)—
- (a) section 107(1) (making or dealing in an article which infringes copyright);

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- (b) section 107(2) (making or possessing an article designed or adapted for making a copy of a copyright work);
  - (c) section 198(1) (making or dealing in an illicit recording);
  - (d) section 297A (making or dealing in unauthorised decoders).
- (2) An offence under section 92(1), (2) or (3) of the Trade Marks Act 1994 (c. 26) (unauthorised use etc of trade mark).

#### Commencement Information

**I7** Sch. 2 para. 7 in force at 24.3.2003 by [S.I. 2003/333, art. 2, Sch.](#)

#### *Prostitution and child sex*

- [<sup>F6</sup> 8 (1) An offence under section 33 or 34 of the Sexual Offences Act 1956 (keeping or letting premises for use as a brothel).
- (2) An offence under any of the following provisions of the Sexual Offences Act 2003—
- (a) section 14 (arranging or facilitating commission of a child sex offence);
  - (b) section 48 (causing or inciting [<sup>F7</sup>sexual exploitation of a child] );
  - (c) section 49 (controlling a child [<sup>F8</sup>in relation to sexual exploitation] );
  - (d) section 50 (arranging or facilitating [<sup>F9</sup>sexual exploitation of a child] );
  - (e) section 52 (causing or inciting prostitution for gain);
  - (f) section 53 (controlling prostitution for gain).]

#### Textual Amendments

- F6** Sch. 2 para. 8 substituted (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\), s. 141, Sch. 6 para. 46\(3\); S.I. 2004/874, art. 2](#)
- F7** Words in Sch. 2 para. 8(2)(b) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\), s. 88\(1\), Sch. 4 para. 58\(2\); S.I. 2015/820, reg. 2\(r\)\(v\)](#)
- F8** Words in Sch. 2 para. 8(2)(c) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\), s. 88\(1\), Sch. 4 para. 58\(3\); S.I. 2015/820, reg. 2\(r\)\(v\)](#)
- F9** Words in Sch. 2 para. 8(2)(d) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\), s. 88\(1\), Sch. 4 para. 58\(4\); S.I. 2015/820, reg. 2\(r\)\(v\)](#)

#### Commencement Information

**I8** Sch. 2 para. 8 in force at 24.3.2003 by [S.I. 2003/333, art. 2, Sch.](#)

#### *Blackmail*

- 9 An offence under section 21 of the Theft Act 1968 (c. 60) (blackmail).

#### Commencement Information

**I9** Sch. 2 para. 9 in force at 24.3.2003 by [S.I. 2003/333, art. 2, Sch.](#)

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[<sup>F10</sup>9A An offence under section 12(1) or (2) of the Gangmasters (Licensing) Act 2004 (acting as a gangmaster other than under the authority of a licence, possession of false documents etc).]

**Textual Amendments**

**F10** Sch. 2 para. 9A inserted (1.10.2006) by Gangmasters (Licensing) Act 2004 (c. 11), ss. 14(4), 29(1); S.I. 2006/2406, art. 2(e)

**Textual Amendments**

**F10** Sch. 2 para. 9A inserted (1.10.2006) by Gangmasters (Licensing) Act 2004 (c. 11), ss. 14(4), 29(1); S.I. 2006/2406, art. 2(e)

**Commencement Information**

**I9** Sch. 2 para. 9 in force at 24.3.2003 by S.I. 2003/333, art. 2, Sch.

*Inchoate offences*

10 (1) An offence of attempting, conspiring or inciting the commission of an offence specified in this Schedule.

[<sup>F11</sup>(1A) An offence under section 44 of the Serious Crime Act 2007 of doing an act capable of encouraging or assisting the commission of an offence specified in this Schedule.]

(2) An offence of aiding, abetting, counselling or procuring the commission of such an offence.

**Textual Amendments**

**F11** Sch. 2 para. 10(1A) inserted (1.10.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), Sch. 6 para. 62 (with Sch. 13 para. 5); S.I. 2008/2504, art. 2(a)

**Commencement Information**

**I10** Sch. 2 para. 10 in force at 24.3.2003 by S.I. 2003/333, art. 2, Sch.

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