



# Drugs Act 2005

## 2005 CHAPTER 17

### PART 3

#### ASSESSMENT OF MISUSE OF DRUGS

#### **16 Samples submitted for further analysis**

- (1) A requirement imposed on a person by virtue of section 9(2) or 10(2) ceases to have effect if at any time before he has fully complied with the requirement—
  - (a) a police officer makes arrangements for a further analysis of the sample taken from him as mentioned in section 9(1)(a), and
  - (b) the analysis does not reveal that a specified Class A drug was present in the person's body.
- (2) If a requirement ceases to have effect by virtue of subsection (1), a police officer must so inform the person concerned.
- (3) Nothing in subsection (1) affects the validity of anything done in connection with the requirement before it ceases to have effect.
- (4) If a person fails to attend an assessment which he is required to attend by virtue of section 9(2) or fails to remain for the duration of such an assessment but, at any time after his failure, the requirement ceases to have effect by virtue of subsection (1) above—
  - (a) no proceedings for an offence under section 12(3) may be brought against him, and
  - (b) if any such proceedings were commenced before the requirement ceased to have effect, those proceedings must be discontinued.
- (5) If a person fails to attend an assessment which he is required to attend by virtue of section 10(2) or fails to remain for the duration of such an assessment but, at any time after his failure, the requirement ceases to have effect by virtue of subsection (1) above—
  - (a) no proceedings for an offence under section 14(3) may be brought against him, and

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*Status: This is the original version (as it was originally enacted).*

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- (b) if any such proceedings were commenced before the requirement ceased to have effect, those proceedings must be discontinued.