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## EXPLANATORY NOTE

*(This note is not part of the Order)*

The Drug Trafficking Act 1994, which came into force on 3rd February 1995, consolidated and re-enacted the provisions of the Drug Trafficking Offences Act 1986, as amended. This Order, which comes into force on 1st January 1997, provides that, subject to certain modifications, the Drug Trafficking Act 1994 applies to an order made by a court in a designated country or territory for the purpose of recovering payments or other rewards received in connection with drug trafficking or their value, and to proceedings which have been or are to be instituted in a designated country or territory and may result in such an order being made there. It also provides, in article 8, that the value of any property recovered in a designated country or territory in response to a request by the Government of the United Kingdom for assistance in the enforcement of an order is to be treated as reducing the amount payable in England and Wales under a confiscation order made by the Crown Court.

Article 3 of the Order designates the countries and territories listed in Schedule 1 for the purposes of enforcement of confiscation orders, and applies the provisions of the Drug Trafficking Act 1994, with modifications, to confiscation orders of court in those countries and territories and proceedings which may lead to such an order being made. The modifications to the Act are set out in Schedule 2 to the Order and Schedule 3 sets out in full that Act as so modified.

Article 10 revokes the Drug Trafficking Offences Act 1986 (Designated Countries and Territories) Order 1990; the countries and territories designated under that Order are designated under this Order, together with a number of countries and territories which are designated for the first time.