



Misuse of Drugs Act 1971

1971 CHAPTER 38

Law enforcement and punishment of offences

27 Forfeiture.

- (1) Subject to subsection (2) below, the court by or before which a person is convicted of an offence under this Act [^{F1}or [^{F2}an offence falling within subsection (3) below]] [^{F3}or an offence to which section 1 of the Criminal Justice (Scotland) Act 1987 relates]] [^{F4}or a drug trafficking offence, as defined in Article 2(2) of the [^{F5}Proceeds of Crime (Northern Ireland) Order 1996]] may order anything shown to the satisfaction of the court to relate to the offence, to be forfeited and either destroyed or dealt with in such other manner as the court may order.
- (2) The court shall not order anything to be forfeited under this section, where a person claiming to be the owner of or otherwise interested in it applies to be heard by the court, unless an opportunity has been given to him to show cause why the order should not be made.
- [^{F6}(3) An offence falls within this subsection if it is an offence which is specified in—
- (a) paragraph 1 of Schedule 2 to the Proceeds of Crime Act 2002 (drug trafficking offences), or
 - (b) so far as it relates to that paragraph, paragraph 10 of that Schedule.]

Textual Amendments

- F1** Words inserted (E.W.) by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 70, 123, [Sch. 8 para. 16](#)
- F2** Words in s. 27(1) substituted (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), [Sch. 11 para. 5\(2\)](#); [S.I. 2003/333](#), art. 2, Sch.
- F3** Words inserted (1.7.1991) by [Criminal Justice \(International Co-operation\) Act 1990 \(c. 5, SIF 39:1\)](#), s. 31(1), [Sch. 4 para. 1](#); [S.I. 1991/1072](#), art. 2, [Sch. Pt. II](#)
- F4** Words in s. 27(1) inserted (9.1.1995) by [S.I. 1994/2795 \(N.I. 15\)](#), [art. 13](#); [S.R. 1994 No. 446](#), [art. 2](#)
- F5** Words in s. 27(1) substituted (25.8.1996) by [S.I. 1996/1299 \(N.I. 9\)](#), art. 57(1), [Sch. 3 para. 3](#)
- F6** S. 27(3) inserted (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), [Sch. 11 para. 5\(3\)](#); [S.I. 2003/333](#), art. 2, Sch.

Changes to legislation: There are currently no known outstanding effects for the Misuse of Drugs Act 1971, Section 27. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 27 restricted (E.W.) by [Drug Trafficking Offences Act 1986 \(c. 32, SIF 39:1\)](#), **s. 1(5)(b)(iii)**
s. 27 restricted (E.W.) (3.2.1995) by [1994 c. 37](#), ss. 2(5)(b)(iii), 20(1)(a)(iii)(with s. 66(2))
- C2** S. 27 restricted by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 72(5)(c), 123, **Sch. 8 para. 6**

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