



Drug Trafficking Offences Act 1986

1986 CHAPTER 32

Investigations into drug trafficking

32 Authorisation of delay in notifying arrest.

- (1) In section 56 of the ^{M1}Police and Criminal Evidence Act 1984 (right to have someone informed when arrested), at the beginning of subsection (5) there is inserted “Subject to subsection (5A) below” and after that subsection there is inserted—

“(5A) An officer may also authorise delay where the serious arrestable offence is a drug trafficking offence and the officer has reasonable grounds for believing—

- (a) that the detained person has benefited from drug trafficking, and
- (b) that the recovery of the value of that person’s proceeds of drug trafficking will be hindered by telling the named person of the arrest.”

- (2) In section 58 of that Act (access to legal advice) at the beginning of subsection (8) there is inserted “Subject to subsection (8A) below” and after that subsection there is inserted—

“(8A) An officer may also authorise delay where the serious arrestable offence is a drug trafficking offence and the officer has reasonable grounds for believing—

- (a) that the detained person has benefited from drug trafficking, and
- (b) that the recovery of the value of that person’s proceeds of drug trafficking will be hindered by the exercise of the right conferred by subsection (1) above.”

- (3) In section 65 of that Act (interpretation)—

- (a) after the definition of “appropriate consent” there is inserted—
““drug trafficking” and “drug trafficking offence” have the same meaning as in the Drug Trafficking Offences Act 1986”; and
- (b) at the end of that section there is inserted “and references in this Part to any person’s proceeds of drug trafficking are to be construed in accordance with the Drug Trafficking Offences Act 1986”.

Changes to legislation: There are currently no known outstanding effects for the Drug Trafficking Offences Act 1986, Section 32. (See end of Document for details)

- (4) Without prejudice to section 20(2) of the ^{M2}Interpretation Act 1978, the ^{M3}Police and Criminal Evidence Act 1984 (Application to Customs and Excise) Order 1985 applies to sections 56 and 58 of the ^{M4}Police and Criminal Evidence Act 1984 as those sections have effect by virtue of this section.

.....

Marginal Citations

M1 1984 c. 60.

M2 1978 c. 30.

M3 S.I. 1985/1800.

M4 1984 c. 60.

Changes to legislation:

There are currently no known outstanding effects for the Drug Trafficking Offences Act 1986, Section 32.