



Criminal Justice Act 1988

1988 CHAPTER 33

PART XI

MISCELLANEOUS

Provisions relating to Customs and Excise

152 Remands of suspected drug offenders to ^{F1} . . . detention.

(1) Subject—

- (a) to subsection (2) below; and
- (b) to section 4 of the Bail Act 1976,

where—

- (i) a person is brought before a magistrates' court on a charge of an offence against section 5(2) of the Misuse of Drugs Act 1971 or a drug trafficking offence; and
- (ii) the court has power to remand him,

it shall have power, if it considers it appropriate to do so, to remand him to customs detention, that is to say, commit him to the custody of a customs officer for a period not exceeding 192 hours.

[^{F2}(1A) In subsection (1) the power of a magistrates' court to remand a person to customs detention for a period not exceeding 192 hours includes power to commit the person to the custody of a constable to be detained for such a period.]

(2) This section does not apply where a charge is brought against a person under the age of 17.

(3) In the application of this section to Northern Ireland, for the words from the beginning of subsection (1) above to "1976" there shall be substituted the words "Subject to subsection (2) below,".

^{F3}[(4) In the application of this section to Northern Ireland, "drug trafficking offence" means][^{F4}any offence which is specified in—

Changes to legislation: *Criminal Justice Act 1988, Section 152 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (a) paragraph 1 of Schedule 5 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** S. 152: word in title left out (1.1.2006) by [Drugs Act 2005 \(c. 17\)](#), [ss. 8\(a\), 24](#); [S.I. 2005/3053](#), [art. 3\(d\)](#)
- F2** S. 152(1A) inserted (1.1.2006) by [Drugs Act 2005 \(c. 17\)](#) {[ss. 8\(b\)](#)}, [24](#); [S.I. 2005/3053](#), [art. 3\(d\)](#)
- F3** S. 152(4) substituted (25.8.1996) by [S.I. 1996/1299 \(N.I.9\)](#), [art. 57\(1\)](#), [Sch. 3 para. 7](#)
- F4** S. 152(4)(a)(b) substituted (24.3.2003) for words by [2002 c. 29](#), [ss. 456, 458](#), [Sch. 11 para. 17\(6\)](#); [S.I. 2003/333](#), [art. 2\(1\)](#), [Sch.](#) (subject to transitional provisions and savings in [arts. 3-14](#)) (as amended by [S.I. 2003/531](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 36(2)(b)(v) and word inserted by [2019 c. 17 s. 13\(3\)\(b\)](#)
- s. 36(3A)(3B) substituted for s. 36(3A) by [2008 c. 4 s. 46\(2\)](#)
- s. 41(4A) inserted by [2004 c. 28 Sch. 10 para. 28](#)
- s. 139AZA(1)(a)(iii) and word inserted by [2019 c. 17 s. 13\(4\)\(b\)](#)