



Psychoactive Substances Act 2016

CHAPTER 2

PSYCHOACTIVE SUBSTANCES ACT 2016

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Changes to legislation: There are currently no known outstanding effects for the Psychoactive Substances Act 2016. (See end of Document for details)

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SCHEDULES

SCHEDULE 1 — EXEMPTED SUBSTANCES

Controlled drugs

- 1 Controlled drugs (within the meaning of the Misuse of Drugs...

Medicinal products

- 2 Medicinal products. In this paragraph “medicinal product” has the same...

Alcohol

- 3 Alcohol or alcoholic products. In this paragraph— “alcohol” means ethyl...

Nicotine and tobacco products

- 4 Nicotine.
- 5 Tobacco products. In this paragraph “tobacco product” means—

Caffeine

- 6 Caffeine or caffeine products. In this paragraph “caffeine product” means...

Food

- 7 Any substance which— (a) is ordinarily consumed as food, and...

SCHEDULE 2 — EXEMPTED ACTIVITIES

Healthcare-related activities

- 1 Any activity carried on by a person who is a...
- 2 Any activity carried on for the purpose of, or in...
- 3 Any activity carried on in respect of an active substance...

Research

- 4 Any activity carried on in the course of, or in...

SCHEDULE 3 — SEARCH WARRANTS: ENGLAND AND WALES AND NORTHERN IRELAND

PART 1 — APPLICATION OF THIS SCHEDULE

- 1 This Schedule applies to— (a) applications for search warrants made...

PART 2 — SEARCH WARRANTS: APPLICATIONS AND SAFEGUARDS

Applications for warrants

- 2 (1) A person applying for a search warrant must—

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Safeguards in connection with power of entry conferred by warrant

- 3 A search warrant authorises entry on one occasion only, unless...
 4 (1) A search warrant must— (a) specify the name of...
 5 (1) Two copies must be made of a search warrant...

PART 3 — EXECUTION OF SEARCH WARRANTS

Warrant to be executed within one month

- 6 Entry and search under a search warrant must be within...

All-premises warrants

- 7 (1) In the case of an all-premises warrant, premises that...

Search of premises more than once

- 8 (1) Premises may be entered or searched for the second...

Time of search

- 9 Entry and search under a search warrant must be at...

Evidence of authority etc

- 10 (1) Where the occupier of premises to be entered and...

Extent of search

- 11 A search under a search warrant may only be a...

Securing premises after entry

- 12 A relevant enforcement officer who enters premises under a search...

Return and retention of warrant

- 13 (1) A search warrant must be returned to the appropriate...

SCHEDULE 4 — PROVIDERS OF INFORMATION SOCIETY SERVICES

PART 1 — OFFERING TO SUPPLY A PSYCHOACTIVE SUBSTANCE

Domestic service providers: extension of liability

- 1 (1) If— (a) a service provider established in a particular...

Non-UK service providers: restriction on institution of proceedings

- 2 (1) Proceedings for an offence under section 5(2) may not...

Exceptions for mere conduits

- 3 (1) A service provider does not commit an offence under...

Exception for caching

- 4 (1) A service provider does not commit an offence under...

Exception for hosting

- 5 (1) A service provider does not commit an offence under...
PART 2 — PROHIBITION NOTICES AND PROHIBITION ORDERS

Domestic service providers: extension of liability

- 6 (1) If— (a) a service provider established in a particular...

Non-UK service providers: restriction on including terms in prohibition notice or order

- 7 (1) This paragraph applies where— (a) a person proposes to...

Protections for service providers of intermediary services

- 8 (1) A prohibition notice or prohibition order may not include...

- 9 (1) In paragraph 8 “intermediary services” means an information
society...

PART 3 — INTERPRETATION

- 10 In this Schedule— “established”, in relation to a service provider,...

- 11 (1) A service provider is “established” in a particular EEA...

SCHEDULE 5 — CONSEQUENTIAL AMENDMENTS

Intoxicating Substances (Supply) Act 1985

- 1 (1) The Intoxicating Substances (Supply) Act 1985 is repealed.

Proceeds of Crime Act 2002

- 2 (1) The Proceeds of Crime Act 2002 is amended as...

Police Reform Act 2002

- 3 In Part 1 of Schedule 4 to the Police Reform...

Police (Northern Ireland) Act 2003

- 4 In Schedule 2A to the Police (Northern Ireland) Act 2003...

Licensing Act 2003

- 5 (1) The Licensing Act 2003 is amended as follows.

Gambling Act 2005

- 6 In Part 1 of Schedule 7 to the Gambling Act...

Armed Forces Act 2006

- 7 (1) The Armed Forces Act 2006 is amended as follows....

Serious Crime Act 2007

- 8 (1) Schedule 1 to the Serious Crime Act 2007 (serious...

Regulatory Enforcement and Sanctions Act 2008

- 9 In Schedule 3 to the Regulatory Enforcement and Sanctions Act...

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Policing and Crime Act 2009

10 In section 34 of the Policing and Crime Act 2009...

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