



# Psychoactive Substances Act 2016

## 2016 CHAPTER 2

### *Powers for dealing with prohibited activities*

#### **19 Prohibition orders following conviction**

- (1) Where a court is dealing with a person who has been convicted of a relevant offence, the court may make a prohibition order under this section if the court considers it necessary and proportionate for the purpose of preventing the person from carrying on any prohibited activity.
- (2) A prohibition order may not be made under this section except—
  - (a) in addition to a sentence imposed in respect of the offence concerned, or
  - (b) in addition to an order discharging the person conditionally or, in Scotland, discharging the person absolutely.
- (3) If a court makes a prohibition order under this section, any prohibition notice that has previously been given to the person against whom the order is made is to be treated as having been withdrawn.
- (4) A prohibition order under this section made against an individual who is under the age of 18 at the time the order is made—
  - (a) must specify the period for which it has effect, and
  - (b) may not have effect for more than 3 years.
- (5) In this section “relevant offence” means—
  - (a) an offence under any of sections 4 to 8;
  - (b) an offence of attempting or conspiring to commit an offence under any of sections 4 to 8;
  - (c) an offence under Part 2 of the Serious Crime Act 2007 in relation to an offence under any of sections 4 to 8;
  - (d) an offence of inciting a person to commit an offence under any of sections 4 to 8;
  - (e) an offence of aiding, abetting, counselling or procuring the commission of an offence under any of sections 4 to 8.