

# Psychoactive Substances Act 2016 

## 2016 CHAPTER 2

## Powers for dealing with prohibited activities

## 21 Applications for prohibition orders and premises orders

(1) An application for a prohibition order under section 18 or a premises order may be made-
(a) in England and Wales, by the chief officer of police for a police area,
(b) in Scotland, by the chief constable of the Police Service of Scotland,
(c) in Northern Ireland, by the chief constable of the Police Service of Northern Ireland,
(d) in England and Wales or Scotland, by the chief constable of the British Transport Police Force,
(e) by the Director General of the National Crime Agency,
(f) by the Secretary of State by whom general customs functions are exercisable, or
(g) by a local authority.

This is subject to subsection (2).
(2) Where an application is made based on a failure to comply with a prohibition notice or a premises notice (as the case may be), the application must be made-
(a) where the notice was given by a constable, by the chief officer of police or chief constable (as the case may be) of the police force of which the constable was a member when the notice was given;
(b) where the notice was given by a designated NCA officer, by the Director General of the National Crime Agency;
(c) where the notice was given by a general customs official, by the Secretary of State by whom general customs functions are exercisable;
(d) where the notice was given by a local authority, by that local authority.
(3) An application for a prohibition order under section 18 or a premises order is-
(a) in England and Wales, to be made by complaint;
(b) in Northern Ireland, to be made by complaint under Part 8 of the Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26)).

