

2007 No. 562 (C. 23)

DANGEROUS DRUGS

POLICE, ENGLAND AND WALES

POLICE, NORTHERN IRELAND

The Drugs Act 2005 (Commencement No. 5) Order 2007

Made - - - -

26th February 2007

The Secretary of State makes the following Order in exercise of the powers conferred by section 24(3) of the Drugs Act 2005(a):

- 1.—(1) This Order may be cited as the Drugs Act 2005 (Commencement No. 5) Order 2007.
(2) In this Order “the 2005 Act” means the Drugs Act 2005.

- 2.—(1) The following provisions of the 2005 Act shall come into force on 1st April 2007—
(a) section 4 (drug offence searches: Northern Ireland);
(b) section 6 (X-rays and ultrasound scans: Northern Ireland);
(c) section 10 (follow-up assessment);
(d) section 13 (arrangements for follow-up assessment); and
(e) section 14 (attendance at follow-up assessment).

(2) The following provisions of the 2005 Act shall come into force on 1st April 2007 to the extent not already in force—

- (a) section 11 (requirements under sections 9 and 10: supplemental);
(b) section 15 (disclosure of information about assessments);
(c) section 16 (samples submitted for further analysis); and
(d) section 17 (relationship with Bail Act 1976 etc).

Home Office
26th February 2007

Tony McNulty
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force provisions in the Drugs Act 2005 (“the 2005 Act”). The provisions specified in Article 2(1) are brought into force on 1st April 2007 and the provisions specified in Article 2(2) are brought into force on the same date to the extent they are not already in force.

Section 10 of the 2005 Act introduces a requirement on a police officer to require a person from whom a sample has been taken under section 63B of the Police and Criminal Evidence Act 1984^(a) which reveals that a specified Class A drug may be present in that person’s body, and whom he requires to attend an initial assessment, to also attend a follow-up assessment. This requirement does not apply unless the relevant chief officer has been notified by the Secretary of State that arrangements for conducting follow-up assessments have been made at the police station in which the person is detained, and the notice has not been withdrawn.

^(a) 1984 c.60.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Drugs Act 2005 have been brought into force by commencement orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1	1st January 2006	2005/3053
Section 3	1st January 2006	2005/3053
Section 5	1st January 2006	2005/3053
Section 7	1st December 2005	2005/3053
Section 8	1st January 2006	2005/3053
Section 9	1st December 2005	2005/3053
Section 11 (in part)	1st December 2005	2005/3053
Section 12	1st December 2005	2005/3053
Sections 15 to 17 (in part)	1st December 2005	2005/3053
Sections 18 to 19	1st December 2005	2005/3053
Section 20	1st October 2006	2006/2136
Section 21	18th July 2005	2005/1650
Section 23 (in part)	1st September 2005	2005/2223
Section 23 (to the extent not already in force)	1st December 2005	2005/3053
Schedule 1 (in part)	1st September 2005	2005/2223
Schedule 1 (to the extent not already in force)	1st December 2005	2005/3053
Schedule 2 (in part)	1st September 2005	2005/2223
Schedule 2 (to the extent not already in force)	1st December 2005	2005/3053

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