

Drug Trafficking Offences

1995-06

NOTICE OF COMMENCEMENT (NO.2), 1995

Notice issued under s.1.

Subsidiary
1995/039

NOTICE OF COMMENCEMENT (NO.2), 1995

(LN. 1995/039)

16.3.1995

Amending enactments	Relevant current provisions	Commencement date
None		

Title and commencement.

1.(1) This Notice may be cited as the Drug Trafficking Offences Act, 1995, Notice of Commencement (No.2) 1995.

(2) Those provisions of the Drug Trafficking Offences Act, 1995 hereinafter called “ the principal Act”) specified in the Schedule to this notice shall come into effect on the 20th day of March, 1995 and in accordance with the transitional provisions specified in paragraph 2.

Transitional provisions.

2.(1) Parts II and V and sections 46–47 inclusive and 60–67 inclusive of the principal Act shall not apply–

(a) in relation to any proceedings for, or in respect of, an offence committed or alleged to have been committed or an offence in respect of which the person accused (or, as the case may be, convicted) of that offence was charged with that offence (whether by the laying of an information or otherwise) before the date specified in accordance with the Schedule as the date on which each of the provisions of that Part or section, as the case may be, comes into effect, or

(b) in relation to any proceedings not within (a) instituted before that date,

and references in this subparagraph to proceedings include a reference to any order made by a court in the proceedings.

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(2) Without prejudice to Part IV of the Interpretation and General Clauses Act, the relevant enactments and any instrument made under any of those enactments shall continue to apply in relation to any proceedings within subparagraph (1)(a) or (b) (and, in particular, in relation to any confiscation order, within the meaning of the Drug Trafficking Offences Act, 1988, made in any such proceedings) as if the principal Act had not been brought into effect.

(3) In subparagraph (2) “ the relevant enactments” are the enactments reproduced in Parts II and V and sections 46-47 inclusive and sections 60-67 inclusive of the principal Act.

(4) For the avoidance of doubt, subparagraph (2) is without prejudice to sections 5(1), 8(4), 9(1), 27(3) and 30(7) of the principal Act.

(5) Nothing in section 18(3) or (4) of the principal Act shall apply to any proceedings—

- (a) for an offence committed before the commencement of that section;
- (b) for one or more offences, any of which was so committed.

(6) Subject to subparagraphs (1) to (5) and notwithstanding the provisions of Part IV of the Interpretation and General Clauses Act, any reference, (express or implied) in any section of the principal Act commenced by this Notice (in this subparagraph and subparagraph (7) referred to as a “commenced section”) or in any other enactment, or in any instrument or document, to a provision of any commenced section of the principal Act is (so far as the context permits) to be read as being or (according to the context) including in relation to times, circumstances and purposes before that commencement a reference to the corresponding provision repealed by any commenced section.

(7) Any reference (express or implied) in any enactment, or in any instrument or document, to a provision repealed by any commenced section of the principal Act is (so far as the context permits) to be read as being or (according to the context) including in relation to times, circumstances and purposes after the commencement date specified in respect of the repealing section a reference to the corresponding provision in any commenced section of the principal Act.

SCHEDULE

Paragraph 1(2)

Commenced sections

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Sections of the Drug Trafficking Offences Act, 1995 commenced on the 20th day of March, 1995–

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Sections 3–36 inclusive; and
Sections 46–47 inclusive; and
Sections 54–67 inclusives; and
Section 69.