



# Misuse of Drugs Act 1971

## 1971 CHAPTER 38

### *Miscellaneous offences and powers*

#### **18 Miscellaneous offences.**

- (1) It is an offence for a person to contravene any regulations made under this Act other than regulations made in pursuance of section 10(2)(h) or (i).
- (2) It is an offence for a person to contravene a condition or other term of a licence issued under section 3 of this Act or of a licence or other authority issued under regulations made under this Act, not being a licence issued under regulations made in pursuance of section 10(2)(i).
- (3) A person commits an offence if, in purported compliance with any obligation to give information to which he is subject under or by virtue of regulations made under this Act, he gives any information which he knows to be false in a material particular or recklessly gives any information which is so false.
- (4) A person commits an offence if, for the purpose of obtaining, whether for himself or another, the issue or renewal of a licence or other authority under this Act or under any regulations made under this Act, he—
  - (a) makes any statement or gives any information which he knows to be false in a material particular or recklessly gives any information which is so false; or
  - (b) produces or otherwise makes use of any book, record or other document which to his knowledge contains any statement or information which he knows to be false in a material particular.
- [<sup>F1</sup>(5) In this section (and in references in Schedule 4 that refer to this section), any reference to regulations made under this Act is to be taken as including a reference to provision made in a temporary class drug order by virtue of section 7A.
- (6) For this purpose, a reference in subsection (1) or (2) to regulations made in pursuance of section 10(2)(h) or (i) is a reference to any provision of a temporary class drug order which—
  - (a) is made by virtue of section 7A(2)(d), and

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- (b) is of a corresponding description to regulations made in pursuance of section 10(2)(h) or (as the case may be) (i).]

#### Textual Amendments

- F1** S. 18(5)(6) inserted (15.11.2011) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 17 para. 13](#); S.I. 2011/2515, art. 3(g)

### 19 Attempts etc. to commit offences.

It is an offence for a person [<sup>F2</sup>to attempt to commit an offence under any other provision of this Act or to incite or attempt] to incite another to commit [<sup>F4</sup>such an offence][<sup>F4</sup>an offence under any other provision of this Act]][<sup>F2</sup>to incite another to commit an offence under any other provision of this Act].

#### Textual Amendments

- F2** Words commencing “to incite” substituted (N.I.) for words commencing “to attempt” by [S.I. 1983/1120](#), (N.I. 13), art. 6(3)(b)
- F3** Words repealed (E.W.) by [Criminal Attempts Act 1981 \(c. 47, SIF 39:1\)](#), [Sch. Pt. I](#)
- F4** Words in s. 19 substituted (E.W.) (1.10.2008) by [Serious Crime Act 2007 \(c. 27\)](#), s. 94(1), [Sch. 6 para. 53](#) (with [Sch. 13 para. 5](#)); S.I. 2008/2504, art. 2(a)

### 20 Assisting in or inducing commission outside United Kingdom of offence punishable under a corresponding law.

A person commits an offence if in the United Kingdom he assists in or induces the commission in any place outside the United Kingdom of an offence punishable under the provisions of a corresponding law in force in that place.

### 21 Offences by corporations.

Where any offence under this Act [<sup>F5</sup>or Part II of the Criminal Justice (International Co-operation) Act 1990 <sup>F6</sup>... [<sup>F7</sup>or Article 47 of the Proceeds of Crime (Northern Ireland) Order 1996]] committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against accordingly.

#### Textual Amendments

- F5** Words inserted (1.7.1991) by [Criminal Justice \(International Co-operation\) Act 1990 \(c. 5, SIF 39:1\)](#), s. 23(3); S.I. 1991/1072, art. 2, [Sch. Pt. II](#)
- F6** Words in s. 21 repealed (24.2.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), [Sch. 12](#); S.I. 2003/120, art. 2, [Sch.](#) (with arts. 3, 4) (as amended (20.2.2003) by S.I. 2003/333, art. 14)
- F7** Words in s. 21 inserted (25.8.1996) by [S.I. 1996/1299 \(N.I. 9\)](#), art. 57(1), [Sch. 3 para.1](#)

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## 22 Further powers to make regulations.

- (<sup>F8</sup>1) The Secretary of State may by regulations make provision—
- (a) for excluding in such cases as may be prescribed—
    - (i) the application of any provision of this Act which creates an offence; or
    - (ii) the application of any of the following provisions of [<sup>F9</sup>the Customs and Excise Management Act 1979, that is to say sections 50(1) to (4), 68(2) and (3) and 170], in so far as they apply in relation to a prohibition or restriction on importation or exportation having effect by virtue of section 3 of this Act;
  - (b) for applying any of the provisions of sections 14 to 16 of this Act and Schedule 3 thereto, with such modifications (if any) as may be prescribed—
    - (i) in relation to any proposal by the Secretary of State to give a direction under section 12(2) of this Act; or
    - (ii) for such purposes of regulations under this Act as may be prescribed;
  - (c) for the application of any of the provisions of this Act or regulations or orders thereunder to servants or agents of the Crown, subject to such exceptions, adaptations and modifications as may be prescribed.

[<sup>F10</sup>(2) The power to make regulations under this section does not apply in relation to temporary class drugs (see instead section 7A).]

### Textual Amendments

- F8** S. 22 renumbered as s. 22(1) (15.11.2011) by [Police Reform and Social Responsibility Act 2011](#) (c. 13), s. 157(1), [Sch. 17 para. 14\(a\)](#); S.I. 2011/2515, art. 3(g)
- F9** Words substituted by [Customs and Excise Management Act 1979](#) (c. 2, SIF 40:1), s. 177(1), [Sch. 4 para. 12](#) Table Pt. I
- F10** S. 22(2) inserted (15.11.2011) by [Police Reform and Social Responsibility Act 2011](#) (c. 13), s. 157(1), [Sch. 17 para. 14\(b\)](#); S.I. 2011/2515, art. 3(g)

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