

DANGEROUS DRUGS

Trade, etc.,
in new
drugs, and
power to
apply
Part IV to
certain
drugs.

11.—(1) Every person in the Island, who trades in, or manufactures for the purpose of trade, any products obtained from any of the phenanthrene alkaloids of opium, or from the ecgonine alkaloids of the coca leaf, not being a product which was on the 13th day of July, 1931, being used for medical or scientific purposes shall be guilty of an offence against this Act:

Provided that if the Minister is at any time satisfied as respects any such product that it is of medical or scientific value, he may by order direct that this subsection shall cease to apply to that product.

(2) If it is made to appear to the Minister that a decision with respect to any such product as is mentioned in subsection (1) has in pursuance of Article II of the Geneva Convention (No. 2) been communicated by the Secretary-General of the League of Nations to the parties to the said Convention, the Minister, by order, may, as the case requires, either declare that the provisions of this Part shall apply to that product in the same manner as they apply to the drugs mentioned in subsection (1) of section 10, or apply such Part to that product with such modifications as may be specified in the order.

(3) The Minister may by order apply this Part, with such modifications as may be specified in the order, to any of the following drugs, that is to say, methylmorphine (commonly known as codeine), ethylmorphine (commonly known as dionin) and their respective salts, preparations and admixtures.

PART V. *Control of External Trade*

12. In this Part—

“conveyance” includes ship, aircraft and any other means of transport by which goods may be brought into or taken from the Island;

“dangerous drug” means any drug to which Part IV applies, and includes raw opium, coca leaves, and all preparations of which resins obtained from the plant *cannabis sativa* form the base;

“diversion certificate” means a certificate issued by the competent authority of a country through which a dangerous drug passes in transit, authorizing the diversion of such drug to a country other than that specified as the country of ultimate destination in the export authorization, and containing all the particulars required to be included in an export authorization, together with the name of the country from which the consignment was originally exported;

“export” with its grammatical variations and cognate expressions, in relation to the Island, means to take or cause to be taken out of the Island by land, air, or water, otherwise than in transit;

“export authorization” means an authorization issued by a competent authority in a country from which a dangerous drug is exported, containing full particulars of such drug, and the quantity authorized to be exported, together with the names and addresses of the exporter and the person to whom it is to be sent, and stating the country to which, and the period within which it is to be exported;

“import” with its grammatical variations and cognate expressions, in relation to the Island, means to bring or cause to be brought into the Island by land, air or water, otherwise than in transit;

“import authorization” means a licence, issued by a competent authority, authorizing the importation of a specified quantity of a dangerous drug and containing full particulars of the drug, together with the name and address of the person authorized to import the

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drug, the name and address of the person from whom the drug is to be obtained, and specifying the period within which the importation must be effected;

Schedule
Form A.

“import certificate” means a certificate substantially in the Form A set out in the Schedule, issued by a competent authority in a country into which it is intended to import dangerous drugs;

“in transit” means taken or sent from any country and brought into the Island by land, air or water (whether or not landed or transhipped in the Island), for the sole purpose of being carried to another country either by the same or another conveyance.

The export
of dan-
gerous
drugs.

Schedule
Form B.

13.—(1) Upon the production of an import certificate duly issued by the competent authority in any country, the Chief Medical Officer may issue an export authorization in the Form B set out in the Schedule in respect of any drug referred to in the import certificate to any person who is named as the exporter in such certificate, and is, under the provisions of this Act, otherwise lawfully entitled to export such drug from the Island. The export authorization shall be prepared in triplicate and two copies shall be issued to the exporter who shall send one copy with the drug to which it refers when such drug is exported. The Chief Medical Officer shall send the third copy direct to the appropriate authority of the country of ultimate destination. Where the intended exportation is to a country which is not a party to the Geneva Convention (No. 2), it shall not be necessary to produce an import certificate. Subject to the provisions of subsection (2), it shall be in the absolute discretion of the Chief Medical Officer in all cases to issue or refuse an export authorization, as he may think fit.

(2) If at any time the importation of any dangerous drug into a foreign country which is not a party to the Geneva Convention (No. 2) is prohibited or restricted by