

DANGEROUS DRUGS

PART VI. *General*

Licences.

19. Licences, permits, or authorities, for the purposes of this Act (other than Part V) may be issued or granted by the Chief Medical Officer on such terms and subject to such conditions (including in the case of a licence the payment of a fee) as the Minister may prescribe.

Exporter or agent liable for contravention regarding export.

20. If any articles prohibited to be exported by virtue of this Act are exported from the Island in contravention thereof, or brought to a quay or other place for the purpose of being so exported or of being water-borne to be so exported, the exporter or his agent shall be guilty of an offence against this Act.

Powers of inspection and seizure.
31/1961
S. 2 (a).

21.—(1) Any constable, or other person authorized in that behalf by any general or special order of the Commissioner of Police, shall, for the purposes of the execution of this Act, have power to enter the premises of any person carrying on the business of a producer, manufacturer, seller, or distributor, of any drugs to which this Act applies and to demand the production of and to inspect any books or documents relating to dealings in any such drugs and to inspect any stocks of any such drugs.

31/1961
S. 2 (b).

(2) Any person authorized in that behalf by any general or special order of the Chief Medical Officer, shall, for the purposes of the execution of this Act have power to enter the premises of any person carrying on the business of a producer, manufacturer, seller or distributor of any drugs to which this Act applies, to demand the production of and to inspect any books or documents relating to dealings in any such drugs and to inspect any stocks of any such drugs and seize and detain any drug which in the opinion of such authorized person is below standard or is unfit for use.

(3) Any drug seized and detained under this section may be destroyed on the certificate of the Chief Medical Officer to the effect that it is below standard or is unfit for use. 31/1961
S. 2 (b).

(4) If any member of the Constabulary Force of or above the rank of Sergeant is satisfied that there is reasonable cause to believe that an offence against this Act is being committed in any premises, he may give directions in writing to any constable to enter such premises, search the premises and seize and detain— 10/1964
S. 2 (a).

- (a) any drug to which this Act applies;
- (b) anything in which such constable reasonably suspects a drug to which this Act applies is being concealed;
- (c) any other thing by means of which or in respect of which such constable reasonably believes an offence against this Act has been committed or which may be evidence of the commission of such offence,

and such constable shall have power to carry out such directions:

Provided that it shall be the duty of such constable in the execution of any such directions to produce the instrument containing the same to the owner or occupier of any premises entered pursuant to such directions if required by such owner or occupier to do so, and to permit a copy thereof to be taken by, or on behalf of, such owner or occupier either at the time of the entering and search of such premises or at any time afterwards whilst such instrument remains in the custody of the constable.

(5) If a Justice is satisfied by information on oath that there is reasonable ground for suspecting—

- (a) that any drugs to which this Act applies are, in contravention of the provisions of this Act or of any regulations made thereunder, in the posses-

sion or under the control of any person in any premises; or

- (b) that any document directly or indirectly relating to or connected with any transaction or dealing which was, or any intended transaction or dealing which would if carried out be, an offence against this Act or, in the case of a transaction or dealing carried out or intended to be carried out in any place outside the Island, an offence against the provisions of any corresponding law in force in that place, is in the possession or under the control of any person in any premises,

he may grant a search warrant authorizing any constable named in the warrant, at any time or times within one month from the date of the warrant, to enter, if need be by force, the premises named in the warrant, and to search the premises and any persons found therein, and if there is reasonable ground for suspecting that an offence against this Act has been committed in relation to any such drugs which may be found in the premises or in the possession of any such persons, or that any document which may be so found is such a document as aforesaid, to seize and detain those drugs or that document, as the case may be.

(6) Every person who wilfully delays or obstructs any constable or any person authorized by the Chief Medical Officer pursuant to the provisions of subsection (2) in the exercise of his powers under this section, or fails to produce, or conceals, or attempts to conceal, any such books, stocks, drugs, things or documents, as set out in this section, shall be guilty of an offence against this Act.

21A.—(1) Notwithstanding anything to the contrary in any other enactment, every person who, without lawful excuse—

- (a) encloses in or with any letter, parcel, packet or other matter sent by post, or posts any cocaine, opium, ganja or drug to which Part IV applies; or

31/1961
S. 2 (c).

10/1964
S. 2 (b).

Offence
of using
the postal
services
for drugs.
17/1987
S. 7.