



CHAPTER 3.02

DRUGS (PREVENTION OF MISUSE) ACT

Revised Edition

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This edition contains a consolidation of the following laws—

DRUGS (PREVENTION OF MISUSE) ACT

Act 22 of 1988 .. in force 30 December 1988

Amended by Act 8 of 1993 .. in force 8 May 1993

Amended by Act 5 of 2004 .. in force 24 May 2004

DANGEROUS DRUGS (COCAINE, MORPHINE ETC.) REGULATIONS – Section 21 and 45

Statutory Instrument 35/1940 .. in force 13 April 1940

DANGEROUS DRUGS (RAW OPIUM AND COCOA LEAVES) REGULATIONS – Sections 21 and 45

Statutory Instrument 36/1940 .. in force 13 April 1940

DANGEROUS DRUGS ORDER

Statutory Instrument 38/1940 .. in force 13 April 1940

DANGEROUS DRUGS ORDER

Statutory Instrument 41/1958 .. in force 20 December 1958

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CHAPTER 3.02

DRUGS (PREVENTION OF MISUSE) ACT

(Acts 22 of 1988, 8 of 1993 and 5 of 2004)

AN ACT to make provisions with respect to dangerous or otherwise harmful drugs and related matters, and for connected purposes.

Commencement [30 December 1988]

1. SHORT TITLE

This Act may be cited as the Drugs (Prevention of Misuse) Act.

2. INTERPRETATION

(1) In this Act, except where the context otherwise requires—

“**Advisory Council**” means the Advisory Council on the Misuse of Drugs established under section 3 of this Act;

“**analyst**” means any person appointed as such for the purposes of this Act by the Minister by notice in the Gazette;

“**authorised officer**” means a person duly authorised by the Minister;

“**cannabis**” (except in the expression ‘cannabis resin’) means any plant of the genus cannabis or any part of any such plant (by whatever name designated);

“**cannabis resin**” means the separated resin, whether crude or purified obtained from any plant or any part of a plant of the genus cannabis;

“**child**” means a person under the age of 14 years;

“**contravention**” includes failure to comply, and “**contravene**” has a corresponding meaning;

“**controlled delivery**” means the techniques of allowing controlled drugs to pass out of, through or into the territory of one or more countries with the knowledge and under the supervision of the Minister or other authorised

officer with a view to identifying persons involved in the commission of an offence under this Act;

“**controlled drug**” has the meaning assigned by section 4;

“**convention**” means a convention mentioned in Schedule 4, and any convention or final protocol amending, supplementing or in substitution for the same;

“**corresponding law**” has the meaning assigned by section 48;

“**dentist**” means a person registered as a dentist under the Medical Registration Act;

“**designated officer**” means a public officer designated as such by the Minister by notice in the Gazette;

“**doctor**” means a person registered as a medical practitioner under the Registration of Medical Practitioners Act;

“**druggist**” means a person registered as a pharmacist under the Pharmacy Act;

“**drug trafficking**” means doing or being concerned in any of the following, whether in Saint Lucia or elsewhere—

- (a) producing or supplying a controlled drug where the production or supply contravenes section 6(1) or a corresponding law;
- (b) transporting or storing a controlled drug where possession of the drug contravenes section 8(1) or a corresponding law;
- (c) importing or exporting a controlled drug where the importation or exportation is prohibited by section 5(1) or a corresponding law; and
- (d) entering into or being otherwise concerned in an arrangement whereby—
 - (i) the retention or control by or on behalf of another of the proceeds of drug trafficking by him or her is facilitated, or
 - (ii) the proceeds of drug trafficking by another are used to secure that funds are placed at his or her disposal or are used for his or her benefit to acquire property by way of investment;

“**drug trafficking offence**” means any of the following—

- (a) an offence under section 6(2), 6(3), 8(2) or 8(3);
- (b) an offence under the customs law in connection with a prohibition or restriction on importation or exportation having effect under section 5;
- (c) an offence under section 26;
- (d) conspiracy to commit any of the offences in paragraphs (a) to (c) above;
- (e) an offence or attempting to commit any of those offences;
- (f) an offence of inciting another to commit any of those offences; and
- (g) aiding, abetting, counselling or procuring the commission of those offences;

“**Minister**” means the Minister charged with responsibility for Health;

“**possession**” shall be given the meaning assigned to it in section 6(4) of the Criminal Code;

“**practitioner**” (except in the expression “veterinary practitioner”) means a doctor, a dentist or a veterinary practitioner;

“**premises**” includes any building out-house or land whether enclosed or not;

“**prepared opium**” means opium prepared for smoking and includes dross and any other residues remaining after opium has been smoked;

“**produce**” where the reference is to producing a controlled drug, means producing it by manufacture, cultivation or any other method and “production” has a corresponding meaning;

“**supplying**” includes distributing;

“**veterinary practitioner**” means any person in Saint Lucia holding a qualification entitling him or her to practice as a veterinary surgeon in any part of the Commonwealth or any person who within Saint Lucia is engaged in the practice and profession of veterinary surgery;

“**young person**” means a person who is 14 years of age or upwards and under the age of 18 years;

- (2) Reference in this Act to misusing a drug are references to misusing it by taking it; and the reference in the foregoing provision to the taking of a drug is a reference to the taking of it by a human being by way of any form of self administration, whether or not involving assistance by another.
- (3) For the purposes of this Act the things which a person has in his or her possession shall be taken to include any thing subject to his or her control which is in the custody of another.

(Amended by Act 8 of 1993)

3. ADVISORY COUNCIL ON THE MISUSE OF DRUGS

- (1) There is hereby established the Advisory Council on the Misuse of Drugs. The provisions contained in Schedule 1 have effect in relation to it.
- (2) It is the duty of the Advisory Council to keep under review the situation in Saint Lucia with respect to drugs which are being or appear to them likely to be misused and of which the misuse is having or appears to them capable of having harmful effects sufficient to constitute a social problem, and to give to the Minister, where either the Advisory Council consider it expedient to do so or they are consulted by the Minister, advice on measures (whether or not involving alteration of the law) which in the opinion of the Advisory Council ought to be taken for preventing the misuse of such drugs or dealing with social problems connected with their misuse, and in particular on measures which in the opinion of the Advisory Council, ought to be taken—
 - (a) for restricting the availability of such drugs or supervising the arrangements for their supply;
 - (b) for enabling persons affected by the misuse of such drugs to obtain proper advice, and for securing the provision of proper facilities and services for the treatment, rehabilitation and after-care of such persons;
 - (c) for promoting co-operation between the various professional and community services which in the opinion of the Advisory Council have a part to play in dealing

- with social problems connected with the misuse of such drugs;
- (d) for educating the public (and in particular the young) in the dangers of misusing such drugs, and for giving publicity to these dangers; and
 - (e) for promoting research into, or otherwise obtaining information about, any matter which in the opinion of the Advisory Council, is of relevance for the purpose of preventing the misuse of such drugs or dealing with any social problem connected with their misuse.
- (3) It shall also be the duty of the Advisory Council to consider any matter relating to drug dependence to the misuse of drugs which may be referred to them by the Minister and to advise the Minister on it.

4. CLASSIFICATION OF CONTROLLED DRUGS

- (1) In this Act—
- (a) the expression “controlled drugs” means any substance or product specified in Part I, Part II, or Part III of Schedule 2; and
 - (b) the expressions “Class A drug”, “Class B drug” and “Class C drug” means any of the substances and products specified respectively in Part I, Part II and Part III of Schedule 2;

and the provisions of Part IV of Schedule 2 have effect with respect to the meanings of expressions used in that Schedule.

- (2) The Minister may after consultation with or on the recommendation of the Advisory Council by order made by statutory instrument published in the Gazette make such amendments to Schedule 2 that is required for the purpose of adding any substance or product to, or removing any substance or product from, any of Parts I to III of that Schedule.
- (3) A statutory instrument made under this section may amend Part IV of Schedule 2, and may do so whether or not it amends any other Part of that Schedule.

5. RESTRICTION OF IMPORTATION AND EXPORTATION OF CONTROLLED DRUGS

- (1) Subject to subsection (2)—
 - (a) the importation of a controlled drug is prohibited; and
 - (b) the exportation of a controlled drug is prohibited.
- (2) Subsection (1) does not apply—
 - (a) to the importation or exportation of a controlled drug which is excepted from paragraph (a) or, as the case may be, paragraph (b) by regulations under section 10; or
 - (b) to the importation and exportation of a controlled drug in accordance with the terms of a licence issued by the Minister and in compliance with any conditions attached to the licence.
- (3) Any person who imports or exports controlled drugs contrary to subsection (1) commits an offence and is liable on conviction to the penalties laid down in section 37.

6. RESTRICTION OF PRODUCTION AND SUPPLY OF CONTROLLED DRUGS

- (1) Subject to any regulations under section 10, it shall not be lawful for a person—
 - (a) to produce a controlled drug;
 - (b) to supply or offer to supply a controlled drug to another; or
 - (c) to trade in material and equipment for the production or manufacture of a controlled drug. (*Inserted by Act 8 of 1993*)
- (2) Subject to section 40, it is an offence for a person—
 - (a) to produce a controlled drug in contravention of subsection (1); or
 - (b) to be concerned in the production of a controlled drug in contravention of subsection (1) by another.
- (3) Subject to section 40, it is an offence for a person—
 - (a) to supply or offer to supply a controlled drug to another in contravention of subsection (1);

- (b) to be concerned in the supply of a controlled drug to another in contravention of subsection (1); or
- (c) to be concerned in the making to another in contravention of subsection (1), of an offer to supply a controlled drug.

7. HANDLING OF CONTROLLED DRUG

- (1) A person commits an offence if he or she knowingly handles a controlled drug which is intended, whether by him or her or some other person, for supply in contravention of section 5(1).
- (2) A person handles a controlled drug for the purposes of this section if—
 - (a) he or she is in any way concerned in carrying, removing, harbouring, keeping or concealing the controlled drug or anything containing the controlled drug; or
 - (b) he or she deals in any manner with the controlled drug.

(Inserted by Act 8 of 1993)

8. RESTRICTION OF POSSESSION OF CONTROLLED DRUGS

- (1) Subject to any regulations under section 10, it shall not be lawful for a person to have a controlled drug in his or her possession.
- (2) Subject to subsection (5) and to section 40, it is an offence for a person to have a controlled drug in his or her possession in contravention of subsection (1).
- (3) Subject to section 40, it is an offence for a person to have a controlled drug in his or her possession whether lawfully or not, with intent to supply it to another in contravention of section 6(1).
- (4) Subject to subsection (1) a person found in possession of the following controlled drugs in quantities of more than—
 - (a) 2 grammes of diacetylmorphine (heroin);
 - (b) one gramme of cocaine;
 - (c) 55 grammes of opium;
 - (d) 3 grammes of morphine; or
 - (e) 15 grammes of cannabis or cannabis resin,

is in possession of such controlled drug for the purpose of supplying it to another or for drug trafficking in contravention of section 6(1) unless the contrary is proved, the burden of proof being on the accused.

- (5) In any proceedings for an offence under subsection (2) in which it is proved that the accused had a controlled drug in his or her possession, it shall be a defence for him or her to prove—
 - (a) that, knowing or suspecting it to be a controlled drug, he or she took possession of it for the purpose of preventing another from committing or continuing to commit an offence in connection with that drug, and that, as soon as possible after taking possession of it, he or she took all the steps that were reasonably open to him or her to destroy the drug or to deliver it into the custody of a person lawfully entitled to take custody of it; or
 - (b) that, knowing or suspecting it to be a controlled drug, he or she took possession of it for the purpose of delivering it into the custody of a person lawfully entitled to take custody of it and that as soon as possible after taking possession of it he or she took all such steps as were reasonably open to him or her to deliver it into the custody of such a person.
- (6) Subsection (5) applies in the case of proceedings for an offence under section 29 consisting of an attempt to commit an offence under subsection (2) as it applies in the case of proceedings for an offence under subsection (2), subject to the following modifications, that is to say—
 - (a) for the references to the accused having in his or her possession, and to his or her taking possession of, a controlled drug there shall be substituted respectively references to his or her attempting to get, and to his or her attempting to take, possession of such a drug; and
 - (b) in paragraphs (a) and (b) the words from “and that as soon as possible” onwards shall be omitted.
- (7) Subsection (5) or (6) shall not prejudice any other defence which is open to a person charged with an offence under this section.

9. RESTRICTION OF CULTIVATION OF CANNABIS PLANT

- (1) Subject to any regulations under section 10, it shall not be lawful for a person to cultivate any plant of the genus *Cannabis*.
- (2) Subject to section 40, it is an offence to cultivate such plant in contravention of subsection (1).

10. AUTHORISATION OF ACTIVITIES OTHERWISE UNLAWFUL

- (1) The Minister may by regulations made by statutory instrument—
 - (a) exclude or except from section 5(1)(a), 5(1)(b), 6(1)(a), 6(1)(b) or 8(1) any controlled drugs specified in the regulations; and
 - (b) make such other provision as he or she thinks fit for the purpose of making it lawful for persons to do things which under the following provisions of this Act, that is to say sections 6(1), 8(1) and 9(1), it would otherwise be unlawful for them to do.
- (2) Without prejudice to the generality of paragraph (b), regulations under subsection (1) authorising the doing of any such thing as is mentioned in that paragraph may in particular provide for the doing of that thing to be lawful—
 - (a) if it is done under and in accordance with the terms of a licence or other authority issued by the Minister and in compliance with any conditions attached; or
 - (b) if it is done in compliance with such conditions as may be prescribed.
- (3) Subject to subsection (4), the Minister shall so exercise his or her powers to make regulations under subsection (1) as to secure—
 - (a) that it is not unlawful under section 6(1) for a doctor, dentist or veterinary practitioner acting in his or her capacity as such, to prescribe, administer, manufacture, compound or supply a controlled drug, or for a druggist or a person lawfully conducting a retail pharmacy business, acting in either case in his or her capacity as such, to manufacture, compound or supply a controlled drug; and

- (b) that it is not unlawful under section 8(1) for a doctor, dentist, veterinary practitioner, druggist or person lawfully conducting a retail pharmacy business to have a controlled drug in his or her possession for the purpose of acting in his or her capacity as such.
- (4) If in the case of a controlled drug the Minister is of the opinion that it is in the public interest—
 - (a) for production, supply and possession of that drug to be either wholly unlawful or unlawful except for purposes of research or other special purposes; or
 - (b) for it to be unlawful for practitioners, druggists and persons lawfully conducting retail pharmacy businesses to do in relation to that drug any of the things mentioned in subsection (3) except under a licence or other authority issued by the Minister,

he or she may by order made by statutory instrument designate that drug as a drug to which this subsection applies; and while there is in force an order made by statutory instrument under this subsection designating a controlled drug as one to which this subsection applies, subsection (3) shall not apply as regards that drug.
- (5) An order made by statutory instrument under subsection (4) shall be subject to negative resolution of either the Senate or the House of Assembly.
- (6) The Minister shall not make any order by statutory instrument under subsection (4) except after consultation with or on the recommendation of the Advisory Council.
- (7) References in this section to a person “doing” things include references to his or her having things in his or her possession.

11. LIABILITY OF OCCUPIERS

A person commits an offence if, being the occupier, owner or concerned in the management of any premises, he or she knowingly permits or suffers any of the following activities to take place on those premises, that is to say—

- (a) producing or attempting to produce a controlled drug in contravention of section 6(1);

- (b) supplying or attempting to supply a controlled drug to another in contravention of section 6(1), or offering to supply a controlled drug to another in contravention of section 6(1);
- (c) preparing cannabis, cannabis resin or opium for smoking; or
- (d) smoking cannabis, cannabis resin or prepared opium.

12. POSSESSION OF A CONTROLLED DRUG ON OR NEAR SCHOOL PREMISES

- (1) Subject to any regulations under section 21, it shall not be lawful for a person to have a controlled drug in his or her possession in or within a radius of one hundred yards of any school premises.
- (2) Subject to section 40, it is an offence for a person to have a controlled drug in his or her possession in contravention of subsection (1).
- (3) Subject to section 40, it is an offence for a person to have a controlled drug in his or her possession in or within a radius of one hundred yards of any school premises, which is intended, whether by him or her or some other person for supply in contravention of section 6(1).
- (4) For the purposes of subsection (3), a person found in possession of a controlled drug in contravention of subsection (1) is deemed to have the controlled drug for the purpose of supplying the same to another unless the contrary is proved. The burden of proof is on the accused.
- (5) In this section, “school premises” means any nursery school, primary or secondary school, technical institution, training centre, teachers’ college, university or any other educational institution for children or young persons and includes buildings, playing fields or other premises established or maintained by such institutions for the benefit of its pupils or students whether or not such buildings, playing fields or other premises are within the curtilage of the institution.

(Inserted by Act 8 of 1993)

13. EMPLOYMENT, HIRE OR USE OF CHILDREN AND YOUNG PERSONS IN DRUG TRADE

- (1) It shall be unlawful for any person to knowingly and intentionally—
 - (a) employ, hire, use, persuade, induce, entice or coerce a child or young person to contravene any provision of this Act;
 - (b) employ, hire, use, persuade, induce, entice, or coerce a child or young person to assist in avoiding detection or apprehension for any offence under this Act;
 - (c) receive a controlled drug from a child or young person in contravention of any provision of this Act.
- (2) Subject to section 40, any person who contravenes subsection (1) commits an offence under this Act.

(Inserted by Act 8 of 1993)

14. SUPPLY OF CONTROLLED DRUG TO CHILD OR YOUNG PERSON

Subject to section 40, any person who contravenes section 13(1) by knowingly supplying a controlled drug to a child or young person in contravention of section 6(1) commits an offence under this Act.

(Inserted by Act 8 of 1993)

15. CONTROLLED DRUGS IN TRANSIT

- (1) A controlled drug shall not be brought into Saint Lucia in transit unless—
 - (a) in the course of transit from a country from which it may lawfully be exported to another country into which it may lawfully be imported; and
 - (b) except where it comes from a country not a party to a Convention, and it is accompanied by a valid and subsisting export authorisation or diversion certificate, as the case may be.
- (2) Where a controlled drug in transit is accompanied by an export authorisation or diversion certificate and the Comptroller has reasonable grounds for believing that the authorisation or certificate is false or has been obtained by fraud or wilful

misrepresentation of a material particular, he or she may seize that drug and detain it until he or she is satisfied that the authorisation or certificate is valid or has not been obtained by fraud or misrepresentation of a material particular.

- (3) Where a controlled drug in transit is not accompanied by an export authorisation or diversion certificate because it comes from a country not a party to a Convention, and the Comptroller has reasonable grounds for believing that drug is being conveyed in an unlawful manner or for an unlawful purpose or is in the course of transit for the purpose of being imported into another country contrary to the laws of that country, he or she may seize and detain that drug.
- (4) Where a controlled drug brought into Saint Lucia in transit is landed or trans-shipped in Saint Lucia, it shall remain under the control of the Comptroller and shall be moved only under the authority and in accordance with the conditions of a removal licence.
- (5) This section does not apply to a controlled drug in transit by post or in transit by air if the aircraft passes over Saint Lucia without landing or to such quantities of controlled drugs as may in good faith reasonably form part of the medical stores of any ship or aircraft.
- (6) A person who contravenes any of the provisions of subsection (1) commits an offence under this Act.

(Inserted by Act 8 of 1993)

16. REMOVAL LICENCES

- (1) A person shall not, except under the authority of a licence in the prescribed form granted by the Minister—
 - (a) remove a controlled drug from the conveyance by which it is brought into Saint Lucia in transit; or
 - (b) in any way move a controlled drug in Saint Lucia at any time after it is removed from the conveyance by which it was brought into Saint Lucia in transit.
- (2) The Minister shall not issue a removal licence unless there is produced to him or her a valid and subsisting export authorisation or diversion certificate relating to the controlled drug in respect of which the removal licence is sought.

- (3) Subsection (2) does not apply where the drug in respect of which a removal licence is sought comes from a country not a party to a convention.
- (4) This section does not apply to controlled drugs in transit by post.
- (5) A person who contravenes any of the provisions of subsection (1) commits an offence under this Act.

(Inserted by Act 8 of 1993)

17. TAMPERING WITH CONTROLLED DRUGS IN TRANSIT

A person commits an offence who—

- (a) causes any controlled drug in transit to be subjected to any process which would alter its nature; or
- (b) wilfully opens or breaks any package containing a controlled drug in transit without the instructions or otherwise than in accordance with the directions of the Minister.

(Inserted by Act 8 of 1993)

18. DIVERSION OF CONTROLLED DRUGS

- (1) A person shall not, except under the authority of a diversion certificate in the prescribed form issued by the Minister, cause or procure any controlled drug brought into Saint Lucia in transit to be diverted to any destination other than that to which it was originally consigned.
- (2) In the case of a controlled drug in transit accompanied by an export authorisation or diversion certificate issued by a competent authority in a country outside Saint Lucia, the country stated in that authorisation or certificate to be the country of destination shall be deemed to be the country of the original destination of that drug.
- (3) The Minister shall not issue a diversion certificate under subsection (1) unless there is produced to him or her a valid and subsisting import certificate issued by the competent authority in the country to which it is proposed to divert the drug or, if that country is not a party to a convention, he or she is satisfied

that the drug is to be sent in a lawful manner and for a proper purpose.

- (4) A diversion certificate shall be issued in duplicate: one copy shall accompany the controlled drug when it is exported from Saint Lucia and the other copy shall be sent by or on behalf of the Minister direct to the competent authority in the country to which the drug is diverted.
- (5) Upon the issue of a diversion certificate, the export authorisation or diversion certificate, if any, accompanying the controlled drug on its arrival in Saint Lucia shall be detained by the Minister and returned to the authority issuing it together with a notification of the name of the country to which the drug is diverted.
- (6) A person who contravenes any of the provisions of subsection (1) is guilty of an offence under this Act.
- (7) In this section “competent authority” means such authority, person or department as the Minister may, by order published in the Gazette, designate as the competent authority for the purposes of this section.

(Inserted by Act 8 of 1993)

19. MASTER OF SHIP MAY BE CONSIDERED AUTHORISED

In the case of a ship not carrying as part of her complement a duly qualified medical practitioner, the master of the ship shall be deemed to be a person authorised to be in possession of the drugs and to administer and supply the drugs to any member of the crew in accordance with the law.

(Substituted by Act 5 of 2004)

20. PROHIBITION OF SUPPLY ETC. OF ARTICLES FOR ADMINISTERING OR PREPARING CONTROLLED DRUGS

- (1) A person who supplies or offer to supply any article which may be used or adapted to be used (whether by itself or in combination with another article) in the administration by any person of a controlled drug to himself or herself or another, believing that the article (or the article as adapted) is to be so used in circumstances where the administration is unlawful, is guilty of an offence.
- (2) It is not an offence under subsection (1) to supply or offer to supply a hypodermic syringe, or any part of one.
- (3) A person who supplies or offers to supply any article which may be used to prepare a controlled drug for administration by any person to himself or herself or another believing that the article is to be so used in circumstances where the administration is unlawful is guilty of an offence.
- (4) For the purposes of this section, any administration of a controlled drug is unlawful except—
 - (a) the administration by any person of a controlled drug to another in circumstances where the administration of the drug is not unlawful under section 6(1); or
 - (b) the administration by any person of a controlled drug to himself or herself in circumstances where having the controlled drug in his or her possession is not unlawful under section 8(1).
- (5) In this section, references to administration by any person of a controlled drug to himself or herself include a reference to his or her administering it to himself or herself with the assistance of another.

(Inserted by Act 8 of 1993)

21. POWER TO MAKE REGULATIONS

- (1) Subject to the provisions of this Act, the Minister may by regulations made by statutory instrument make such provisions as appear to him or her necessary or expedient for preventing the misuse of controlled drugs.

- (2) Without prejudice to the generality of subsection (1), regulations under this section may in particular make provisions for the following—
- (a) requiring precautions to be taken for the safe custody of controlled drugs;
 - (b) imposing requirements as to the documentation of transactions involving controlled drugs, and for requiring copies of documents relating to such transactions to be furnished to the prescribed authority;
 - (c) requiring the keeping of records and the furnishing of information with respect to controlled drugs in such circumstances and in such manner as may be prescribed;
 - (d) the inspection of any precautions taken or records kept in pursuance of regulations under this section;
 - (e) the packaging and labelling of controlled drugs;
 - (f) regulating the transport of controlled drugs and the methods used for destroying or otherwise disposing of such drugs when no longer required;
 - (g) regulating the issue of prescriptions containing controlled drugs and the supply of controlled drugs on prescriptions, and for requiring persons issuing or dispensing prescriptions containing such drugs to furnish to the prescribed authority such information relating to those prescriptions as may be prescribed;
 - (h) requiring any doctor who attends to any person whom he or she considers, or has reasonable grounds to suspect, is addicted (within the meaning of the regulations) to controlled drugs of any description, to furnish to the prescribed authority such particulars with respect to that person as may be prescribed; and
 - (i) prohibiting any doctor from administering, supplying and authorising the administration and supply to persons so addicted, and from prescribing for such persons, such controlled drugs as may be prescribed, except under and in accordance with the terms of a licence issued by the Minister in pursuance of the regulations.

22. SPECIAL PRECAUTIONS FOR SAFE CUSTODY OF CONTROLLED DRUGS

- (1) Without prejudice to any requirement imposed by regulations made under section 21(2)(a), the Minister may by notice in writing served on the occupier of any premises on which controlled drugs are or are proposed to be kept give directions as to the taking of precautions or further precautions for the safe custody of any controlled drugs of a description specified in the notice which are or are proposed to be kept on those premises.
- (2) It is an offence to contravene any directions given under subsection (1).

23. RESTRICTIONS ON PRACTITIONERS CONVICTED OF CERTAIN OFFENCES

- (1) Where a person who is a practitioner or druggist has, after the coming into operation of this Act, been convicted of an offence under this Act, the Minister may give a direction in writing under subsection (2) in respect of that person.
- (2) A direction under this subsection in respect of a person shall—
 - (a) if that person is a practitioner, be a direction prohibiting him or her from having in his or her possession, prescribing, administering, manufacturing, compounding and supplying and from authorising the administration and supply of such controlled drugs as may be specified in the direction; or
 - (b) if that person is a druggist, be a direction prohibiting him or her from having in his or her possession, manufacturing, compounding and supplying and from supervising and controlling the manufacture, compounding and supply of such controlled drugs as may be specified in the direction.
- (3) The Minister may at any time give a direction cancelling or suspending any direction given by him or her under subsection (2), or cancelling any direction of his or her under this subsection by which a direction so given is suspended.
- (4) The Minister shall cause a copy of any direction given by him or her under this section to be served on the person to whom it

applies, and shall cause notice of any such direction to be published in the Gazette.

- (5) A direction under this section shall take effect when a copy of it is served on the person to whom it applies.
- (6) It is an offence to contravene a direction given under subsection (2).

24. RESTRICTIONS ON PRACTITIONERS IN OTHER CASES

- (1) In the event of a contravention by a doctor of regulations made under section 21(2)(h) or 21(2)(i) or of the terms of a licence issued under regulations made under paragraph (i), the Minister may give a direction in respect of the doctor concerned prohibiting him or her from prescribing, administering and supplying and from authorising the administration and supply of such controlled drugs as may be specified in the direction.
- (2) If the Minister is of the opinion that a practitioner is or has after the coming into operation of this Act been prescribing, administering or supplying or authorising the administration or supply of any controlled drugs in an irresponsible manner, the Minister may, with the approval of the Advisory Council, give a direction in respect of the practitioner concerned prohibiting him or her from prescribing, administering and supplying and from authorising the administration and supply of such controlled drugs as may be specified in the direction.
- (3) A contravention such as is mentioned in subsection (1) does not as such constitute an offence, but it is an offence to contravene a direction given under subsection (1) or (2).

25. PENALTIES FOR DRUG TRAFFICKING

- (1) A person who commits the offence of drug trafficking or of being in possession of a controlled drug for the purpose of drug trafficking is liable—
 - (a) on summary conviction—
 - (i) to a fine of \$100,000 or where there is evidence of the street value of the controlled drug, 3 times the street value of the controlled drug whichever is the greater; and

- (ii) to imprisonment for a term which may extend to 10 years but which shall not be less than 5 years; or
 - (b) upon conviction on indictment to imprisonment for life.
- (2) A person who commits the offence of drug trafficking in a substance other than a controlled drug, which he or she represents or holds out to be a controlled drug is liable—
 - (a) upon summary conviction to a fine of \$5,000 and to imprisonment for 2 years; or
 - (b) upon conviction on indictment to a fine of \$25,000 and to imprisonment for 5 years.
- (3) Subject to any regulations under section 10 a person found in possession of a controlled drug in any school premises is deemed to have the controlled drug for the purpose of drug trafficking, unless the contrary is proved, the burden of proof being on the accused.
- (4) In subsection (3) “school premises” includes buildings, playing fields or other premises established or maintained by a school for the benefit of its pupils whether or not such buildings, playing fields or other premises are within the curtilage of the school.

26. ASSISTING ANOTHER TO RETAIN THE BENEFIT OF DRUG TRAFFICKING

- (1) If a person enters into or is otherwise concerned in an arrangement whereby—
 - (a) the retention or control by or on behalf of another (call him or her “A”) of the proceeds of drug trafficking by A is facilitated (whether by concealment, removal from the jurisdiction, transfer to nominees or otherwise); or
 - (b) the proceeds of drug trafficking by A—
 - (i) are used to secure that funds are placed at A’s disposal, or
 - (ii) are used for A’s benefit to acquire property by way of investment,

knowing or suspecting or having reasonable grounds to suspect that A is a person who carries on or has carried on drug trafficking, he or she is guilty of an offence.

- (2) Where a person discloses to a police officer a suspicion or belief that any funds or investments are derived from or used in connection with drug trafficking or any matter on which a suspicion or belief is based—
- (a) the disclosure is not a breach of any restriction upon the disclosure of information imposed by contract; and
 - (b) if he or she does any act in contravention of subsection (1) and the disclosure relates to the arrangement concerned, he or she does not commit an offence against this section if the disclosure is made in accordance with this paragraph, that is to say,
 - (i) it is made before he or she does the act concerned, being an act done with the consent of the police officer, or
 - (ii) it is made after he or she does the act, but is made on his or her own initiative and as soon as it is reasonable for him or her to make it.

(Inserted by Act 8 of 1993)

- (3) In this section, references to the proceeds of drug trafficking by any person include a reference to any property which directly or indirectly represented in his or her hands the proceeds of drug trafficking by him or her.
- (4) In proceedings against a person for an offence under this section, it is a defence to prove—
- (a) that he or she did not know or suspect that the arrangement related to the proceeds of drug trafficking by A; or
 - (b) that he or she did not know or suspect that by the arrangement the retention or control by or on behalf of A of those proceeds was facilitated or, as the case may be, that by the arrangement those proceeds were used as mentioned in subsection (1).
- (5) A person who commits an offence under this section is liable—
- (a) on summary conviction to a fine of \$5,000 and to imprisonment for 2 years; or
 - (b) on conviction on indictment to a fine of \$50,000 and to imprisonment for a term not exceeding 14 years.

27. OBTAINING INFORMATION FROM PRACTITIONERS

- (1) If it appears to the Minister that there exists in any area in Saint Lucia a social problem caused by the extensive misuse of dangerous or otherwise harmful drugs in that area, he or she may by notice in writing served on any doctor or druggist practising in or in the vicinity of that area, or on any person lawfully conducting a retail pharmacy business at any premises situated in or in the vicinity of that area, require him or her to furnish to the Minister, with respect to any such drugs specified in the notice and as regards any period so specified, such particulars as may be so specified relating to the quantities in which and the number and frequency of the occasions on which those drugs—
 - (a) in the case of a doctor, were prescribed, administered or supplied by him or her;
 - (b) in the case of a druggist, were supplied by him or her; or
 - (c) in the case of a person conducting a retail pharmacy business, were supplied in the course of that business at any premises so situated which may be specified in the notice.
- (2) A notice under subsection (1) may require any such particulars to be furnished in such manner and within such time as may be specified in the notice and, if served on a druggist or person conducting a retail pharmacy business, may require him or her to furnish the names and addresses of doctors on whose prescriptions any dangerous or otherwise harmful drugs to which the notice relates were supplied, but shall not require any person to furnish any particulars relating to the identity of any person for or to whom any such drug has been prescribed, administered or supplied.
- (3) A person commits an offence if without reasonable excuse (proof of which shall lie on him or her) he or she fails to comply with any requirements to which he or she is subject by virtue of subsection (1).
- (4) A person commits an offence if in purported compliance with a requirement imposed under this section, he or she gives any information which he or she knows to be false in a material particular or recklessly gives any information which is so false.

28. MISCELLANEOUS OFFENCES

- (1) It is an offence for a person to contravene any regulation made under this Act other than regulations made under section 21(2)(h) or 21(2)(i).
- (2) It is an offence for a person to contravene a condition or other term of a licence issued under section 5 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 21(2)(i).
- (3) A person commits an offence if, in purported compliance with any obligation to give information to which he or she is subject under or by virtue of regulations made under this Act, he or she gives any information which he or she 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 herself or another, the issue or renewal of a licence or other authority under this Act or under any regulations made under this Act, he or she—
 - (a) makes any statement or gives any information which he or she 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 or her knowledge contains any statement or information which he or she knows to be false in a material particular.

29. ATTEMPTS TO COMMIT OFFENCES

It is an offence for a person to attempt to commit an offence under any other provision of this Act or to incite or attempt to incite another to commit such an offence.

30. COMMISSION OF OFFENCE OUTSIDE SAINT LUCIA

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

31. OFFENCES BY CORPORATIONS

Where any offence under this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or 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 or she as well as the body corporate commit that offence and are liable accordingly.

32. FURTHER POWERS TO MAKE REGULATIONS

The Minister may by regulations made by statutory instrument 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 provisions of the Customs Law in so far as they apply in relation to a prohibition or restriction on importation or exportation having effect by virtue of section 5; or
- (b) for the application of any 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.

33. POWERS TO SEARCH AND OBTAIN EVIDENCE

- (1) A police officer or other person authorised in that behalf by a general or special order of the Minister shall, for the purposes of the execution of this Act, have power to enter the premises of a person carrying on business as a producer or supplier of any controlled drug 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.
- (2) If a police officer has reasonable grounds to suspect that a person is in possession of a controlled drug in contravention of this Act or of regulations made under it the police officer may subject to subsections (3), (6) and (7)—
 - (a) search that person, and detain him or her for the purpose of searching him or her;

- (b) search any ship, vessel, boat, aircraft, vehicle or other means of conveyance of any description in which the police officer suspects that the drug may be found, and for that purpose require the person in control of the ship, vessel, boat, aircraft, vehicle or other means of conveyance of any description to stop it; or
 - (c) seize and detain for the purposes of proceedings under this Act, anything found in the course of the search which appears to the police officer to be evidence of an offence under this Act.
- (3) Subsection (2) shall not derogate from any power of search or any power to seize or detain property which is otherwise exercisable by a police officer.
- (4) If a magistrate is satisfied by information on oath that there is reasonable ground for suspecting—
- (a) that any controlled drug is, in contravention of this Act or of any regulations made under it, in the possession of a person on any premises or in any place; or
 - (b) that a document directly or indirectly relating to, or connected with, a transaction or dealing which was, or an intended transaction or dealing which would if carried out be, an offence under this Act, or in the case of a transaction or dealing carried out or intended to be carried out in a place outside Saint Lucia an offence against the provisions of a corresponding law in force in that place, is in the possession of a person on any premises or in any place,

he or she may issue a warrant authorising any police officer at any time or times within one month from the date of issue of the warrant, to enter, if need be by force, the premises or place named in the warrant, and to search such premises or place and any reasonable ground for suspecting that an offence under this Act has been committed in relation to any controlled drugs found on the premises or place or in the possession of any such person, or that a document so found is such a document as is mentioned in paragraph (b), to seize and detain those drugs or that document, as the case may be.

- (5) A person commits an offence if he or she—

- (a) intentionally obstructs a person in the exercise of his or her powers under this section;
 - (b) being the person in control of the ship, vessel, boat, aircraft, vehicle or other means of conveyance of any description fails to stop it when required to do so by a police officer under subsection (2)(b);
 - (c) being a person being conveyed in a ship, vessel, boat, aircraft, vehicle or other means of conveyance of any description prevents or intimidates the person in control of or any other person operating the ship, vessel, boat, aircraft, vehicle or other means of conveyance of any description from stopping when required to do so by a police officer under subsection (2)(b);
 - (d) without the permission of the police officer concerned, leaves a ship, vessel, boat, aircraft, vehicle or other means of conveyance of any description which has been stopped by a police officer under subsection (2)(b);
 - (e) conceals from a person acting in the exercise of his or her powers under subsection (1) any such books, documents, stocks or drugs as are mentioned in that subsection; or
 - (f) without reasonable excuse (proof of which shall lie on him or her) fails to produce any such books or documents as are so mentioned where their production is demanded by a person in the exercise of his or her powers under that subsection.
- (6) A person shall not be searched by any person of the opposite sex unless the consent of the person to be searched has first been obtained, or unless such search is made in the presence of some other person, not being a police officer, of the same sex.
- (7) An article of a person's clothing shall not be removed from his or her person during a search at any place other than within a police station.

34. CONTROLLED DELIVERY

The Minister may enter into agreements or make arrangements with any State for the controlled delivery of controlled drugs with a view to identifying persons involved in offences under this Act and to institute legal proceedings against such persons.

35. POWER TO ARREST

- (1) A police officer may arrest without warrant a person who has committed, attempted to commit, or whom the police officer, with reasonable cause, suspects to have committed or attempted to commit an offence under this Act.
- (2) Where any controlled drug is found on any premises searched under section 33(1), or in any ship, vessel, boat, aircraft, vehicle or other means of conveyance of any description stopped under section 33(2), the police officer who has made the search or stopped the ship, vessel, boat, aircraft, vehicle or other means of conveyance of any description, as the case may be, may arrest without warrant any person in such premises or in such ship, vessel, boat, aircraft, vehicle or other means of conveyance of any description whom he or she has reason to believe to be guilty of an offence under this Act.
- (3) This section shall not prejudice any power of arrest conferred by law apart from this section.

36. COMMITTAL TO THE HIGH COURT FOR SENTENCE

- (1) Where on the summary trial of an offence committed under this Act and triable either summarily or on indictment a person who is not less than 18 years of age is convicted of the offence, then, if on obtaining information that his or her character and antecedents are such that in the opinion of the magistrate greater punishment should be inflicted for the offence than the magistrate has power to inflict, the magistrate may commit that person in custody to the High Court for sentence and shall, as soon as practicable, transmit to the Registrar of the High Court the record of the proceedings.
- (2) On receipt of the record, the Registrar of the High Court shall issue an order to the gaoler to bring the convicted person before a judge of the High Court at a time to be fixed by the judge of the High Court.
- (3) The judge of the High Court shall enquire into the circumstances of the case and shall have power to deal with the convicted person as if he or she had just been convicted of the offence on indictment before the High Court.

37. PROSECUTION AND PUNISHMENT OF OFFENCES

- (1) Except where expressly otherwise provided Schedule 3 shall have effect, in accordance with subsection (2), with respect to the way in which offences under this Act are punishable on conviction.
- (2) In relation to an offence under a provision of this Act specified in the first column of Schedule 3 (the general nature of the offence being described in the second column)—
 - (a) the third column shows whether the offence is punishable on summary conviction or on indictment or in either way;
 - (b) the fourth, fifth and sixth columns show respectively the punishments which may be imposed on a person convicted of the offence in the way specified in relation thereto in the third column (that is to say, summarily or on indictment) according to whether the controlled drug in relation to which the offence was committed was a Class A drug, a Class B drug or a Class C drug; and
 - (c) the seventh column shows the punishments which may be imposed on a person convicted of the offence in the way specified in relation thereto in the third column (that is to say, summarily or on indictment), whether or not the offence was committed in relation to a controlled drug and, if it was so committed, irrespective of whether the drug was a Class A drug, a Class B drug or a Class C drug; and
 - (d) in the fourth, fifth, sixth and seventh columns a reference to a period gives the maximum term of imprisonment and a reference to a sum of money the maximum fine.
- (3) An offence under section 29 shall be punished on summary conviction, on indictment or in either way according to whether, under Schedule 3, the substantive offence is punishable on summary conviction, on indictment or in either way; and the punishments which may be imposed on a person convicted of an offence under that section are the same as those which, under that Schedule, may be imposed on a person convicted of the substantive offence.
- (4) In subsection (3) “the substantive offence” means the offence under this Act to which the attempt or, as the case may be, the

incitement or attempted incitement mentioned in section 29 was directed.

- (5) Despite the provisions of section 671 of the Criminal Code, a magistrate may try an information or complaint for an offence under this Act if the information or complaint was laid or, as the case may be, made at any time within 12 months from the commission of the offence.

38. FORFEITURE

- (1) Subject to subsection (6), where a person is convicted of an offence under this Act other than a drug trafficking offence, the court shall order forfeiture to the Government of Saint Lucia of any opium pipe or other article or the controlled drug in respect of which the offence was committed and all receptacles of any kind whatsoever found containing the controlled drug and any ship, vessel, boat, aircraft, vehicle or other means of conveyance of any description, proved to have contained the opium pipe or other article or controlled drug or anything shown to the satisfaction of the court to relate to the offence.
- (2) Without prejudice to subsection (1), where a person is convicted of a drug trafficking offence the court shall in passing sentence order forfeiture to the Government of Saint Lucia of—
 - (a) any article relating to the offence;
 - (b) any money relating to the offence; or
 - (c) any valuable consideration relating to the offence.
- (3) Forfeiture shall extend—
 - (a) to any property which there is reason to believe has been obtained from the proceeds of anything relating to the offence for which a person is convicted under this Act or to a conspiracy to commit any such offence; or
 - (b) to any thing into which any such property has been converted.
- (4) Subject to subsection (5) forfeiture under this section may be applied to the treatment and rehabilitation of persons addicted (within the meaning of the regulations) to controlled drugs of any description.

- (5) Controlled drugs forfeited under this section shall be delivered to the Commissioner of Police for immediate disposal.
- (6) Before making an order for forfeiture under this section the Court shall summon any person who is the owner or agent of any article, vehicle or other means of conveyance to show cause why the article, ship, vessel boat, aircraft, vehicle, or other means of conveyance should not be forfeited.

(Amended by Act 8 of 1993)

39. CERTIFICATE OF ANALYST ADMISSIBLE IN EVIDENCE

- (1) Subject to subsections (3) and (4), despite the provisions of any other law, a certificate of an analyst purporting to be signed by him or her stating that he or she has analysed or examined a substance and stating the result of such analysis or examination is admissible in evidence or any prosecution under this Act of the matters stated therein if it is proved by other evidence that the seals or other fastenings of the container of the substance or thing analysed and in respect of which the certificate was given were intact at the time the container was delivered to him or her.
- (2) Evidence shall be required by the court as to the signature or qualifications of the person purporting to have signed the certificate.
- (3) A certificate shall not be received in evidence unless the party intending to produce it has given to the other parties 7 days notice of such intention and has furnished with such notice a copy of the certificate.
- (4) In any prosecution under this Act either of the parties may require the attendance or an analyst to give evidence and in such case the costs of his or her attendance shall, unless the judge or magistrate orders otherwise, be payable by the party so requiring.

40. DEFENCES

- (1) This section applies to offences under any of the following provisions of this Act, that is to say, sections 6(2), 6(3), 8(2), 8(3), 9(2) and 19.

- (2) Subject to subsection (3), in any proceedings for an offence to which this section applies it shall be a defence for the person charged to prove that he or she neither knew of nor suspected nor had reason to suspect the existence of some fact alleged by the prosecution which it is necessary for the prosecution to prove if he or she is to be convicted of the offence charged.
- (3) Where in any proceedings for an offence to which this section applies it is necessary if the accused is to be convicted of the offence charged, for the prosecution to prove that some substance or product involved in the alleged offence was the controlled drug which the prosecution alleges it to have been, and it is proved that the substance or product in question was that controlled drug, the accused—
- (a) shall not be acquitted of the offence charged by reason, only of proving that he or she neither knew, nor suspected nor had reason to suspect that the substance or product in question was the particular controlled drug alleged; but
- (b) shall be acquitted thereof—
- (i) if he or she proves that he or she neither believed nor suspected nor had reason to suspect that the substance or product in question was a controlled drug, or
- (ii) if he or she proves that he or she believed the substance or product in question to be a controlled drug, or a controlled drug of a description, such that if it had in fact been that controlled drug or a controlled drug of that description he or she would not at the material time have been committing any offence to which this section applies.
- (4) This section shall not prejudice any defence which it is open to a person charged with an offence to which this section applies to raise apart from this section.

41. PRESUMPTIONS OF POSSESSION AND KNOWLEDGE OF CONTROLLED DRUG

- (1) Without prejudice to any other provision of this Act—
- (a) Where it is proved that a person imported anything containing a controlled drug it shall be presumed until the

- contrary is proved, that such person knew that such drug was contained in such thing;
- (b) where it is proved that a person had in his or her possession or custody or under his or her control anything containing a controlled drug, it shall be presumed until the contrary is proved, that such person was in possession of such drug;
 - (c) where it is proved that a person supplied to any other person anything containing a controlled drug, it shall be presumed, until the contrary is proved that such first-mentioned person knew that such drug was contained in such thing;
 - (d) where it is proved that a person handled, within the meaning of section 7, anything containing a controlled drug, it shall be presumed, until the contrary is proved, that such person knew that such drug was contained in such thing;
 - (e) where it is proved that a person had in his or her possession or custody or under his or her control—
 - (i) any document of title relating to anything containing a controlled drug; or
 - (ii) any other document or written or printed matter including a dock warrant, warehouse warrant or order, baggage receipt or baggage claim, relating to anything containing a controlled drug, it shall be presumed, until the contrary is proved, that such person was in possession of such drug.
- (2) The presumptions provided by this section shall not be rebutted by proof that a person never had physical possession of the controlled drug.
- (3) The presumptions provided by this section shall not be construed as requiring the prosecution to prove any fact which, by virtue of any other provision of this Act, the prosecution does not have to prove.

(Inserted by Act 8 of 1993)

42. PRESUMPTIONS RELATING TO PLACES USED FOR DRUG MISUSE

- (1) Whenever any pipe, equipment or apparatus fit and intended for use in connection with the misuse of a controlled drug is found in any premises or place it shall be presumed, until the contrary is proved, that such premises or place is used for the purpose of misusing a controlled drug therein.
- (2) Any person who is in or is found escaping from any premises or place used for the purpose of misusing a controlled drug shall, until the contrary is proved, be presumed to have been misusing a controlled drug therein.

(Inserted by Act 8 of 1993)

43. SERVICE OF DOCUMENTS

- (1) Any notice or other document required or authorised by any provision of this Act to be served on any person may be served on him or her either by delivering it to him or her or by leaving it at his or her proper address or by sending it by post.
- (2) Any notice or other document so required or authorised to be served on a body corporate shall be duly served if it is served on the secretary or clerk of that body.
- (3) For the purposes of this section the proper address of any person shall, in the case of the secretary or clerk of a body corporate, be that of the registered or principal office of that body, and in any other case shall be the last address of the person to be served which is known to the Minister.

44. LICENCES AND AUTHORITIES

A licence or other authority issued by the Minister for the purposes of this Act or of regulations made under this Act may be, to any degree, general or specific, issued on such terms and subject to such conditions (including in the case of a licence the payment of a prescribed fee) as the Minister thinks proper, and may be modified or revoked by him or her at any time.

45. GENERAL PROVISIONS AS TO REGULATIONS

- (1) Regulations made by the Minister under any provision of this Act—
 - (a) may make different provisions in relation to different controlled drugs, different classes of persons, different provisions of this Act or other different cases or circumstances;
 - (b) may make the opinion, consent or approval of a prescribed authority or of any person authorised in a prescribed manner material for purposes of any provision of the regulations; and
 - (c) may contain such supplementary, incidental and transitional provisions as appear expedient to the Minister.
- (2) The Minister shall not make any regulations under this Act except after consultation with the Advisory Council.
- (3) Any regulations made under this Act by the Minister are subject to a negative resolution of the House of Assembly and the Senate.

46. RESEARCH

The Minister may conduct or assist in conducting research into any matter relating to the misuse of dangerous or otherwise harmful drugs.

47. TIME FOR PROCEEDINGS

Despite anything to the contrary in any other law no investigation or proceedings in respect of an offence, under this Act shall be subject to any limitation of time prescribed by law for the commencement of such investigation or proceedings. (*Inserted by Act 8 of 1993*)

48. MEANING OF “CORRESPONDING LAW” AND EVIDENCE OF CERTAIN MATTERS BY CERTIFICATE

- (1) In this Act the expression “corresponding law” means a law stated in a certificate purporting to be issued by or on behalf of the Government of a country outside Saint Lucia to be a law providing for the control and regulation in that country of the

production, supply, use, export and import of drugs and other substances in accordance with the provisions of the Single Convention on Narcotic Drugs signed at New York on 30 March 1961 or a law providing for the control and regulation in that country of the production, supply, use, export and import of dangerous or otherwise harmful drugs under any treaty, convention or other agreement or arrangement to which the Government of that country and the Government of Saint Lucia are parties.

- (2) A statement in any such certificate as aforesaid to the effect that any facts constitute an offence against the law mentioned in the certificate shall be conclusive evidence of the matters stated.

49. AMENDMENT OF SCHEDULES

The Minister may by order made by statutory instrument amend the Schedules.

50. SAVINGS

Subsidiary legislation made under the Dangerous Drugs Act, 1938 the Dangerous Drugs (Amendment) Act, 1975 and the Dangerous Drugs Ordinance (Amendment) (No.2) Act, 1979 which is in conformity with this Act shall continue to apply until regulations are made under this Act.

SCHEDULE 1

(Section 3)

CONSTITUTION OF ADVISORY COUNCIL ON THE MISUSE OF DRUGS

1.

- (1) The members of the Advisory Council, of whom there shall be not more than 11 nor less than 7, shall be appointed by the Minister after consultation with such organisations as he or she considers appropriate, and shall include—
 - (a) in relation to each of the activities specified in (2) at least one person appearing to the Minister to have wide and recent experience of that activity; and
 - (b) persons appearing to the Minister to have wide and recent experience of social problems connected with the misuse of drugs.
- (2) The activities referred to in (1)(a) are—
 - (a) the practice of medicine (other than veterinary medicine);
 - (b) the practice of dentistry;
 - (c) the practice of veterinary medicine;
 - (d) the practice of pharmacy.
- (3) The Minister shall appoint one of the members of the Advisory Council to be chairperson of the Advisory Council.

2.

The Advisory Council may appoint committees, which may consist in part of persons who are not members of the Advisory Council to consider and report to the Advisory Council on any matter referred to them by the Advisory Council.

3.

At meetings of the Advisory Council the quorum shall be 4, and subject to that the Advisory Council may determine their own procedure.

SCHEDULE 2

(Section 4)

CONTROLLED DRUGS**PART I
CLASS A DRUGS**

1.

(a) The following substances and products, namely—

Acetorphine	Dihydromorphine
Alfentanil	Dimenoxadole
Allylprodine	Dimepheptanol
Alphacetylmethadol	Dimethylthiambutene
Alphameprodine	Dioxaphetyl butyrate Diphenoxylate
Alphamethadol	Dipipanone
Alphaprodine	Droterbanol (3, 4-dimethoxy-17-methylmorphinan-6, 14-diol
Anileridine	Ecgonine, and any derivative of ecgonine which is convertible to ecgonine or to cocaine
Benzethidine	Eticyclidine
Benzylmorphine (3-benzylmorphine)	Ethylmethylthiambutene
Betacetylmethadol	Etonitazene
Betameprodine	Etorphine
Betamethadol	Etoxidine
Bezitramide	Fentanyl
Bufotenine	Furethidine
Cannabinol, except where contained in cannabis or cannabis resin	Hydrocodone
Cannabinol derivatives	Hydromorphinol
Cannabis	Hydromorphone
Cannabis resin	Hydroxypethidine
Clonitazene	Isomethadone
Coca leaf	Ketobemidone
Cocaine	Levomethorphan
Desomorphine	Levomoramide
Dextromoramide	Levophenacymorphan
Diamorphine	Levorphanol
Diampromide	Lysergamide
Diethylthiambutene	Lysergide and other N-alkyl derivatives of lysergamide
Difenoxin (1-[3-cyano-3, 3-diphenylpropyl-) 4-phenylpiperidine-4-carboxylic acid	Mescaline
Dihydrocodeinone-O-carboxy - methyloxime	Metazocine
	Methadone
	Methadyl acetate

Methyldesorphine
Methyldihydromorphine (6-methyldihydromorphine)
Metopon
Morpheridine
Morphine
Morphine methobromide, morphine N-oxide and other pentavalent nitrogen morphine derivatives
Myrophine
Nicodicodine (6-nicotinoyldi-hydrocodeine)
Nicomorphine (3,6-dinicotinoylmorphine)
Noracymethadol
Norlevorphanol
Normethadone
Normorphine
Norpipanone
Opium, whether raw, prepared or medicinal
Oxycodone
Oxymorphone
Pethidine
Phenadoxone
Phenampromide
Phenazocine
Phencyclidine
Phenomorphane
Phenoperidine
Piminodine
Piritramide
Poppy-straw and concentrate of poppy-straw
Proheptazine
Propерidine (1-methyl-4-phenyl-piperidine 4-carboxylic acid isopropyl ester)
Psilocin
Racemethorphan
Racemoramide
Racemorphan
Rolicyclidine
Sofentanil
Tenocyclidine
Thebacon
Thebaine
Tilidate
Trimeperidine
4-Bromo-2,5-dimethoxy-methylphenethylamine
4-Cyano-2-dimethylamino-4, 4-diphenylbutane
4-Cyano-1-methyl-4-phenylpiperidine
N,N-Diethyltryptamine
N,N-Dimethyltryptamine
2,5-Dimethoxy-4-dimethylphenethylamine
1-Methyl-4-phenylpiperidine-4-carboxylic acid
2-Methyl-3-morpholino-1, 1-diphenylpropanecarboxylic acid
4-Phenylpiperidine-4-carboxylic acid ethyl ester.

- (b) any compound (not being a compound specified in (a) above) structurally derived from tryptamine or from a ringhydroxy tryptamine by substitution at the nitrogen atom of the side-chain with one or more alkyl substituents but no other substituent; and

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- (c) any compound (not being methoxphenamine or a compound specified in subparagraph (a) above) structurally derived from phenethylamine, an N-alkylphenethylamine, methylphenethylamine, an N-alkyl-methylphenethylamine, -ethylphenethylamine, or an N-alkyl-ethylphenethylamine by substitution in the ring to any extent with alkyl, alkoxy, alkylendioxy or halide substituents, whether or not further substituted in the ring by one or more other univalent substituents.”
2. Any stereoisomeric form of a substance specified in paragraph 1 above not being dextromethorphan or dextrorphan.
 3. Any ester or ether of a substance specified in paragraph 1 or 2.
 4. Any salt of a substance specified in any of paragraphs 1 to 3.
 5. Any preparation or other product containing a substance or product specified in any of paragraphs 1 to 4.
 6. Any preparation designed for administration by injection which includes a substance or product specified in any of paragraphs 1 to 3 of Part II.

(Amended by Act 8 of 1993)

PART II
CLASS B DRUGS

1.

(a) The following substances and products, namely—

Acetyldihydrocodeine	Methylamphetamine
Amphetamine	Methylphenidate
Cannabis and cannabis resin	Methylphenobarbitone
Codeine	Nicocodine
Dexamphetamine	Nicodicodine (6-nicotinoyldihydrocodeine)
Dihydrocodeine	
Ethylmorphine (3-ethylmorphine)	Norcodeine
Glutephemide	Pentazocine
Lefetamine	Phenmetrazine
Mecloqualone	Pholcodine
Metahatoqualone	Propiram

(b) any 5,5 distributed barbituric acid.

2. Any stereoisomeric form of a substance specified in 1 of this Part of this Schedule.
3. Any salt of a substance specified in 1 or 2 of this Part of this Schedule.
4. Any preparation or other product containing a substance or product specified in any of 1 or 3 of this Part of this Schedule, not being a preparation falling within paragraph 6 of Part I of this Schedule.

**PART III
CLASS C DRUGS**

1. The following substances, namely—

Alprazolam	Halazepam
Benzphetamine	Haloxazolam
Bromazepam	Ktazolam
Camazepam	Leoprazolam
Chlordiazepoxide	Lorazepam
Chlorphentermine	Lormetazepam
Clobazam	Mazindol
Clonazepam	Medazepam
Clorazepic acid	Mephentermine
Clotiazepam	Meprobamate
Cloxazolam	Mathaqualone
Delorazepam	Methyprylone
Dextropropoxyphene	Nimetazepam
Diazepam	Nitrazepam
Diethylpropion	Nordazepam
Estazolam	Oxazepam
Ethchlorvynol	Oxazolam
Ethinamate	Pemoline
Ethyl loflazepate	Phentermine
Fencamfamin	Phentermine
Fludiazepam	Pinazepam
Flunitrazepam	Pipradrol
Flurazepam	Prazepam
	Prolintane
	Temazepam
	Tetrazepam
	Triazolam.

2. Any stereoisomeric form of a substance specified in 1 of this Part of this Schedule.
3. Any salt of a substance specified in 1 or 2 of this Part of this Schedule.
4. Any preparation or other product containing a substance specified in any of 1 to 3 of this Part of this Schedule.

**PART IV
MEANING OF CERTAIN EXPRESSIONS USED IN THIS SCHEDULE**

For the purposes of this Schedule the following expressions (which are not among those defined in section 2 of this Act) have the meanings hereby assigned to them respectively, that is to say—

- “**cannabinol derivatives**” means the following substances, except where contained in cannabis or cannabis resin, namely — tetrahydro derivatives of cannabinol and 3-alkyl homologues of cannabinol or of its tetrahydro derivatives;
- “**coca leaf**” means the leaf of any plant of the genus *Erythroxylon* from whose leaves cocaine can be extracted either directly or by chemical transformation;
- “**concentrate of poppy-straw**” means the material produced when poppy-straw has entered into a process for the concentration of its alkaloids;
- “**medicinal opium**” means raw opium which has undergone the process necessary to adapt it for medicinal use in accordance with the requirements of the British Pharmacopoeia, whether it is in the form of powder or is granulated or is in any other form, and whether it is or is not mixed with neutral substances;
- “**opium poppy**” means the plant of the species *Papaver somniferum* L;
- “**poppy-straw**” means all parts, except the seeds, of the opium poppy after mowing;
- “**raw opium**” includes powdered or granulated opium but does not include medicinal opium.

[Insert page 1 of Drugs (Prevention of Misuse) Act, landscape pages]

[Insert page 2 of Drugs (Prevention of Misuse) Act, landscape pages]

[Insert page 3 of Drugs (Prevention of Misuse) Act, landscape pages]

[Insert page 4 of Drugs (Prevention of Misuse) Act, landscape pages]

[Insert page 5 of Drugs (Prevention of Misuse) Act, landscape pages]

SCHEDULE 4

(Sections 2, 15, 16, 18)

1. The International Opium Convention [i.e., The Hague Convention] signed at the Hague on 23 January 1912.
2. The International Opium Convention [i.e., The Geneva Convention (No. 1)] signed at Geneva on 19 February 1925.
3. The International Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs [i.e., The Geneva Convention (No. 2)] signed at Geneva on 13 July 1931.
4. The Protocol on Narcotic Drugs signed at Lake Success, New York, on 11 December 1946.
5. The Single Convention on Narcotic Drugs signed at New York on 30 March 1961.
6. The Convention on Psychotropic Substances signed at Vienna on 21 February 1971.
7. The Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances signed at Vienna on 16 December 1988.

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DANGEROUS DRUGS (COCAINE, MORPHINE, ETC.) REGULATIONS

Arrangement of Regulations

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DANGEROUS DRUGS (COCAINE, MORPHINE, ETC.) REGULATIONS – SECTIONS 45 AND 21

(Statutory Instrument 35/1940)

Commencement [13 April 1940]

1. SHORT TITLE

These Regulations may be cited as the Dangerous Drugs (Cocaine, Morphine, etc.) Regulations.

2. INTERPRETATION

Unless the context otherwise requires, any reference in these Regulations to “the Act” shall be construed as a reference to the Dangerous Drugs Act, 1938.¹

3. APPLICATION

The drugs to which these Regulations apply are—

- (a) morphine, cocaine, (including synthetic cocaine), ecgonine, diacetylmorphine (commonly known as diamorphine or heroin) and their respective salts, medicinal opium, and any extract or tincture of Indian hemp, and any preparation, admixture, extract or other substance containing any proportion of diacetylmorphine or of the other esters of morphine, and any preparation, admixture, extract or other substance containing any proportion of ecgonine or of the esters of ecgonine; for the purpose of the foregoing provision the expression “ecgonine” means laevo-ecgonine and includes any derivatives of ecgonine from which it may be recovered industrially, and the percentage in the case of morphine shall be calculated as in respect of anhydrous morphine;
- (b) dihydrohydroxycodine, dihydrocodeinone, dihydro-morphinone, acetyldihydrocodeinone, dihydromorphine, their

¹ **Editor’s note:** *These Regulations are made under the Dangerous Drugs Act, 1938. This Act was repealed by the Drugs (Prevention of Misuse) Act, but these Regulations were continued in force by section 50.*

esters and the salts of any of these substances and of their esters morphine-N-oxide (commonly known as genomorphine), the morphine-N-oxide derivatives, and any other pentavalent nitrogen morphine derivatives;

- (c) thebaine and its salts, and benzylmorphine and the other esters of morphine and their respective salts;
- (d) any preparation, admixture, extract or other substance containing any proportion of any of the substances mentioned in the above paragraphs (b) or (c).

4. MANUFACTURE

A person shall not manufacture or carry on any process in the manufacture of morphine, cocaine, ecgonine or diacetylmorphine, or their respective salts, or medicinal opium or any extract or tincture of Indian hemp—

- (a) unless he or she is licensed by the Governor General or is authorised by these Regulations or by any authority granted by the Governor General to do so;
- (b) except on premises licensed for the purpose by the Governor General;
- (c) otherwise than in accordance with the terms and conditions of such licence or authority.

5. SALE AND DISTRIBUTION

- (1) A person shall not supply or procure or offer to supply or procure any of the drugs to or for any person whether in Saint Lucia or elsewhere or shall advertise any of the drugs for sale—
 - (a) unless he or she is licensed by the Governor General or is authorised by these Regulations or by any authority granted by the Governor General to supply the drug or unless he or she is licensed by the Governor General to import or export the drug or unless he or she is licensed or otherwise authorised to manufacture the drug or (but so far only as regards procuring the drug) unless he or she is licensed to procure the drug, or
 - (b) otherwise than in accordance with the terms and conditions of such licence or authority.

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- (2) Except when the drugs are lawfully dispensed in pursuance of a prescription given by a medical practitioner, dentist or veterinary surgeon, or are supplied by a medical practitioner or veterinary surgeon who dispenses his or her own medicines, in accordance with the conditions hereinafter specified, a person shall not supply or procure or offer to supply or procure any of the drugs to or for any person in Saint Lucia who is not licensed or otherwise authorised to be in possession of the drug, nor to any person so licensed or authorised except in accordance with the terms and conditions of such licence or authority.

However, administration of the drugs by or under the direct personal supervision and in the presence of a medical practitioner, or by or under the direct personal supervision and in the presence of a dentist in dental treatment, or by or under the direct personal supervision and in the presence of a veterinary surgeon in the treatment of any animal, shall not be deemed to be supplying the drug within the meaning of this and the following Regulations.

6. CONDITIONS AS TO THE GIVING OF PRESCRIPTIONS

A prescription for the supply of the drugs must comply with the following conditions—

- (a) The prescription must be in writing, must be dated and signed by the medical practitioner, dentist or veterinary surgeon as the case may be, with his or her usual signature and address, and must specify the name and address of the person for whose use the prescription is given, and the total amount of the morphine, cocaine, ecgonine or diamorphine or salt thereof, to be supplied on the prescription, except that in the case of a preparation which is contained in the British Pharmacopoeia and which is not combined with any other preparation or any of the drugs not so contained, it shall be sufficient to state the total amount of the preparation to be supplied. The prescription shall not be given for the use of the prescriber himself or herself;
- (b) a prescription shall only be given by a medical practitioner when required for purposes of medical treatment;

- (c) a prescription shall only be given by a dentist for the purposes of dental treatment and shall be marked “For local dental treatment only;”
- (d) a prescription shall only be given by a veterinary surgeon for the purposes of treatment of animals and shall be marked “For animal treatment only;”
- (e) a medical practitioner, dentist or veterinary surgeon shall not give any prescription for the supply of any of the drugs otherwise than in accordance with the foregoing conditions;
- (f) a medical practitioner who dispenses any medicines to which these Regulations apply shall enter particulars thereof in his or her day book or in the register hereinafter specified.

7. OFFICIAL FORM

The Governor General may by order prescribe and issue a form hereinafter referred to as the “Official Form” for use in giving prescriptions for the drugs, and in that case a prescription for any of the drugs shall only be given on an official form. However, in a case of emergency when the person giving the prescription has not the official form available, the prescription may be given without using the official form, but in that case, shall be marked with the words “Official form not available” or similar words.

8. CONDITIONS AS TO THE DISPENSING OF PRESCRIPTIONS

The following conditions shall be observed by persons dispensing prescriptions for the drugs—

- (a) if an official form is prescribed and issued by the Governor General under the foregoing regulation, a prescription for any of the drugs shall only be dispensed if the prescription is on one of those forms, or in the case of an emergency prescription given under the conditions specified in the foregoing regulation, if the person dispensing the prescription is acquainted with the signature of the medical practitioner, dentist, or veterinary surgeon by whom the prescription purports to be given, or is acquainted with the person for whose use the

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prescription is given and has no reason to suppose that the prescription is not genuine; if an official form is not prescribed, a prescription for any of the drugs shall only be dispensed if either—

- (i) the person dispensing the prescription is acquainted with the signature of the medical practitioner, dentist, or veterinary surgeon by whom the prescription purports to 'be given and has no reason to suppose the prescription is not genuine, or
 - (ii) the person dispensing the prescription has taken reasonably sufficient steps to satisfy himself or herself that the prescription is genuine;
- (b) the drugs shall not be supplied more than once on the same prescription. However, if the prescription so directs, the drugs may be supplied on more than one but not exceeding three occasions as directed in the prescription, at intervals to be specified in the prescription;
 - (c) the prescription shall be marked with the date on which it is dispensed, and shall be retained by the person, firm or body corporate by whom the prescription is dispensed, and shall be kept on the premises where it is dispensed and shall be available for inspection.

9. POSSESSION

A person shall not be in possession of or attempt to obtain possession of any of the drugs unless—

- (a) he or she is licensed to import or export the drug; or
- (b) he or she is licensed or otherwise authorised to manufacture or supply the drug; or
- (c) he or she is otherwise licensed by the Governor General or authorised by these Regulations or by any authority granted by the Governor General to be in possession of the drug; or
- (d) he or she proves that the drug was supplied for his or her use by a medical practitioner or veterinary surgeon or on and in accordance with such a prescription as aforesaid.

However, this provision shall not apply to any drug supplied to a person for his or her use by a medical practitioner or in accordance with a prescription if that person was at the time of the supply in course of receiving treatment from another medical practitioner in respect of addition to any of the drugs or otherwise, and of being supplied with any of the drugs by or on a prescription given by that last-mentioned practitioner, and did not disclose that fact to the first-mentioned practitioner before the drug was supplied to him or her.

10. MARKING OF PACKAGES OR BOTTLES

- (1) A person shall not supply any morphine, cocaine, ecgonine, diacetylmorphine or their respective salts or any medicinal opium or any extract or tincture of Indian hemp unless the package or bottle containing it is plainly marked with the amount of the drug in the package or bottle.
- (2) A person shall not supply any preparation, admixture, extract, or other substance containing any of these last-mentioned drugs and coming within these Regulations unless the package or bottle is plainly marked—
 - (a) in the case of a powder, solution, or ointment, with the total amount thereof in the package or bottle and the percentage of the drug in the powder, solution, or ointment;
 - (b) in the case of tablets or other articles with the amount the drug in each article and the number of articles in the package or bottle.
- (3) This regulation shall not apply to any preparation dispensed by a medical practitioner or on the prescription of a medical practitioner.

11. RECORDS

- (1) A person who supplies any of the drugs shall comply with the following provisions—
 - (a) he or she shall enter or cause to be entered in a register kept for the sole purpose all supplies of the drug purchased or otherwise obtained by him or her and all

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dealings in the drug effected by him or her (including sales or supplies to persons outside Saint Lucia) in the form and containing the particulars shown in Schedule 1 to these Regulations;

- (b) separate registers or separate parts of the register shall be used for—
- (i) cocaine and ecgonine and substances containing them,
 - (ii) morphine and substances containing it,
 - (iii) diacetylmorphine and substances containing it,
 - (iv) medicinal opium,
 - (v) extract or tincture of Indian hemp,
 - (vi) dihydro-hydroxycodine (commonly known as eucodal), and preparations containing dihydrohydroxycodine,
 - (vii) dihydrocodeinone (commonly known as dicodide), and preparations containing dihydrocodeinone,
 - (viii) dihydromorphinone (commonly known as dilaudide) and preparations containing dihydromorphinone.

However, with the approval of the Governor General separate registers may be kept for separate departments of a business; and

- (c) he or she shall make the entry with respect to any of the drugs purchased or otherwise obtained by him or her on the day on which the drug is received, and with respect to any sale or supply by him or her of the drug on the day on which the transaction is effected; or where that is not reasonably convenient on the day following the day on which the drug is received or the transaction is effected;
- (d) where he or she carries on business at more than one set of premises he or she shall keep a separate register or registers in respect of each set of premises;
- (e) he or she shall keep the register or registers in some part of the premises to which it relates so that it shall at all times be available for inspection in accordance with the provisions of the Dangerous Drugs Act, 1938;

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return within one month after the end of each year showing the quantity of such dangerous drug in his or her possession during the previous year. The return shall be made in the form in Schedule 2.

13. SUPPLIES

A person who may require a supply of any such dangerous drugs during the course of any year, shall forward to the Chief Medical Officer not later than 30 June in the preceding year, an estimate of the amount of each drug which he or she is likely to require during the following year. The estimate shall be given in the form in Schedule 3.

14. AUTHORISATION TO MANUFACTURE, ETC

- (1) A person lawfully keeping open shop for the retailing of poisons in accordance with the provisions of the Medical Registration Act is hereby authorised—
 - (a) to manufacture at the shop in the ordinary course of his or her retail business any preparation, admixture or extract of any of the drugs;
 - (b) to carry on at the shop the business of retailing, dispensing or compounding the drugs, but subject always to the provisions of these Regulations.
- (2) In the event of any such person being convicted of an offence against the Act or of an offence under the enactments relating to the Customs as applied by the Act the Governor General may by notice in the Gazette withdraw the authorisation aforesaid, if, in the opinion of the Governor General, such person cannot properly be allowed to carry on the business of manufacturing or selling or distributing as the case may be, any such drug. However, the Governor General shall, before withdrawing the authorisation in the case of any such person, consult the Medical Board.

15. AUTHORISATION TO SUPPLY, ETC

Any medical practitioner, or any dentist, or any veterinary surgeon or any person employed or engaged in dispensing medicines at any public hospital or other public institution, being a person duly registered under the Medical Registration Act or any person in charge

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her, subject to any conditions prescribed by the Secretary of State, to administer and supply the drugs to any member of the crew in accordance with instructions prepared or sanctioned by the Board of Trade. The keeping of a record of the use of the drugs in the official log in accordance with the provisions of the Merchant Shipping Acts of the United Kingdom, shall be deemed to be in compliance with the requirements of these Regulations as to the keeping of records.

20. HOSPITALS

The Governor General may exempt from the operation of these Regulations any hospital or other public institution subject to the observance of such conditions as he or she may by order prescribe.

21. PREPARATIONS EXEMPTED FROM THE REGULATIONS

These Regulations shall not apply in respect of the preparations named in Schedule 4 to these Regulations nor to any of the drugs when denatured in a manner approved by the Governor General. The Governor General may by order published in the Gazette add any other preparation to the Schedule or remove any preparation from the Schedule.

22. DIVERSION OF DRUGS IN TRANSIT

If any consignment of the drugs to some destination outside Saint Lucia is brought into any port of Saint Lucia, a person shall not, without the licence of the Governor General, divert, or cause or procure to be diverted, such consignment to any destination other than the destination to which it was originally consigned. The destination to which the consignment was originally consigned shall be deemed to be the destination stated in the licence, permit or other authority for the export of the consignment granted by the Government of the country of export.

23. PRESERVATION OF PRESCRIPTIONS

Prescriptions, records, registers, or other documents required to be retained or kept under these Regulations or of any order made under these Regulations shall be preserved for not less than 2 years from the

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SCHEDULE 1

(Regulation 11)

(a) Record of

{
Morphine, etc.
Diacetylmorphine (heroin), etc.
Cocaine, etc.
Medicinal Opium.
}

Purchased or
otherwise obtained.

Date on which supply received	Name of person, body or firm from whom obtained.	Address of person, body or firm from whom obtained.	Amount obtained.	Form in which obtained

(b) Record of

{
Morphine, etc.
Diacetylmorphine (heroin), etc.
Cocaine, etc.
Medicinal Opium.
}

Sold or supplied.

Date on which the transaction was effected	Name of person, body or firm to whom sold or supplied	Address of person, body or firm to whom sold or supplied	Authority of person, body or firm to be in possession of the drug	Amount sold or supplied	Form in which sold or supplied	When sale is on a prescription, specify the ingredients of the prescription

SCHEDULE 2

(Regulation 12)

ANNUAL RETURN OF DANGEROUS DRUGS FOR THE YEAR 20 .

- | | |
|---|-----|
| (1) Name of person making this return. By | (1) |
| (2) Druggist or otherwise. | (2) |
| (3) Address. | (3) |

Drug.	Quantities		
	Imported during period 1 January to 31 December 20 .	Consumed during period 1 January to 31 December 20 .	In stock on 31 December 20 .

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(Regulation 13)

ANNUAL ESTIMATE FOR THE YEAR 20 .

- (1) Name of person making this return. By (1)
 (2) Druggist or otherwise. (2)
 (3) Address. (3)

Drug.	Quantities	
	Required during period 1 January to 31 December 20 .	In stock on 31 May 20 .

SCHEDULE 4

(Regulation 21)

Cereoli Iodoformi et Morphinae, B.P.C.
Emp. Opii, B.P., 1898.
Lin. Opii, B.P.
“ Opii Ammon, B.P.C.
Pasta Arsenicalis, B.P.C.
Pil. Hydrarg. c. Opio, B.P.C.
“ Ipecac. c. Scilla, B.P.
“ Plumbi c. Opio, B.P.
“ Digitalis et Opii Co. B.P.C.
“ Hydrarg. c. Cret. et Opii, B.P.C.
Pulv. Cretae Aromat, c. Opio, B.P.C.
“ Ipecac Co., B.P. (Dover’s Powder).
“ Kino Co., B.P.
Suppos. Plumbi c. Opio, B.P.C.
Tablettae Plumbi c. Opio, B.P.C.
Ung. Gallae c. Opio, B.P. (Gall and Opium Ointment).
“ Gallae Co., B.P.C.
Tinct. Camph. Comp., B.P.

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DANGEROUS DRUGS (RAW OPIUM AND COCOA LEAVES) REGULATIONS – SECTIONS 21 AND 45

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DANGEROUS DRUGS (RAW OPIUM AND COCA LEAVES) REGULATIONS – SECTION 21 AND 45

(Statutory Instrument 36/1940)

Commencement [13 April 1940]

1. SHORT TITLE

These Regulations may be cited as the Dangerous Drugs (Raw Opium and Coca Leaves) Regulations.

2. INTERPRETATION

Unless the context otherwise requires, any reference in these Regulations to “the Act” shall be construed as a reference to the Dangerous Drugs Act, 1938.²

3. APPLICATION

The drugs to which these Regulations apply are raw opium and coca leaves.

4. SALE AND DISTRIBUTION

Except under and in accordance with a licence granted by the Governor General a person shall not, whether on his or her own behalf or on behalf of any other person, buy or sell, or supply or procure, or offer to supply or procure, or advertise for sale, or otherwise deal in or offer to deal in any of the drugs to which these Regulations apply, whether such drugs be in Saint Lucia or elsewhere and whether it be ascertained or appropriated or in existence or not.

² *Editor’s note:* These Regulations are made under the Dangerous Drugs Act, 1938. This Act was repealed by the Drugs (Prevention of Misuse) Act, but these Regulations were continued in force by section 50.

5. POSSESSION

A person shall not be in possession of or attempt to obtain possession of any of the drugs to which these Regulations apply unless—

- (a) he or she is licensed to import or export the drug; or
- (b) he or she is licensed or otherwise authorised to supply the drug; or
- (c) he or she is otherwise licensed by the Governor General or authorised by these Regulations or by any authority granted by the Governor General to be in possession of the drug.

6. RECORDS

A person who supplies any of the drugs to which these Regulations apply shall comply with the following provisions—

- (a) he or she shall enter or cause to be entered in a register kept for the sole purpose all supplies of the drugs purchased or otherwise obtained by him or her, and all dealings in the drug effected by him or her (including sales or supplies to persons outside Saint Lucia) in the form and containing the particulars shown in Schedule 1 to these Regulations;
- (b) he or she shall make the entry with respect to any of the drugs purchased or otherwise obtained by him or her on the day on which it is received and with respect to any sale or supply by him or her of the drug on the day on which the transaction is effected; or where that is not reasonably convenient on the day following the day on which the drug is received or the transaction is effected;
- (c) where he or she carries on business at more than one set of premises he or she shall keep a separate register in respect of each set of premises;
- (d) he or she shall keep the register in some part of the premises to which it relates so that it shall at all times be available for inspection in accordance with the provisions of the Act; and
- (e) he or she shall not cancel, obliterate, or alter any entry in the register or make therein any entry which is untrue in

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any particular. Any mistake in an entry may be corrected by a marginal note or footnote giving the correct particulars and dated.

7. ANNUAL RETURNS

A person authorised to be in possession of any drug to which these Regulations apply shall render to the Chief Medical Officer an annual return within one month after the end of each year showing the quantity of such dangerous drug in his or her possession during the previous year. The return shall be made in the form in Schedule 2 to these Regulations.

8. SUPPLIES

Any person who may require a supply of any such dangerous drugs during the course of any year, shall forward to the Chief Medical Officer not later than 30 June in the preceding year, an estimate of the amount of each drug which he or she is likely to require during the following year. The estimate shall be given in the form in Schedule 3 to these Regulations.

9. GENERAL AUTHORISATIONS

A medical practitioner, or any person lawfully keeping open shop for the retailing of poisons in accordance with the provisions of the Medical Registration Act or any person employed or engaged in dispensing medicines at any public hospital or other public institution, being a person duly registered under the said Act, or any veterinary surgeon or any person in charge of a laboratory for purposes of research or instruction attached to any college, public hospital or other institution approved by the Governor General for the purpose, or any other public officer, is hereby authorised so far as is necessary for the practice of his or her profession or employment in such capacity to be in possession and supply the drugs to which these Regulations apply, but subject always to the provisions of the foregoing regulation.

10. WITHDRAWAL OF AUTHORISATIONS

In the event of any person authorised by these Regulations or by any authority granted by the Governor General to be in possession of the drugs to which these Regulations apply, or any of them, being convicted of an offence against the Act or an offence under the enactments relating to the Customs as applied by the Act the Governor General may by notice in the Gazette withdraw the authorisation aforesaid in respect of such person if in the opinion of the Governor General such person cannot properly be allowed to be in possession of or supply any such drug.

11. DELIVERY TO MESSENGERS

A person shall not deliver any of the drugs to which these Regulations apply to any person not licensed or otherwise authorised to be in possession of the drugs who purports to be sent by or on behalf of a person so licensed or authorised unless such person produces an authority in writing, signed by the person so licensed or authorised, to receive the drug on his or her behalf and unless the person supplying the drug is satisfied that the authority is genuine.

12. MEANING OF “POSSESSION”

Any of the drugs in the order or disposition of any person shall, for the purpose of these Regulations, be deemed to be in his or her possession.

13. DIVERSION IN TRANSIT

If any consignment of the drugs to which these Regulations apply to some destination outside Saint Lucia is brought into any port of Saint Lucia, a person shall not without the licence of the Governor General, divert, or cause or procure to be diverted, such consignment to any destination other than the destination to which it was originally consigned. The destination to which the consignment was originally consigned shall be deemed to be the destination stated in the licence, permit or other authority for the export of the consignment granted by the Government of the country of export.

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14. PRESERVATION OF REGISTERS

The registers required to be kept under these Regulations shall be preserved for not less than 2 years from the date of the last entry in the register.

SCHEDULE 1

(Regulation 6)

(a) Record of {
Raw Opium
Coca leaves
} purchased or otherwise obtained.

Date on which supply received.	Name of person, body or firm from whom obtained.	Address of person, body or firm from whom obtained.	Amount obtained.	Form in which obtained.

(b) Record of {
Raw Opium
Coca leaves
} sold or supplied.

Date on which the transaction was effected.	Name of person, body or firm to whom sold or supplied.	Authority of person, body, or firm to be in possession of drug.	Amount sold or supplied.	Form in which sold or supplied.

Revision Date: 31 Dec 2008**SCHEDULE 2**

(Regulation 7)

ANNUAL RETURN OF DANGEROUS DRUGS FOR THE YEAR 20

- (1) Name of person making this return. By (1)
(2) Druggist or otherwise. (2)
(3) Address. (3)

Drug.	Quantities		
	Imported during period 1 January to 31 December 20 .	Consumed during period 1 January to 31 December 20 .	In stock on 31 December 20 .

SCHEDULE 3

(Regulation 8)

ANNUAL ESTIMATE FOR THE YEAR 20

- (1) Name of person making this return. By (1)
- (2) Druggist or otherwise. (2)
- (3) Address. (3)

Drug.	Quantities	
	Required during period 1 January to 31 December 20 .	In stock on 31 May 20 .

DANGEROUS DRUGS ORDER

(Statutory Instrument 38/1940)

Commencement [13 April 1940]

1. SHORT TITLE

This Order may be cited as the Dangerous Drugs Order, 1940.³

2. EXCLUSION OF CERTAIN PREPARATIONS FROM PART V OF THE ACT

Whereas by section 13(3) of the Dangerous Drugs Act, 1938, it is enacted that if the Governor General thinks fit to declare that a finding with respect to any preparation containing any of the drugs, to which Part V of the Dangerous Drugs Act applies, has, in pursuance of Article 8 of the Geneva Convention (No. 1) been communicated by the Council of the United Nations to the parties to the said Convention, the provisions of this Part of this Act shall as from such date as may be specified in the Order cease to apply to the preparation specified therein:

Now, Therefore, the Governor General is pleased, by and with the advice of the Cabinet, to declare, and it is hereby declared, that findings with respect to the preparations specified in the Schedule hereto have in pursuance of Article 8 of the said Convention been communicated by the Council of the United Nations to the parties to the said Convention and that the date from which the provisions of Part V of the Dangerous Drugs Act shall cease to apply to the said preparations shall be 1 May 1940.

³ *Editor's note:* This Order is made under the Dangerous Drugs Act, 1938. This Act was repealed by the Drugs (Prevention of Misuse) Act, but this Order was continued in force by section 50.

SCHEDULE REFERRED TO IN THE FOREGOING ORDER IN COUNCIL.

(a) Morphine Preparations.

		In 1 bougie.	
1.	Cereoli iodoformi et morphinæ	Iodoform	0.320 gramme
		Morphine hydrochloride.....	0.016 „
		Oil of theobroma, sufficient to fill a 1	gramme mould
2.	Emplastrum opii.	Elemi.....	20 grammes
		Terebinthina	30 „
		Cera flava	15 „
		Olibanum pulvis	18 „
		Benzoës pulvis.....	10 „
		Opii pulvis.....	5 „
		Balsamum peruvianum	2 „
3.	Emplastrum opii.	Extract of opium	25 „
		Refined elemi	25 „
		Diachylon plaster with gum.....	50 „
4.	Emplastrum opii.	Elemi.....	8 grammes
		Terebinthinae communis.....	15 „
		Cerae flavae.....	5 „
		Olibani pulveratae.....	8 „
		Benzoës pulveratae	4 „
		Opii pulveratae	2 „
		Balsami peruviani	1 gramme
5.	Emplastrum opii.	Opium, in very fine powder.....	10 grammes
		Resin plaster	90 „
6.	Emplastrum opii (see formula under 5) mixed with other plasters contained in the British Pharmacopoeia or British Pharmaceutical Codex.		
7.	Linimentum opii	Tincture of opium	500 millilitres
		Liniment of soap	500 „
8.	Linimentum opii (see formula under 7) mixed with any other liniment of the British Pharmacopoeia or of the British Pharmaceutical Codes.		
9.	Linimentum opii ammoniatum	Ammoniated liniment of camphor	30
		Tincture of opium	30
		Liniment of belladonna	5
		Strong solution of ammonia	5
		Liniment of soap to 100	
10.	Linimentum opii ammoniatum (see formula under 9) mixed with any other British Pharmacopoeia or British Pharmaceutical Codex liniment.		

(a) Morphine Preparations—contd.

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11.	Caustic "Nerve Pastes."	Preparations containing, in addition to morphine salts, or morphine and cocaine salts, at least 25 per cent. of arsenious acid, and made up with the requisite proportion of creosote or phenol to produce the consistency of a paste.		
12.	Diarrhoea pills.	Camphor.....	0.0648	gramme
		Lead acetate.....	0.013	"
		Bismuth subnitrate.....	0.162	"
		Tannic acid.....	0.0648	"
		Opium powder.....	0.026	"
13.	Pilulae digitalis et Opii compositae.	Digitalis leaves, in powder.....	0.31	gramme
		Opium in powder.....	0.19	"
		Ipecacuanha root, in powder.....	0.13	"
		Quinine sulphate.....	0.78	"
		Syrup of glucose, a sufficient quantity to make 12 pills.		
14.	Pilulae hydrargyri cum Opio.	Mercury pill.....	3.89	grammes
		Opium, in powder to make 12 pills...	0.19	gramme
15.	Pilulae hydrargyri cum Creta et Opii.	Mercury with chalk.....	0.78	"
		Compound powder of ipecacuanha *.....	0.78	"
		Milk sugar, a sufficient quantity.		
		Syrup of glucose, a sufficient quantity to make 12 pills.		
16.	Pilulae ipecacuanhae cum Scilla.	Compound powder of ipecacuanha *.....	30	grammes
		Squill, in powder.....	10	"
		Ammoniacum, in powder Syrup of glucose, a sufficient quantity.....	10	"
17.	Pilulae hydrargyri bichlorati cum Opii extracto.	Bichloride of mercury triturated.....	10	centi-g/mes.
		Extract of opium.....	20	"
		Extract of couch-grass.....	20	"
		Liquorice root in powder, q.s. for 10 pills.		
18.	Pilulae hydrargyri iodati cum Opii pulvere.	Hydrargyrum iodatum freshly prepared.....	50	centi-g/mes.
		Opium powder.....	20	"
		Powdered liquorice.....	30	"
		White honey, q.s. for 10 pills.		

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(a) Morphine Preparations—contd.

19.	Pilulae plumbi cum Opio	Lead acetate, in powder.....	80	grammes
		Opium in powder	12	„
		Syrup of glucose (or a sufficient quantity).	8	„
20.	Pilulae terebinthinae compositae.	Opium	0.5	gramme
		Chinini sulfas.....	2	grammes
		Styrax liquidus.....	2	„
		Terebinthina laricina	8	„
		Magnesii subcarbonas, a sufficient quantity, to make 100 pills.		
21.	Pulvis ipecacuanhae compositus Syn: Pulvis ipecacuanhae et opii (Dover's powder).	Ipecacuanha root, in powder.....	10	grammes
		Opium in powder	10	„
		Potassium sulphate in powder	80	„
22.	Mixture of Dover's powder (see formula under 21) with mercury and chalk, aspirin, phenacetin, quinine and its salts, and sodium bicarbonate.			
23.	Pulvis kino compositus	Kino, in powder	75	grammes
		Opium, in powder	5	„
		Cinnamon bark, in powder	20	„
24.	Suppositoria plumbi composita, Syn: Suppositoria plumbi cum opio.	Lead acetate, in powder.....	2.4	„
		Opium, in powder	0.8	gramme
		Oil of theobroma, a sufficient quantity for 12 suppositories, each weighing about 1 gramme.		
25.	Coryza Tablets No. 2.	Powdered opium	0.0043	gramme
		Quinine sulph.	0.022	„
		Ammon. chlor.....	0.022	„
		Camphor.....	0.022	„
		Ext. Belladonna leaves	0.0043	„
		Ext. aconite root.....	0.0043	„
26.	Diarrhoea Tablets No. 2.	Powdered opium	0.016	„
		Camphor.....	0.016	„
		Powdered ipecacuanha.....	0.008	„
		Lead acetate.....	0.011	„
27.	Dysentery Tablets	Powdered opium	0.013	gramme
		Powdered ipecacuanha.....	0.0648	„
		Powdered calomel.....	0.0324	„
		Lead acetate.....	0.0324	„
		Bismuth betanphthol	0.1944	„

(a) Morphine Preparations—contd.

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28.	Tabella hydrargyricum Opio.	Mercurous chloride powder	0.065	gramme
		Antimony oxide powder	0.065	„
		Ipecacuanha-root powder	0.065	„
		Powdered opium	0.065	„
		Milk Sugar	0.065	„
		Gelatine solution, a sufficient quantity to make 1 tablet		
29.	Tabella plumbi cum Opio	Sugar of lead	0.195	gramme
		Powdered opium	0.065	„
		Gelatine solution, a sufficient quantity to make 1 tablet.		
30.	Tablatta plumbi cum Opio	Lead acetate, in fine powder	19.44	grammes
		Opium, in powder	3.24	„
		Refined sugar, in powder	6.48	„
		Ethereal solution of theobroma	3.60	mils
		Alcohol	0.90	mil
31.	Unguentum gallae compositum.	Galls in very fine powder	20	
		Extract of opium	4	
		Distilled water	16	
		Wood fat	10	
		Soft paraffin, yellow	50	
32.	Unguentum gallae compositum (see formula under 31) mixed with other ointments and plasters contained in the British Pharmacopoeia or British Pharmaceutical Codex.			
33.	Unguentum gallae cum Opio.	Gall ointment	92.5	grammes
		Opium in powder	7.5	„
34.	Unguentum gallae cum Opio (see formula under 33) mixed with other ointments and plasters contained in the British Pharmacopoeia or British Pharmaceutical Codex.			
35.	Yatren—105 (Iodoxyquinoline-sulphonic acid) with 5 per cent. opium admixture.			

* The formula of this powder is given under 21, Pulvis ipecacuanhae compositus.

(b) Cocaine Preparations.

1.	Bernatzik's Injections.	(a) Hydrargyrum bicyanatum	0.03	gramme
		Cocainum	0.02	„
		(b) Hydrargyrum succinatum	0.03	„
		Cocainum	0.01	„
2.	Stila's Injections.	(a) Hydrargyrum succinatum	0.03	„
		Cocainum muriaticum	0.01	„
		(b) Hydrargyrum succinatum	0.05	„
		Cocainum muriaticum	0.03	„

(b) Cocaine Preparations—contd.

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- | | | | | | | | | | | | | | | | | | |
|-------------------------------|---|--|-----------------------------|--------|--------|-------------------------------|--------|---|---------------|-------|---|---------------------------|--------|--------|-------------------------------|--|--|
| 3. | Natrium
biboracicum
compositum cum
Cocaino. | In tablets, compressed tablets, lozenges, pastilles and the like, difficult to break up, and containing not more than 0.2 per cent. of cocaine salts in conjunction with not less than 20 per cent. borax, and not less than 20 per cent. antipyrine, or some similar analgesic, and not more than 40 per cent of flavouring matter. Maximum weight of each tablet, etc., 1 gramme. | | | | | | | | | | | | | | | |
| 4. | Caustic "Nerve
Pastes." | Preparations containing, in addition to cocaine salts or cocaine and morphine salts at least 25 per cent of arsenious acid, and made up with the requisite proportion of creosote or phenol to produce the consistency of a paste. | | | | | | | | | | | | | | | |
| 5. | Cocaine and
Atropine Tablets,
with a content of
not more than
0.0003 gramme
of cocaine salts
and not less than
0.0003 gramme
of atropine salts
to each tablet. | <table border="0"> <tr> <td>Atropinum sulphuricum</td> <td>0.0003</td> <td>gramme</td> </tr> <tr> <td>Cocainum hydrochloricum</td> <td>0.0003</td> <td>„</td> </tr> <tr> <td>Mannite</td> <td>0.003</td> <td>„</td> </tr> <tr> <td>Weight of one tablet.....</td> <td>0.0036</td> <td>gramme</td> </tr> <tr> <td colspan="3">Cocaine content 8.3 per cent.</td> </tr> </table> | Atropinum sulphuricum | 0.0003 | gramme | Cocainum hydrochloricum | 0.0003 | „ | Mannite | 0.003 | „ | Weight of one tablet..... | 0.0036 | gramme | Cocaine content 8.3 per cent. | | |
| Atropinum sulphuricum | 0.0003 | gramme | | | | | | | | | | | | | | | |
| Cocainum hydrochloricum | 0.0003 | „ | | | | | | | | | | | | | | | |
| Mannite | 0.003 | „ | | | | | | | | | | | | | | | |
| Weight of one tablet..... | 0.0036 | gramme | | | | | | | | | | | | | | | |
| Cocaine content 8.3 per cent. | | | | | | | | | | | | | | | | | |

(c) Heroin Preparations.

- | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|---|------------------------------------|-----|-----------|--------------------------------|---|--------|------------------------------|----|-----------|--------------------------------|----|------------|------------------------------------|-----|------------|--|----|-----------|--------------------------------|--|--|
| 1. | Elixir camphorae
compositum | <table border="0"> <tr> <td>Camphor.....</td> <td>4</td> <td>grains</td> </tr> <tr> <td>Oil of anise</td> <td>5</td> <td>minims</td> </tr> <tr> <td>Benzoic acid</td> <td>6</td> <td>grains</td> </tr> <tr> <td>Diamorphine hydrochloride.....</td> <td>4</td> <td>„</td> </tr> <tr> <td>Liquid extract of ipecacuanha.....</td> <td>120</td> <td>minims</td> </tr> <tr> <td>Tincture of squill</td> <td>1½</td> <td>fl. ounce</td> </tr> <tr> <td colspan="3">Simple syrup to 20 fl. ounces.</td> </tr> </table> | Camphor..... | 4 | grains | Oil of anise | 5 | minims | Benzoic acid | 6 | grains | Diamorphine hydrochloride..... | 4 | „ | Liquid extract of ipecacuanha..... | 120 | minims | Tincture of squill | 1½ | fl. ounce | Simple syrup to 20 fl. ounces. | | |
| Camphor..... | 4 | grains | | | | | | | | | | | | | | | | | | | | | |
| Oil of anise | 5 | minims | | | | | | | | | | | | | | | | | | | | | |
| Benzoic acid | 6 | grains | | | | | | | | | | | | | | | | | | | | | |
| Diamorphine hydrochloride..... | 4 | „ | | | | | | | | | | | | | | | | | | | | | |
| Liquid extract of ipecacuanha..... | 120 | minims | | | | | | | | | | | | | | | | | | | | | |
| Tincture of squill | 1½ | fl. ounce | | | | | | | | | | | | | | | | | | | | | |
| Simple syrup to 20 fl. ounces. | | | | | | | | | | | | | | | | | | | | | | | |
| 2. | Elixir diamorphinae
et Terpini, with
Apomorphine. | <table border="0"> <tr> <td>Apomorphine hydrochloride</td> <td>5</td> <td>grains</td> </tr> <tr> <td>Diamorphine hydrochloride.....</td> <td>4</td> <td>„</td> </tr> <tr> <td>Terpin hydrate</td> <td>44</td> <td>„</td> </tr> <tr> <td>Alcohol.....</td> <td>10</td> <td>fl. ounces</td> </tr> <tr> <td>Glycerine.....</td> <td>5</td> <td>„</td> </tr> <tr> <td colspan="3">Syrup of wild cherry to 20 fl. ounces.</td> </tr> </table> | Apomorphine hydrochloride | 5 | grains | Diamorphine hydrochloride..... | 4 | „ | Terpin hydrate | 44 | „ | Alcohol..... | 10 | fl. ounces | Glycerine..... | 5 | „ | Syrup of wild cherry to 20 fl. ounces. | | | | | |
| Apomorphine hydrochloride | 5 | grains | | | | | | | | | | | | | | | | | | | | | |
| Diamorphine hydrochloride..... | 4 | „ | | | | | | | | | | | | | | | | | | | | | |
| Terpin hydrate | 44 | „ | | | | | | | | | | | | | | | | | | | | | |
| Alcohol..... | 10 | fl. ounces | | | | | | | | | | | | | | | | | | | | | |
| Glycerine..... | 5 | „ | | | | | | | | | | | | | | | | | | | | | |
| Syrup of wild cherry to 20 fl. ounces. | | | | | | | | | | | | | | | | | | | | | | | |
| 3. | Linctus
diamorphine,
with Ipecacuanha. | <table border="0"> <tr> <td>Liquid extract of ipecacuanha.....</td> <td>120</td> <td>minims</td> </tr> <tr> <td>Diamorphine hydrochloride.....</td> <td>4</td> <td>grains</td> </tr> <tr> <td>Tincture of hyoscyamus</td> <td>1½</td> <td>fl. ounce</td> </tr> <tr> <td>Tincture of chloroform.....</td> <td>1½</td> <td>„</td> </tr> <tr> <td>Syrup of balsam of tolu</td> <td>3</td> <td>fl. ounces</td> </tr> <tr> <td>Syrup of wild cherry</td> <td>3</td> <td>„</td> </tr> <tr> <td colspan="3">Glycerine to 20 fl. ounces</td> </tr> </table> | Liquid extract of ipecacuanha..... | 120 | minims | Diamorphine hydrochloride..... | 4 | grains | Tincture of hyoscyamus | 1½ | fl. ounce | Tincture of chloroform..... | 1½ | „ | Syrup of balsam of tolu | 3 | fl. ounces | Syrup of wild cherry | 3 | „ | Glycerine to 20 fl. ounces | | |
| Liquid extract of ipecacuanha..... | 120 | minims | | | | | | | | | | | | | | | | | | | | | |
| Diamorphine hydrochloride..... | 4 | grains | | | | | | | | | | | | | | | | | | | | | |
| Tincture of hyoscyamus | 1½ | fl. ounce | | | | | | | | | | | | | | | | | | | | | |
| Tincture of chloroform..... | 1½ | „ | | | | | | | | | | | | | | | | | | | | | |
| Syrup of balsam of tolu | 3 | fl. ounces | | | | | | | | | | | | | | | | | | | | | |
| Syrup of wild cherry | 3 | „ | | | | | | | | | | | | | | | | | | | | | |
| Glycerine to 20 fl. ounces | | | | | | | | | | | | | | | | | | | | | | | |
| <i>(c) Heroin Preparations.</i> | | | | | | | | | | | | | | | | | | | | | | | |
| 4. | Linctus senegae | <table border="0"> <tr> <td>Liquid extract of senega.....</td> <td>1</td> <td>fl. ounce</td> </tr> </table> | Liquid extract of senega..... | 1 | fl. ounce | | | | | | | | | | | | | | | | | | |
| Liquid extract of senega..... | 1 | fl. ounce | | | | | | | | | | | | | | | | | | | | | |

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	compositus.	Liquid extract of squill	1	„
		Tartarated antimony	8	grains
		Diamorphine hydrochloride.....	4	„
		Glycerine.....	2	fl. ounces
		Simple Syrup to 20 fl. ounces.		
5.	Linctus thymi	Diamorphine hydrochloride.....	4	grains
	compositus.	Apomorphine hydrochloride.....	5	„
		Distilled water.....	1	fl. ounce
		Liquid extract of thyme (I-I).....	5	fl. ounces
		Solution of tolu	1¼	fl. ounce
		Glycerine to 20 fl. ounces.		

(d) Dicodide Preparations.

1. Cardiazol-Dicodide Solutions. Solutions containing not less than 10 per cent of cardiazol and not more than 0.5 per cent. of dicodide salts.

(e) Eucodal Preparations.

- | | | | | |
|----|-------------------------|-------------------------------------|--------|---------|
| 1. | Anti-opium Tablets. | Eucodol | 1 | gramme |
| | | Pulvis gentianae | 35 | grammes |
| | | Pulvis ipecacuanhae | 20 | „ |
| | | Quinine sulphate | 20 | „ |
| | | Caffeine | 5 | „ |
| | | Sugar of Milk | 25 | „ |
| | | Mix up and make up 5-grain tablets. | | |
| 2. | Tablets B. B. Compound. | Berberis vulgaris powder | 0.0324 | grammes |
| | | Nux vomica | 0.013 | „ |
| | | Eucodol | 0.0032 | „ |
| | | Ipecacuanha | 0.0648 | „ |
| | | Rhubarb | 0.013 | „ |
| | | Pulvis Cinnamoni compositus | 0.0324 | „ |
| | | Aromatic chalk | 0.0032 | „ |

DANGEROUS DRUGS ORDER

(Statutory Instrument 41/1958)

Commencement [20 December 1958]

1. SHORT TITLE

This Order may be cited as the Dangerous Drugs Order, 1958.⁴

2. APPLICATION

The provisions of section 13(1) of the Dangerous Drugs Act, 1938 shall apply to Normethadone which shall be construed as forming part of the list of dangerous drugs set out therein.

⁴ *Editor's note:* This Order is made under the Dangerous Drugs Act, 1938. This Act was repealed by the Drugs (Prevention of Misuse) Act, but this Order was continued in force by section 50.