

No. 838. THE DANGEROUS DRUGS LAW, 1956.

REGULATIONS MADE UNDER SECTIONS 5, 11 AND 12 (3).

20 of 1956 In exercise of the powers vested in him by sections 5 and 11 and sub-section (3) of section 12 of the Dangerous Drugs Law, 1956, His Excellency the Governor, with the advice of the Executive Council, has been pleased to make the following Regulations:—

Short title. 1. These Regulations may be cited as the Dangerous Drugs Regulations, 1957, and shall come into operation on the 16th day of September, 1957.

Interpretation. 2.—(1) In these Regulations, unless the context otherwise requires—

“authorised as a member of a group” means authorised by virtue of being a member of a class in respect of which the Director of Medical Services has granted an authority under, and for the purposes of, Regulation 4, 5, 15 or 16 of these Regulations which is in force ;

“group authority” means such an authority so granted and “his group authority” in relation to a person who is a member of such a class, means the authority so granted to that class ;

Cap. 132. “authorised seller of poisons” means an authorised seller of poisons within the meaning of the Pharmacy and Poisons Law ;

“Conventions” means the Conventions specified in sub-section (2) of section 2 of the Law ;

“dangerous drugs” has the meaning assigned to it by section 19 of the Law ;

“Director of Medical Services” has the meaning assigned to it by sub-section (1) of section 2 of the Law ;

“Generally authorised”, in relation to any person, means authorised by, as the case may be, Regulation 6, 17, 19 or 20 of these Regulations by virtue of being a member of a class specified in that Regulation, or of being a person of a description so specified, and

“general authority” means the authority possessed by a person as aforesaid ;

“licensed” means duly licensed by a licence issued by the Director of Medical Services to the person named therein, or, as the case may be, in respect of premises named therein, under and for the purposes of Regulation 4, 5, 14, 15, 16, 27, 28, 29, or 40 of these Regulations, and “licence” and “licensed premises” shall be construed accordingly ;

35 of 1955. “licensed veterinary practitioner” means any person registered as such under the provisions of the Veterinary Surgeons Registration Laws, 1955 and 1956 ;

17 of 1956. “prescription” means a prescription for a single individual given by a registered medical practitioner for the purposes of medical treatment, by a registered dentist for the purposes of dental treatment, by a veterinary surgeon or a licensed veterinary practitioner for the purposes of animal treatment ;

“register” means a bound book and does not include any form of loose leaf register or card index ;

Cap. 74. “registered dentist” means any person registered as such under the provisions of the Dentists Registration Law ;

Cap. 118. “registered medical practitioner” means any person registered as such under the provisions of the Medical Registration Law ;

Cap. 132. “registered pharmacist” means any person registered as such under the provisions of the Pharmacy and Poisons Law ;

Cap. 132. “registered premises” means premises duly registered under Part II of the Pharmacy and Poisons Law ;

“ retail business ” means the business of retailing, dispensing or compounding drugs carried on at a shop ;

“ the Law ” means the Dangerous Drugs Law, 1956 ;

20 of 1956.

“ veterinary surgeon ” means any person registered as such under the provisions of the Veterinary Surgeons Registration Laws, 1955 and 1956 ;

35 of 1955.

17 of 1956.

“ wholesale pharmacist ” means a registered pharmacist who carries on the business of selling drugs to persons who buy to sell again.

PART I.—CONTROL OF RAW OPIUM, Etc.

3. This Part of these Regulations shall apply to any drug, resin or preparation, other than extract or tincture of Indian hemp, to which Part I of the Law applies, and hereafter in this Part of these Regulations the expression “ drug ” means any such drug, resin or preparation as aforesaid.

Application to drugs to which Part I of the Law applies.

4.—(1) A person shall not supply or procure or offer to supply or procure to or for any person, including himself, whether in the Colony or elsewhere, or advertise for sale, a drug, unless he is generally authorised or under this Regulation, licensed or authorised as a member of a group so to do, nor otherwise than in accordance with the provisions of these Regulations and, in the case of a person licensed or authorised as a member of a group, with the terms and conditions of his licence or group authority.

Supply, procuring and advertising of drugs.

(2)—(a) A person shall not supply or procure, or offer to supply or procure, a drug to or for any person in the Colony unless that person is generally authorised, or, under Regulation 5 of these Regulations, licensed or authorised as a member of a group to be in possession of the drug and the drug is to be supplied or procured in accordance with the provisions of these Regulations and, in the case of a person licensed or authorised as a member of a group, with the terms and conditions of his licence or group authority.

5. A person shall not be in possession of a drug unless he is generally so authorised or, under this Regulation, so licensed or authorised as a member of a group, nor otherwise than in accordance with the provisions of these Regulations and, in the case of a person licensed or authorised as a member of a group, with the terms and conditions of his licence or group authority.

Possession of drugs.

6.—(1) Subject to the provisions of these Regulations a person who is a member of any of the following classes, that is to say :—

General authority for certain classes of persons to possess and supply drugs

(a) registered medical practitioners ;

(b) veterinary surgeons or licensed veterinary practitioners ;

(c) authorised sellers of poisons ;

(d) registered pharmacists who are employed or engaged in dispensing medicines at a Government Hospital, Government Dispensary or Government Institution ;

(e) persons who are in charge of a laboratory used for the purposes of research or instruction and attached to—

(i) a university, university college, technical college, Government hospital ;

(ii) any other institution approved for the purposes of this Regulation by the Governor ;

(f) the Government Analyst or any other Analyst authorised by the Governor ;

(g) persons acting as sampling officers under and within the meaning of the Sale of Food and Drugs Law ;

Cap. 151.

Cap. 132.

(h) persons duly authorised by the Director of Medical Services under section 31 of the Pharmacy and Poisons Law ;

shall be authorised, so far as may be necessary for the practice or exercise of his said profession, function or employment, and in his capacity as a member of his said class, to be in possession of and to supply drugs.

(2) Every drug in the actual custody of a person authorised by virtue of this Regulation to be in possession thereof shall, except when the necessities of the practice of the profession, function or employment, by virtue of which that person is authorised as aforesaid otherwise require, be kept in a locked receptacle which can be opened only by him or by some other person authorised by virtue of this Regulation to be in possession of the drug.

Keeping of Register.

7. Every person generally authorised or licensed or authorised as a member of a group to supply any drugs shall comply with the following provisions, that is to say :—

(a) he shall, in accordance with the provisions of this Regulation and Regulation 41 of these Regulations, keep a register and enter therein in chronological sequence in the form specified in, as the case may be, Part I or Part II of the First Schedule to these Regulations, true particulars with respect to every quantity of any drug obtained by him and with respect to every quantity of any drug supplied by him whether to persons within or to persons outside the Colony ;

(b) he shall use a separate register or separate part of the register with respect to each of the following classes of drugs, that is to say :—

(i) raw opium ;

(ii) coca leaves ;

(iii) Indian hemp and resins obtained from Indian hemp and all preparations (other than extract and tincture of Indian hemp) of which such resins form the base.

Cultivation and production of *Cannabis sativa* L. and *Papaver somniferum* L.

8. No person shall cultivate or produce any *Cannabis sativa* L. or *Papaver Somniferum* L. (except within such area as may be declared from time to time by the Director of Agriculture by notice to be published in the *Gazette*) without a licence issued by the Director of Agriculture and under such terms and conditions as may be imposed by such licence.

Sale and distribution of *Cannabis sativa* L. and *Papaver somniferum* L.

9. No person shall sell, supply, procure or distribute to any other person any part of the plants *Cannabis sativa* L. or *Papaver somniferum* L. (except the fibre or dried mature seeds of such plants) without a licence issued by the Director of Agriculture and under such terms and conditions as may be imposed by such licence.

Possession of *Cannabis sativa* L. and *Papaver somniferum* L.

10. No person shall have in his possession any part of the plants *Cannabis sativa* L. or *Papaver somniferum* L. (except the fibre or dried mature seeds of such plants) without a licence issued by the Director of Agriculture and under such terms and conditions as may be imposed by such licence.

Inspection.

11. Any police officer or any person authorised by the Director of Agriculture in that behalf may, without warrant, enter and inspect any place or premises where the whole or any part of the plants *Cannabis sativa* L. or *Papaver somniferum* L. is cultivated, produced, possessed, sold or distributed for the purpose of ascertaining whether the provisions of these regulations or the terms and conditions imposed by any licence issued under these regulations have been or are being complied with ; and such police officer or person may seize, detain, destroy or otherwise dispose of any such plants or materials cultivated, produced, possessed, sold or distributed for the purpose of ascertaining whether the provisions of these regulations or the terms and conditions imposed by any licence issued under these regulations

have been or are being complied with ; and such police officer or person may seize, detain, destroy or otherwise dispose of any such plants or materials cultivated, produced, possessed, sold or distributed in contravention of Regulation 8, 9 and 10 of these Regulations.

12. In this Part of these Regulations—

Definitions.

- (a) the expression "*Cannabis sativa* L." means the plant commonly known as Indian hemp in English, Κάμβισ ή ήμερος in Greek and Kenevir in Turkish ;
- (b) the expression "*Papaver somniferum* L." means the plant commonly known as Opium poppy in English, Μήκων ή ύπνοποιός in Greek and Haşhaş in Turkish.

PART II.—CONTROL OF DRUGS, OTHER THAN CERTAIN DRUGS, TO WHICH PART III OF THE LAW APPLIES.

13.—(1) This Part of these Regulations shall apply to any drug to which Part III of the Law (whether as enacted or as applied with or without modification by any Order in Council) for the time being applies, other than methylmorphine, ethylmorphine, morpholinylethylmorphine, dihydrocodeine and their salts and any of the preparations, admixtures, extracts or other substances specified in the Second Schedule to these Regulations (that is to say, the drugs to which this Part applies are the drugs specified in the Third Schedule to these Regulations and any other drugs to which the said Part III whether with or without modifications for the time being applies by virtue of any Order in Council made under the Law after the date of these Regulations).

Application to drugs and preparations to which Part III of the Law applies, with certain exemptions.

(2) In the following provisions of this Part of these Regulations the expression "drug" means any drug to which this Part of these Regulations applies other than a preparation as defined for the purpose of this Part of these Regulations in paragraph (3) of this Regulation.

(3) In this Part of these Regulations the expression "preparation" means any preparation, admixture, extract or other substance containing such a proportion of any drug to which this Part of these Regulations applies as is sufficient to make the preparation, admixture, extract or substance a drug to which Part III of the Law for the time being applies.

14. A person shall not manufacture, or carry on any process in the manufacture of, a drug—

Manufacture of drugs.

- (a) unless he is generally authorised, or licensed under this Regulation, so to do ;
- (b) except on premises on which he is permitted by his general authority so to do, or on premises licensed for the purpose under this Regulation ; nor
- (c) otherwise than in accordance with the provisions of these Regulations and, in the case of a person licensed, with the terms and conditions of his licence.

15.—(1) A person shall not supply or procure, or offer to supply or procure, to or for any person, including himself, whether in the Colony or elsewhere, or advertise for sale, a drug or preparation, unless he is generally authorised, or, under this Regulation, licensed or authorised as a member of a group so to do, nor otherwise than in accordance with the provisions of these Regulations and, in the case of a person licensed or authorised as a member of a group, with the terms and conditions of his licence or group authority.

Supply, procuring and advertising of drugs and preparations.

(2) A person shall not supply or procure or offer to supply or procure, a drug or preparation to or for any person in the Colony unless that person is generally authorised, or, under Regulation 16 of these Regulations, licensed or authorised as a member of a group to be in possession of the drug or preparation and the drug or preparation is to be supplied or procured in accordance with the provisions of these Regulations and, in the case of a person licensed or authorised as a member of a group, with the terms and conditions of his licence or group authority :

Provided that for the purposes of this paragraph the administration of a drug or preparation by, or under the direct personal supervision and in the presence of, a registered medical practitioner or by, or under the direct personal supervision of, and in the presence of, a registered dentist in the course of dental treatment shall be deemed not to be the supplying of the drug or preparation.

Possession
of drugs
and pre-
parations.

16.—(1) A person shall not be in possession of a drug or preparation unless he is generally so authorised, or under this Regulation, so licensed or authorised as a member of a group, nor otherwise than in accordance with the provisions of these Regulations and, in the case of a person licensed or authorised as a member of a group, with the terms and conditions of his licence or group authority.

(2) For the purposes of these Regulations a person to whom a drug or preparation is lawfully supplied—

- (a) by a registered medical practitioner, a registered dentist, a veterinary surgeon or a licensed veterinary practitioner ;
- (b) on a prescription lawfully given by a registered medical practitioner, a registered dentist, a veterinary surgeon or a licensed veterinary practitioner,

shall be deemed to be a person generally authorised to be in possession of the drug or preparation so supplied :

Provided that a person supplied with a drug or preparation by, or upon a prescription given by, a registered medical practitioner shall not be deemed to be a person generally authorised to be in possession of the drug or preparation if he was then being supplied with a drug or preparation by, or on a prescription given by, another registered medical practitioner in the course of treatment, and did not disclose the fact to the first-mentioned medical practitioner before the supply by him or on his prescription.

General
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17.—(1) Subject to the provisions of these Regulations, a person who is a member of any of the following classes, that is to say :—

- (a) registered medical practitioners ;
- (b) registered dentists ;
- (c) veterinary surgeons or licensed veterinary practitioners ;
- (d) registered pharmacists who are employed or engaged in dispensing medicines at a Government Hospital, a Government Dispensary or a Government Institution ;
- (e) sisters or acting sisters for the time being in charge of a ward or out-patients department in such a hospital or institution as aforesaid ;
- (f) persons who are in charge of a laboratory used for the purposes of research or instruction and attached to—
 - (i) a university, university college, technical college, Government hospital ;
 - (ii) any other institution approved for the purposes of this Regulation by the Governor ;
- (g) the Government Analyst or any other Analyst authorised by the Governor ;
- (h) persons acting as sampling officers under and within the meaning of the Sale of Food and Drugs Law ;