

THE ISLAND OF NAURU.

No. 1 of 1952.

A N O R D I N A N C E

Relating to Dangerous Drugs.

BE it ordained by the Administrator of the Island of Nauru acting in pursuance of the powers conferred by Article 1 of the Agreement dated the second day of July, 1919, between His Majesty's Government in London, His Majesty's Government of the Commonwealth of Australia and His Majesty's Government of the Dominion of New Zealand, as follows :-

Short title.

1. This Ordinance may be cited as the Dangerous Drugs Ordinance 1952.

Repeal.

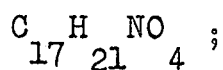
2. The Importation of Opium, Morphine, Cocaine, and Heroin Ordinance 1922 is repealed.

Definitions.

3. In this Ordinance, unless the contrary intention appears -

"cocoa leaf" means the leaf of the Erythroxylon Coca Lamarck and the Erythroxylon Non-granatense (Morris) Hieronymus and their varieties, belonging to the family of Erythroxylaceae and the leaf of other species of this genus from which it may be found possible to extract cocaine either directly or by chemical transformation;

"cocaine" means methyl-benzoyl laevo-ecgonine ( (a)  $D 20^{\circ} = -16^{\circ}4$  ) in 20 per cent solution of chloroform, of which the formula is



"crude cocaine" means any extract of the coca leaf which can be used directly or indirectly for the manufacture of cocaine;

"dangerous drugs" includes -

(a) medicinal opium, crude cocaine, ecgonine, morphine, diacetylmorphine, cocaine and their respective salts;

- (b) all preparations officinal and non-officinal (including the so-called anti-opium remedies) containing more than 0.2 per cent of morphine or more than 0.1 per cent of cocaine;
- (c) all preparations containing diacetylmorphine;
- (d) methyldihydromorphinone hydrochloride (metopon hydrochloride) a morphine derivative;
- (e) hydro-chloride of 1-methyl-4-phenylpiperidine-4-carboxylic acid ethyl ester, whether known under the names of dolantin, demerol, pethidine, dolosal or isoniprocaine or otherwise;
- (f) dl-2-dimethylamino-4, 4 diphenylhepten-5-one hydrochloride whether known under the names of amidone, methadon, physeptone, dolophine or adanon or otherwise and any other drug of the "amidone" group whether known by any of the foregoing names or otherwise;
- (g) galenical preparations (extract and tincture) of Indian hemp;
- (h) preparations made from extract or tincture of Indian hemp;
- (i) barbituric acid and all organic or metallic derivatives of barbituric acid, whether described as veronal, veramon, proponal, medinal barbital, dial, luminal, sodium luminal, or by any other trade name, mark or designation and all preparations and admixtures thereof; and

(j) any other narcotic drug which the Administrator by notice in the Government Gazette of the Island declares to be a dangerous drug;

"diacetylmorphine" means diacetylmorphine (diamorphine heroin) having the chemical formula  $C_{21}H_{23}NO_5$ ;

"ecgonine" means laevo-ecgonine ( (a)  $D_{20} = -45^{\circ}6$  in 5 per cent solution of water), of which the formula is  $C_9H_{15}NO_3 \cdot H_2O$ , and all the derivatives of laevo-ecgonine which might serve industrially for its recovery;

"Indian hemp" means the dried flowering or fruiting tops of the pistillate plant Cannabis sativa L. from which the resin has not been extracted, under whatever name they may be designated in commerce;

"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 in powder form or granulated or otherwise or mixed with neutral materials;

"morphine" means the principal alkaloid of opium having the chemical formula  $C_{17}H_{19}NO_3$ ;

"prepared opium" means the product of raw opium obtained by a series of special operations, especially by dissolving, boiling, roasting and fermentation, designed to transform it into an extract suitable for consumption, and includes dross and all other residues remaining when opium has been smoked;

"raw opium" means the spontaneously coagulated juice obtained from the capsules of the Papaver

Somniferum L., which has only been submitted to the necessary manipulations for packing and transport, whatever its content of morphine; "the Island" means the Island of Nauru.

Prohibition regarding raw opium and prepared opium.

4. The -
- (a) importation into the Island;
  - (b) exportation from the Island;
  - (c) making; or
  - (d) sale,

of raw opium or prepared opium is prohibited.

Dangerous drugs not to be made or exported.

5. The making in or exportation from the Island of a dangerous drug is prohibited.

Importation of dangerous drugs without licence prohibited.

6. The importation into the Island of a dangerous drug is prohibited unless imported by persons licensed in accordance with the next succeeding section.

Issue of licence.

- 7.-(1.) The Administrator may grant licences to persons to import dangerous drugs, or one or more particular forms of dangerous drugs specified in the licence, subject to the following conditions and restrictions:-

- (a) The drugs shall be imported for medicinal purposes only; and
- (b) a licence to import the drugs shall not be issued except to -
  - (i) a legally qualified medical practitioner; or
  - (ii) a person who proves to the satisfaction of the Administrator that he is a fit and proper person to be allowed to import dangerous drugs or the particular form of dangerous drugs he seeks permission to import.

(2.) A licence issued under this section -

- (a) shall be for a period of one year;
- (b) may be renewed from time to time for a like period; and
- (c) shall be in accordance with Form 1 or Form 2 in the Schedule to this Ordinance.

(3.) Before a licence is granted the applicant shall -

- (a) give security to the satisfaction of the Administrator that -
  - (i) all importations made by him pursuant to the licence or a renewal thereof will be disposed of for medicinal purposes only; and
  - (ii) he will record in a book kept by him for the purpose, particulars of the quantities imported and of how and to whom they have been disposed of, and will at all times produce to the Administrator or an officer thereunto authorised by the Administrator the book so kept and the balance of the importations on hand at the time when the book is produced; and
- (b) give an undertaking in writing that he will be responsible for the making of reasonable enquiries as to the purpose and destination of dangerous drugs imported under the licence and subsequently sold with a view to assuring himself that the drugs are intended for medicinal purposes only.

Import  
authorisation.

8.-(1.) Every holder of a licence under this Ordinance shall advise the Administrator of his intention to import dangerous drugs and shall state -

- (a) the exact description and quantity of the drugs to be imported; and
- (b) the name and address of the firm in the exporting country from which the drugs are to be obtained.

(2.) The Administrator may issue a certificate in accordance with Form 3 in the Schedule to this Ordinance specifying the period within which the importation must be effected.

Forfeiture  
of dangerous  
drugs.

9. Any raw opium, prepared opium or dangerous drugs imported in contravention of this Ordinance or of a licence granted in pursuance of this Ordinance shall be seized by an officer authorised in that behalf by the Administrator and may be dealt with as the Administrator directs.

Offences.

10.-(1.) A person who -

- (a) without reasonable excuse (proof whereof lies upon him) has in his possession on board a ship or aircraft any prohibited imports to which this section applies;
- (b) imports into the Island any prohibited imports to which this section applies;
- (c) without reasonable excuse (proof whereof lies upon him) has in his possession any prohibited imports to which this section applies which have been imported into the Island in contravention of this Ordinance or of a licence granted in pursuance of this Ordinance;

- (d) aids, abets, counsel or procures, or is in any way knowingly concerned in the importation into the Island of any prohibited imports to which this section applies; or
- (e) fails to disclose to the Administrator or an officer thereunto authorised by the Administrator on demand any knowledge in his possession or power concerning the importation or intended importation into the Island of a prohibited import to which this section applies,

is guilty of an offence.

Penalty : Imprisonment for not less than three months and not more than two years.

(2.) This section applies to raw opium, prepared opium and all dangerous drugs the importation of which is prohibited by this Ordinance.

Penalty for exporting, etc. raw or prepared opium.

11. A person who -
- (a) exports from the Island;
  - (b) makes; or
  - (c) sells,

raw opium or prepared opium is guilty of an offence.

Penalty: One hundred pounds or imprisonment for six months.

Penalty for exporting, etc. dangerous drugs.

12. A person who -
- (a) exports from the Island; or
  - (b) makes,

any dangerous drugs is guilty of an offence.

Penalty: Fifty pounds or imprisonment for three months.

Cancellation of licences.

13. The Administrator may at any time cancel a licence granted under the provisions of this Ordinance.

- Regulations. 14. The Administrator may make regulations, not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance, and in particular -
- (a) requiring persons to furnish such returns in relation to dangerous drugs as are necessary for the purposes of this Ordinance; and
  - (b) prescribing penalties not exceeding Fifty pounds for a breach of the regulations.



## THE SCHEDULE.

## THE ISLAND OF NAURU.

Section 7.

Form 1.

Dangerous Drugs Ordinance 1952.

## LICENCE.

This is to certify that (here set out the name, address and occupation of the licensee) is licensed under the Dangerous Drugs Ordinance 1952 for a period of one year from the date hereof to import for medicinal purposes only -

- (a) medicinal opium, crude cocaine, ecgonine, morphine, diacetylmorphine, cocaine and their respective salts;
- (b) all preparations officinal and non-officinal (including the so-called anti-opium remedies) containing more than 0.2 per cent of morphine or more than 0.1 per cent of cocaine;
- (c) all preparations containing diacetylmorphine;
- (d) methyldihydromorphinone hydrochloride (metopon hydrochloride) a morphine derivative;
- (e) hydro-chloride of 1-methyl-4-phenyl-piperidine-4-carboxylic acid ethyl ester, whether known under the names of dolantin, demerol, pethridine, dolosal or isonipecaine or otherwise;
- (f) dl-2-dimethylamino-4; 4 diphenylhepten-5-one hydrochloride whether known under the names of amidone, methadon, physeptone, dolophine or adanon or otherwise and any other drug of the "amidone" group whether known by any of the foregoing names or otherwise;
- (g) galenical preparations (extract and tincture) of Indian hemp;
- (h) preparations made from extract or tincture of Indian hemp;
- (i) barbituric acid and all organic or metallic derivatives of barbituric acid, whether described as veronal, veramon, proponal, medinal barbital, dial, luminal, sodium luminal, or by any other trade name, mark or designation and all preparations and admixtures thereof; and
- (j) any other narcotic drug which the Administrator by notice in the Government Gazette of the Island declares to be a dangerous drug.

Nothing in this licence shall be held to entitle the holder to import raw opium or prepared opium.

This licence may be renewed from time to time by endorsement thereon signed by the Administrator.

Dated this                      day of                      , 19   .

Administrator.

Section 7.

Form 2.

THE ISLAND OF NAURU.

Dangerous Drugs Ordinance 1952.

LICENCE.

This is to certify that (here set out the name, address and occupation of the licensee) is licensed under the Dangerous Drugs Ordinance 1952 for a period of one year from the date hereof to import for medicinal purposes only the particular form (or forms) of dangerous drugs immediately hereunder specified, that is to say (here set out the particular form or forms of dangerous drugs which the licensee is licensed to import.)

Nothing in this licence shall be held to entitle the holder to import any dangerous drug other than the particular form (or forms) thereof specified above.

Nothing in this licence shall be held to entitle the holder to import raw opium or prepared opium.

This licence may be renewed from time to time by endorsement thereon signed by the Administrator.

Dated this                      day of                      , 19   .

Administrator.

Section 8.

Form 3.

THE ISLAND OF NAURU.

Dangerous Drugs Ordinance 1952.

CERTIFICATE OF OFFICIAL APPROVAL OF IMPORT.

I, the Administrator of the Island of Nauru, acting under the provisions of section eight of the Dangerous Drugs Ordinance 1952, do hereby certify that I have approved the importation by (name, address and business of importer) of (exact

11.

description and amount of drug to be imported) from (name and address of firm in exporting country from which the drug is to be obtained) subject to the following conditions :-

(Special conditions (if any) to be observed).

I am satisfied that the consignment proposed to be imported is required solely for medicinal or scientific purposes.

Date.....

Administrator.

DATED this Twentyfirst day of January, 1952.

R.S. RICHARDS,

Administrator of the Island of Nauru.