



Tuvalu

**DANGEROUS DRUGS (AMENDMENT)
ACT 2025**



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DANGEROUS DRUGS (AMENDMENT) ACT 2025

Act 9 of 2025

AN ACT TO AMEND THE DANGEROUS DRUGS ACT AIMED AT REGULATING THE IMPORTATION, EXPORTATION, MANUFACTURE, CULTIVATION, AND USE OF DANGEROUS DRUGS IN TUVALU

1 Short Title and Commencement

- (1) This Act may be cited as the Dangerous Drugs (Amendment) Act 2025.
- (2) This Act shall come into force on the date of publication.

2 Amendment to section 2

Insert the definition of “application form” before “cocaine” and it shall read:

“**application form**” means the form set out in Form G of Schedule 1 to be used for license applications to the Minister pursuant to section 14A.

3 Repeal section 5

This section repeals section 5 in its entirety and replaces it with the following.

Section 5 Importation, Exportation, Manufacture, Cultivation, Sale and Use of Dangerous Drugs

- (1) No person shall import, export, manufacture, cultivate, sell, or use any dangerous drug except with a license issued under section 14A.
- (2) Any person who is found in violation of this section is guilty of an offence under this Act and shall be sentenced pursuant to Schedule 3.

4 Amendment to section 8

- (1) The words “or who shall have given or sold” in section 8(b) are repealed and replaced with “or otherwise traffics or engages in the trafficking of”. The new subsection shall read:
 - (b) found in possession of or selling, or otherwise traffics or engages in the trafficking of, to any person any substance to which this Part applies;
- (2) The sentence starting with “Every person” shall be renumbered to (1).
- (3) A new sub-section (2) is inserted and shall read:
 - (2) Any person who commits an offence under this Act shall be sentenced according to Schedule 3.

5 Amendment to section 12

Section 12(1)(a) is repealed in its entirety and replaced with the following:

- (a) Manufactures, sells, deals, or otherwise traffics or engages in the trafficking of prepared opium; or

6 Insert section 14A

A new section 14A is inserted after section 14 to read:

Section 14A License for Medical and Scientific Purposes

- (1) The Minister may issue licenses for the importation, exportation, manufacture, cultivation, sale, or use of dangerous drugs for medical and scientific purposes.
- (2) Applications for such licenses shall be made in the prescribed form and manner.
- (3) The Minister may prescribe conditions for the issuance of such licenses, including but not limited to, requirements for record keeping, security measures, and reporting.

SCHEDULE

FORM G: LICENSE APPLICATION

(I/We)* make the following application for a license to (import/export/manufacture/cultivate/sell/use).

A. PARTICULARS OF THE APPLICANT(S)

Name

Address

Nationality

Country

Principal place of business/residence of the applicant

B. PARTICULARS OF THE APPLICATION

(a) Discuss the purpose of this application and the type of dangerous drugs involved.

.....
.....

(b) Give reasons why the Minister should grant a licence to export/import the listed goods.

.....
.....

(c) Proposed period for which the licence should be granted

C. DECLARATION

I/We,, hereby declare that to the best of my knowledge and belief, all the particulars furnished in this application are true and indemnify the Authority of any misrepresentation, omissions or any information that may, in future, prove to be false.

Date:

Signature(s):

SCHEDULE 3: OFFENCES AND PENALTIES

Growing and cultivation of Indian hemp	Not exceeding 1 plants	Maximum of 5 years Minimum of 12 months
	Not exceeding 3 plants	Maximum of 7 years Minimum of 24 months
	Exceeding 5 plants	Maximum of 10 years Minimum of 4 years
Smoking or Possession of Indian hemp	Not exceeding 5 grams	Maximum of 5 years Minimum of 24 months
	Not exceeding 10 grams	Maximum of 7 years Minimum of 3 years
	Exceeding 50 grams	Maximum of 20 years Minimum of 5 years
Selling or trafficking in Indian hemp	Not exceeding 5 grams	Maximum of 5 years Minimum of 24 months
	Not exceeding 10 grams	Maximum of 7 years Minimum of 3 years
	Not exceeding 20 grams	Maximum of 12 years Minimum of 5 years
	Exceeding 50 grams	Maximum of 20 years Minimum of 5 years
Growing and cultivation of opium poppy or coca plant	Not exceeding 1 plants	Maximum of 5 years Minimum of 12 months
	More than 3 plants	Maximum of 10 years Minimum of 2 years
Possession of opium poppy or coca leaf	Not exceeding 5 grams	Maximum of 5 years Minimum of 24 months
	More than 10 grams	Maximum of 7 years Minimum of 24 months
Selling or trafficking in opium poppy or coca leaf	Not exceeding 5 grams	Maximum of 7 years Minimum of 2 years
	More than 5 grams	Maximum of 20 years Minimum of 3

		years
Manufactures prepared opium	Not exceeding 10 grams	Maximum of 7 years Minimum of 24 months
Selling and/or trafficking in prepared opium	Not exceeding 10 grams	Maximum of 15 years Minimum of 5 years
	More than 10 grams	Maximum of life imprisonment Minimum of 7 years
Possession of prepared opium	Not exceeding 10 grams	Maximum of 7 years Minimum of 24 months
	More than 10 grams	Maximum of 10 years Minimum of 3 years
Occupier of premises used for preparation, consumption or sale of prepared opium		Maximum of 10 years Minimum of 24 months
Management of premises used for preparation, consumption or sale of 30 prepared opium		Maximum of 7 years Minimum of 24 months
Possession of pipes, utensils, etc.		Maximum of 5 years Minimum of 24 months
Smoking, using prepared opium	Not exceeding 10 grams	Maximum of 10 years Minimum of 24 months
	More than 10 grams	Maximum of 20 years