



# LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF THE CONVENTION OF 13 JULY 1931 FOR LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS, AS AMENDED BY THE PROTOCOL OF 11 DECEMBER 1946

## JAMAICA

Communicated by the Government of Jamaica

**NOTE BY THE SECRETARY-GENERAL**-- In accordance with Article 21 of the Convention of 13 July 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, as amended by the Protocol of 11 December 1946, the Secretary-General has the honour to communicate the following legislative text.

### DANGEROUS DRUGS (AMENDMENT) ACT, 1964

No. 10 - 1964

(L.S.)

I assent,

C. C. CAMPBELL,  
Governor-General

2 March, 1964

AN ACT to Amend the Dangerous Drugs Law.

(5 March, 1964)

BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:

1. This Act may be cited as the Dangerous Drugs (Amendment) Act, 1964, and shall be read and construed as one with the Dangerous Drugs Law (hereinafter referred to as the principal Law) and all amendments thereto.

Short title  
and con-  
struction  
Cap. 90.

2. Section 21 of the principal Law is hereby amended in the following respects:

Amendment  
of section  
21 of prin-  
cipal Law.

(a) by inserting therein after sub-section (1B) the following as sub-section (1C):

"(1C) If any member of the Constabulary Force of or above the rank of Sergeant is satisfied that there is reasonable cause to believe that an offence against this Law is being committed in any premises, he may give directions in writing to any constable to enter such premises, search the premises and seize and detain

(i) any drug to which this Law applies;

(ii) anything in which such constable reasonably suspects a drug to which this Law applies is being concealed;

- (iii) any other thing by means of which or in respect of which such constable reasonably believes an offence against this Law has been committed or which may be evidence of the commission of such offence,

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

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

- (b) by inserting in sub-section (3) after the word "drugs," the word "things,".

Amendment of section 22 of principal Law. 3. Section 22 of the principal Law is hereby amended in the following respects:

- (a) by deleting the comma at the end of paragraph (c) of sub-section (1), substituting therefor a semi-colon and the word "or" and inserting the following paragraphs:

"(d) being the owner or occupier of any premises, uses such premises for the cultivation of ganja /cannabis/ or permits such premises to be so used; or

(e) uses any vehicle for carrying ganja /cannabis/ or for the purpose of selling or otherwise dealing in ganja, or being the owner or person in charge of any vehicle, permits it to be so used,";

- (b) by deleting sub-sections (2) and (2A) and substituting therefor the following sub-sections:

"(2) Any person who is guilty of the offence of cultivating or selling or otherwise dealing in ganja /cannabis/ shall on a first conviction for such offence be imprisoned with hard labour for a term not less than five years and not exceeding seven years and on a second or subsequent conviction for such offence be imprisoned with hard labour for a term not less than seven years and not exceeding ten years.

(2A) Every person who is guilty of the offence of being in possession of ganja /cannabis/ shall, on summary conviction before a Resident Magistrate, in the case of a first conviction for such offence, be imprisoned with hard labour for a term not less than eighteen months and not exceeding three years and, in the case of a second or subsequent conviction for such offence, be imprisoned with hard labour for a term not less than three years and not exceeding five years ".

Insertion of new section 23A in principal Law. 4. The principal Law is hereby amended by inserting therein after section 23, the following section as section 23A:

"Seizure and forfeiture of vehicles. 23A. (1) If any constable has reasonable cause to suspect that any vehicle is being used or has been used for the commission of any offence against this Law,

he may without a warrant search and, if such search reveals evidence that the vehicle is being used or has been used for the commission of any offence as aforesaid, seize and detain such vehicle.

(2) On the conviction of any person for an offence against this Law the court

- (a) may, upon the application of the prosecution in the case of a first conviction for any such offence,
- (b) shall, in the case of a second or subsequent conviction for any such offence,

order the forfeiture of any vehicle used in the commission of the offence and seized pursuant to this section."