

## **LAWS AND REGULATIONS**

COMMUNICATED IN COMPLIANCE WITH THE TERMS OF THE

CONVENTION FOR LIMITING THE MANUFACTURE  
AND REGULATING THE DISTRIBUTION  
OF NARCOTIC DRUGS OF 13 JULY 1931

AS AMENDED BY THE PROTOCOL OF 11 DECEMBER 1946



## **HONG-KONG**

COMMUNICATED BY THE GOVERNMENT OF THE

**UNITED KINGDOM**

**1948**

E/NL.1948/6

6 May 1948

Note by the Secretary-General

In accordance with Article 21 of the Convention of 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 forward to the Members of the United Nations and to the other parties to the Convention the following law communicated by the Government of the United Kingdom.

## HONG KONG

No. 5 of 1948

I assent.

A. G. GRANTHAM  
Governor.

4th March, 1948.

An Ordinance further to amend the Dangerous Drugs Ordinance, 1935.

[4th March, 1948]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows:

1. This Ordinance may be cited as the Dangerous Drugs (Amendment) Ordinance, 1948, and shall be read as one with the Dangerous Drugs Ordinance 1935, hereinafter referred to as the principal Ordinance.

*Short title.*  
*Ordinance No.*  
*35 of 1935.*

2. Sub-section (1) of Section 13 of the principal Ordinance is hereby amended-

*Amendment of*  
*section 13 of*  
*the princi-*  
*Ordinance.*

(i) by the insertion in paragraph (c) thereof of the word and letter "or (g)" after the word and letter "paragraph (f)" appearing in the third line of the said paragraph;

(ii) by the insertion immediately after paragraph (f) (iii) thereof of the following paragraph as paragraph (g):

"(g) to seize, uproot, remove and detain the plants known as cannabis sativa or papaver somniferum (the opium poppy)."

*Amendment of*  
*section 17*  
*of the prin-*  
*cipal Ordi-*  
*nance.*

3. Sub-section (2) of section 17 of the principal Ordinance is hereby amended-

(i) by the deletion in the second line of paragraph (a) thereof of the words "ten thousand dollars" and by the substitution therefor of the words "fifty thousand dollars";

(ii) by the deletion in the first and second lines of paragraph (b) thereof of the words "two thousand five hundred dollars" and by the substitution therefor of the words "ten thousand dollars".

*Repeal and*  
*replacement*  
*of section*  
*21 of the*  
*principal*  
*Ordinance.*

4. Section 21 of the principal Ordinance is hereby repealed and replaced as follows:

*Special pro-*  
*visions as*  
*to cannabis*  
*sativa and*  
*papaver som-*  
*niferum (opium*  
*poppy.)*

21. (1) No person shall cultivate the plants known as cannabis sativa or papaver somniferum (opium poppy).

(2) No person shall have in his possession, otherwise than in transit, any specimen or any quantity of the plants known as cannabis sativa or papaver somniferum (opium poppy), or any portion of such plants.

(3) When in transit, the plant known as cannabis sativa and the resin obtained from such plant or from any part thereof, and any preparation of which such resin forms the base, and any preparation or mixture containing such resin, and also the plant known as papaver somniferum (opium poppy), shall be subject to all the restrictions imposed by sections 6, 7, 8 and 9 upon dangerous drugs in transit through the Colony.

(4) No person shall, whether on his own behalf or on behalf of any other person, whether such other person be in the Colony or not, buy, sell, supply, procure, or offer to supply or procure, from, to or for any other person,

whether such other person be in the Colony or not, or in any way deal in or with or offer to deal in, or pretend to deal in, or import or export, or do any act preparatory to or for the purpose of importing or exporting, the plant known as cannabis sativa or the resin obtained from such plant or from any part thereof, or any preparation of which such resin forms the base, or any preparation or mixture containing such resin or the plant known as papaver somniferum (opium poppy), whether the goods in question be in the Colony or elsewhere, and whether they be ascertained or appropriated or in existence or not, and whether it be intended that they should be imported into the Colony or not: Provided that this sub-section shall not apply to the extracts and tinctures of Indian hemp referred to in sub-section (1) of section 3.

(5) If under the provisions of section 13, the Superintendent authorises any public officer to seize, uproot, remove or detain any plants known as cannabis sativa or papaver somniferum (opium poppy), such officer may cause the necessary work to be done without any notice whatever to the owner or occupier of the land. The cost of the work shall be recoverable from the owner of the land and shall constitute a first charge on the land and premises: Provided that the land and premises shall not be so chargeable as against a bona fide purchaser thereof for valuable consideration without notice.

Passed the Legislative Council of Hong Kong, this 3rd day of March, 1948.

Deputy Clerk of Councils.