

**UNITED NATIONS**

**NATIONS UNIES**

# **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



**COMMONWEALTH OF AUSTRALIA**

**1948**

E/NL.1948/76  
28 February 1949

Note by the Secretary-General

In accordance with Article 21 of the Convention of 1953 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 text communicated by the Government of the Commonwealth of Australia.

Original: English

THE COMMONWEALTH OF AUSTRALIA  
CUSTOMS (PROHIBITED IMPORTS) REGULATIONS<sup>1</sup>

1. These Regulations may be cited as the Customs (Prohibited Imports) Regulations.

2. These Regulations shall come into operation on the twenty-fifth day of January, 1935.

3. The importation of the goods specified in the First Schedule\* to these Regulations shall be prohibited.

4. The importation of the goods specified in the Second Schedule\* to these Regulations shall be prohibited unless the consent in writing of the Minister to the importation of the goods has first been obtained.

5. The importation of the goods specified in the Third Schedule\* to these Regulations shall be prohibited unless the conditions and restrictions respectively specified in that Schedule opposite to the name or description of those goods have been complied with.

Citation.

Commencement.

Goods the importation of which is prohibited.

Goods the importation of which is prohibited except with the consent of the Minister.

Goods the importation of which is prohibited except subject to conditions or restrictions.

<sup>1</sup> These Regulations comprise the following Statutory Rules:

| Act under which Regulations made. | Year and Number of Statutory Rules. | Date on which Regulations made. | Date on which Regulations notified in the <i>Gazette</i> . |                     |                  |
|-----------------------------------|-------------------------------------|---------------------------------|--|---------------------|------------------|
| Customs Act 1901-1934             | 1934, No. 152                       | 6th December, 1934              | 13th December, 1934  |                     |                  |
|                                   | 1935, No. 19                        | 6th March, 1935                 | 7th March, 1935  |                     |                  |
|                                   | 1936, No. 18                        | 38                              | 14th February, 1936  | 20th February, 1936 |                  |
|                                   |                                     | 59                              | 25th March, 1936   | 26th March, 1936    |                  |
|                                   | Customs Act 1901-1935               | 69                              | 6th May, 1936  | 7th May, 1936       |                  |
|                                   |                                     | 86                              | 22nd May, 1936   | 22nd May, 1936      |                  |
|                                   |                                     | 92                              | 97   | 24th June, 1936     | 25th June, 1936  |
|                                   |                                     |                                 | 104  | 3rd July, 1936      | 8th July, 1936   |
|                                   |                                     | 136                             | 136  | 17th July, 1936     | 23rd July, 1936  |
|                                   |                                     |                                 | 162  | 5th August, 1936    | 6th August, 1936 |
| 1936, No. 166                     |                                     | 166                             | 30th September, 1936                                       | 1st October, 1936   |                  |
|                                   |                                     | 2                               | 16th December, 1936  | 17th December, 1936 |                  |
| 1937, No. 7                       |                                     | 7                               | 29th December, 1936  | 30th December, 1936 |                  |
|                                   |                                     | 40                              | 6th January, 1937  | 7th January, 1937   |                  |
| Customs Act 1901-1936             | 1938, No. 49                        | 49                              | 19th January, 1938   | 27th January, 1938  |                  |
|                                   |                                     | 72                              | 4th May, 1938  | 5th May, 1938       |                  |
|                                   | 85                                  | 85                              | 25th May, 1938   | 26th May, 1938      |                  |
|                                   |                                     | 9                               | 14th July, 1938  | 21st July, 1938     |                  |
|                                   | 1939, No. 37                        | 37                              | 20th August, 1938  | 25th August, 1938   |                  |
|                                   |                                     | 138                             | 15th February, 1939  | 16th February, 1939 |                  |
|                                   | 161                                 | 161                             | 22nd March, 1939   | 23rd March, 1939    |                  |
|                                   |                                     | 146                             | 17th May, 1939   | 18th May, 1939      |                  |
|                                   | 1940, No. 168                       | 168                             | 2nd November, 1939   | 9th November, 1939  |                  |
|                                   |                                     | 210                             | 30th November, 1939  | 30th November, 1939 |                  |
| 1941, No. 84                      | 84                                  | 24th July, 1940                 | 25th July, 1940  |                     |                  |
|                                   | 323                                 | 22nd August, 1940               | 22nd August, 1940  |                     |                  |
| 1942, No. 11                      | 11                                  | 25th September, 1940            | 26th September, 1940                                       |                     |                  |
|                                   | 34                                  | 8th April, 1941                 | 9th April, 1941  |                     |                  |
| 1943, No. 144                     | 144                                 | 24th July, 1942                 | 24th July, 1942  |                     |                  |
|                                   | 59                                  | 12th January, 1943              | 14th January, 1943   |                     |                  |
| 1945, No. 77                      | 77                                  | 14th March, 1945                | 15th March, 1945   |                     |                  |
|                                   | 169                                 | 13th September, 1945            | 13th September, 1945                                       |                     |                  |
| 1946, No. 66                      | 66                                  | 27th March, 1946                | 28th March, 1946   |                     |                  |
|                                   | 81                                  | 1st May, 1946                   | 2nd May, 1946  |                     |                  |
| 1947, No. 81                      | 81                                  | 27th November, 1946             | 28th November, 1946  |                     |                  |
|                                   | 119                                 | 28th May, 1947                  | 29th May, 1947   |                     |                  |
|                                   |                                     | 25th June, 1947                 | 26th June, 1947  |                     |                  |
|                                   |                                     | 27th August, 1947               | 29th August, 1947  |                     |                  |

Note by the Secretariat

\* The Third Schedule only is of interest in connection with the control of narcotic drugs.

THE THIRD SCHEDULE.

Goods The Importation Of Which Is Prohibited Except Subject To Conditions Or Restrictions.

| Item No. | Name or Description of Goods  | Conditions and Restrictions  |
|----------|---|--|
| 1        | .....   | .....  |
| 2        | .....   | .....  |
| 3.       | .....   | .....  |
| 3A       | .....   | .....  |
| 4        | .....   | .....  |
| 4A       | <p>Drugs, as specified hereunder, namely:</p> <p>(a) raw opium;<br/> ("raw opium " includes powdered or granulated opium, but does not include medicinal opium.)</p> <p>(b) medicinal opium ;<br/> ("medicinal opium " means raw opium which has undergone the processes necessary to adapt it for medicinal use in accordance with the requirements of the British Pharmacopoeia, whether it is in the form of powder or is granulated or is in any other form, and whether it is or is not mixed with neutral substances.)</p> <p>(c) morphine and its salts;</p> <p>(d) esters of morphine namely:<br/> (i) diacetylmorphine, its salts, and preparations containing diacetylmorphine or its salts, and<br/> (ii) other esters of morphine and</p> | <ol style="list-style-type: none"> <li>1. The drugs shall be imported by a person to whom a licence to import has been issued by the Collector</li> <li>2. The drugs shall be imported for medical or scientific purposes only</li> <li>3. The consent of the Minister shall be obtained in respect of each importation of any of the drugs</li> <li>4. The importer shall give security to the satisfaction of the Collector that: <ol style="list-style-type: none"> <li>(a) all importations of the drugs made by him will be disposed of for medical or scientific purposes only;</li> <li>(b) he will record, in books kept by him for the purpose, particulars of the drugs received by him and of how and to whom the drugs are disposed of, and will, on demand, at all reasonable times, produce to the Collector the books so kept and the balance of the importations on hand at the time when the books are produced;</li> <li>(c) he will make reasonable inquiries as to the destination of all the drugs imported and subsequently sold by him and the purpose for which those drugs are required, with a view to satisfying himself that the drugs are intended for medical or scientific purposes only;</li> <li>(d) he will, prior to the sale of any of the drugs, obtain from the prospective purchaser an undertaking in writing that none of the drugs proposed to be purchased will be used for other than <i>bona fide</i> medical or scientific purposes, or will be sold under circumstances which indicate the possibility of their use for other purposes; and</li> <li>(e) he will not sell or otherwise dispose of the drugs except with the consent of the Collector</li> </ol> </li> </ol> |

| Item No.     | Name or Description of Goods   | Conditions and Restrictions |
|--------------|--|-----------------------------|
| 4A<br>contd. | <p style="text-align: center;">their salts;</p> <p>(e) dihydrooxycodine - one; dihydrocodine; dihydrocodeinone; dihydrocodeinone; dihydrocodeinone; dihydrocodeinone; dihydrocodeinone; dihydrocodeinone; their esters and the salts of any of these substances and of their esters ;</p> <p>(f) morphine -N- oxide (commonly known as genomorphine) ; the morphine - N - oxide derivatives, and any other pentavalent nitrogen morphine derivatives;</p> <p>(g) esters of morphine, namely.</p> <p style="padding-left: 40px;">(i) methylmorphine, ethylmorphine, and their salts; and</p> <p style="padding-left: 40px;">(ii) other ethers of morphine (including benzylmorphine) and their salts;</p> <p>(h) crude cocaine; ("crude cocaine" means any crude extract of the coca leaf which contains cocaine.)</p> <p>(i) cocaine and its salts;</p> <p>(j) ecgonine and its salts; the esters of ecgonine and their salts; (" ecgonine, " means laevo-ecgonine and all the derivatives of laevo-ecgonine which might serve industrially for its recovery.)</p> |                             |

| Item No.             | Name or Description of Goods  | Conditions and Restrictions |
|----------------------|---|-----------------------------|
| <p>4A<br/>contd.</p> | <p>(k) thebaine and its salts;</p> <p>(l) coca leaves; ("coca leaves" means the leaves of any plant of the genus of the erythroxylaceae from which cocaine can be extracted either directly or by chemical transformation.)</p> <p>(m) Indian hemp; ("Indian hemp" means the dried flowering or fruiting tops of the pistillate plant (known as Cannabis Sativa) from which the resin has not been extracted, by whatever name those tops are called.)</p> <p>(n) galenical preparations (extract and tincture) of Indian hemp, and preparations (excepting such preparations as are capable only of external use) made from extract or tincture of Indian hemp;</p> <p>(o) resin obtained from Indian hemp and ordinary preparations of which such resin forms the base (such as hashish, esrar, chiras, djamba);</p> <p>(p) any solution or dilution of morphine or cocaine or their salts in an inert substance, whether liquid or solid, containing any proportion of morphine or cocaine or their salts;</p> <p>(q) All preparations containing more than 0.2 per cen-</p> |                             |

| Item No.     | Name or Description of Goods   | Conditions and Restrictions |
|--------------|--|-----------------------------|
| 4A<br>contd. | <p>tum of morphine or more than 0.1 per centum of cocaine or its salts;</p> <p>(r) any preparation containing any proportion of any of the substances referred to in subparagraph (ii) of paragraph (d) or in paragraph (e), (f), (g), (j) or (k) of this item; and</p> <p>(s) any other derivative of morphine or cocaine or of any salts of morphine or cocaine, any other alkaloid of opium, or any other drug of whatever kind which, in the opinion of the Minister, is or is likely to be productive, if improperly used, or is capable of being converted into a substance which is or is likely to be productive, if improperly used, of ill effects substantially of the same character or nature as, or analogous to, those produced by morphine or cocaine.</p> |                             |