



UNITED NATIONS

**E/NL** 1952/105-107  
27 October 1952

## **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

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# **FEDERATION OF MALAYA**

COMMUNICATED BY THE GOVERNMENT OF

THE UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND

**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.

*New York, 1952*

*Published in Supplement to the Federation of Malaya Government Gazette of  
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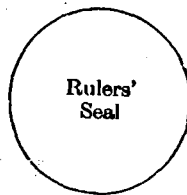
**FEDERATION OF MALAYA.**

**No. 30 of 1952.**

**THE DANGEROUS DRUGS ORDINANCE, 1952.**

Their Highnesses the Rulers of the  
Malay States assent hereto

I assent



Witnesses to the affixing of the Rulers' Seal :

ABU BAKAR BIN ABDULLAH  
(IN MALAY)  
*Sultan of Pahang.*

G. W. R. TEMPLER,  
*High Commissioner.*

RAJA YUSSUF *Sultan of Perak.*

24th July, 1952.

22nd July, 1952.

An Ordinance to make further and better provision for the regulation of the importation, exportation, manufacture, sale, and use of opium and of certain other dangerous drugs and substances and for purposes connected therewith.

[ ]

IT IS HEREBY ENACTED by the High Commissioner of the Federation of Malaya and Their Highnesses the Rulers of the Malay States with the advice and consent of the Legislative Council as follows:

Short title  
and  
commence-  
ment.

1. This Ordinance may be cited as the Dangerous Drugs Ordinance, 1952, and shall come into force on such date as the High Commissioner may, by notification in the *Gazette*, appoint.

PART I.

INTERPRETATION AND DEFINITIONS.

Interpre-  
tation.

2. In this Ordinance, unless the context otherwise requires—

“coca leaves” means the leaves of any plant of the genus of the Erythroxylaceæ from which cocaine can be extracted either directly or by chemical transformation;

“conveyance” includes ship, train, vehicle, aircraft, or any other means of transport by which persons or goods can be carried;

“corresponding law” means any law stated in a certificate purporting to be issued by or on behalf of the Government of any country or territory to be a law providing for the control and regulation in that country or territory of the manufacture, sale, use, export, and import of drugs and substances in accordance with the provisions of the Geneva Convention (No. 1) or of the Geneva Convention (No. 2) or of the Hague Convention and any statement in any such certificate (or in any official copy thereof) as to the effect of the law mentioned in the certificate (or in any official copy thereof), or any statement in any such certificate (or in any official copy thereof) that any facts constitute an offence against that law, shall be conclusive;

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

“dangerous drug” means any drug or substance which is for the time being comprised in the First Schedule to this Ordinance;

“export”, with its grammatical variations and cognate expressions, in relation to the Federation, means to take or cause to be taken out of the Federation by land, air or water, otherwise than in transit;

“Geneva Convention (No. 1)” means the Convention concluded at the Second Opium Conference held at Geneva for the purpose of completing and strengthening the provisions of the Hague Convention and signed at Geneva on the 19th day of February, 1925;

“Geneva Convention (No. 2)” means the Convention concluded at a Conference held at Geneva for the purpose of supplementing the Hague Convention and the Geneva Convention (No. 1) and signed at Geneva on the 13th day of July, 1931;

“Hague Convention” means the International Opium Convention signed at the Hague on the 23rd day of January, 1912;

“import”, with its grammatical variations and cognate expressions, in relation to the Federation, means to bring, or to cause to be brought into the Federation by land, air or water, otherwise than in transit;

“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;

“Inspector” means an Inspector of Dangerous Drugs and Poisons appointed under section 3 of this Ordinance;

“in transit” means taken or sent from any country and brought into the Federation by land, air or water (whether or not landed or transhipped in the Federation) for the sole purpose of being carried to another country either by the same or another conveyance;

“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 Pharmacopœia, whether in powder form or granulated or otherwise, or mixed with neutral materials;

“offence under this Ordinance” includes an offence under any regulation made under this Ordinance;

“premises” includes any house, shop, store, room, cubicle, shed, conveyance, or any place whether open or enclosed;

“prepared opium” means the substance commonly called chandu and means opium prepared or re-prepared so as to be suitable for smoking or consumption otherwise and includes dross and any other residues remaining after such opium has been smoked;

“raw opium” means the spontaneously coagulated juice obtained from the plant *Papaver somniferum*, L., which has not undergone the processes necessary to convert it to medicinal opium, whatever its content of morphine;

“registered medical practitioner” means a medical practitioner registered under any written law relating to the registration of medical practitioners from time to time in force in the Federation or any part thereof;

“registered dentist” means a dentist registered under the Registration of Dentists Ordinance, 1948;

“registered pharmacist” means a pharmacist registered under the Registration of Pharmacists Ordinance, 1951;

“ship” includes every description of ship, boat or craft used in navigation, whether propelled by oars or otherwise, or used for the carriage or storage of goods;

“syringe” means any instrument suitable for the administration of hypodermic injections;

“veterinary surgeon” means a person who is a member of the Royal College of Veterinary Surgeons of England or who holds a degree or a diploma of any other veterinary institution or examining body approved by the High Commissioner in Council.

F. of M.  
Ord. No.  
7 of 1948.

F. of M.  
Ord. No.  
62 of 1951.

Appoint-  
ment of  
Inspectors.

**3.** The High Commissioner may appoint such persons as he may think fit to be Inspectors of Dangerous Drugs and Poisons for the purposes of this Ordinance.

## PART II.

CONTROL OF RAW OPIUM, COCA LEAVES  
AND INDIAN HEMP.

4. (1) No person shall import into the Federation any raw opium, coca leaves or Indian hemp except under and in accordance with the authorisation of the High Commissioner and into such ports or places as may be prescribed by such authorisation.

Restriction  
on importa-  
tion of raw  
opium,  
coca leaves  
and Indian  
hemp.

(2) Any person who contravenes the provisions of this section shall be guilty of an offence against this Ordinance, and shall be liable on conviction to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

5. (1) No person shall export from the Federation any raw opium, coca leaves or Indian hemp except under and in accordance with the authorisation of the High Commissioner and from such ports or places as may be prescribed by such authorisation.

Restriction  
on exporta-  
tion of raw  
opium, coca  
leaves and  
Indian  
hemp.

(2) If at any time the importation of raw opium, coca leaves or Indian hemp into any country or territory is prohibited or restricted by the laws of that country or territory, there shall, while that prohibition or restriction is in force, be attached to every authorisation issued under this Part authorising the exportation of raw opium, coca leaves or Indian hemp from the Federation such conditions as appear to the High Commissioner necessary for preventing or restricting, as the case may be, the exportation of raw opium, coca leaves or Indian hemp from the Federation to that country or territory during such time as the importation of raw opium, coca leaves or Indian hemp into that country or territory is so prohibited or restricted, and any such authorisations issued before the said prohibition or restriction came into force shall, if the High Commissioner so directs, be deemed to be subject to the like conditions.

(3) Any person who contravenes the provisions of this section or of any condition attached or applicable to any authorisation under sub-section (2) of this section shall be guilty of an offence against this Ordinance, and shall be liable on conviction to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

Restriction on possession of raw opium, coca leaves and Indian hemp.

6. Any person who has in his possession any raw opium, coca leaves or Indian hemp, except under and in accordance with an authorisation such as is referred to in sections 4 and 5 of this Ordinance or with any regulation made under section 7 thereof, shall be guilty of an offence against this Ordinance and liable on conviction to a fine of ten thousand dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

Power to regulate the production of and dealing in raw opium, coca leaves and Indian hemp.

7. (1) The High Commissioner in Council may make regulations for prohibiting, controlling and restricting the cultivation, production, possession, sale, and distribution of raw opium, coca leaves or Indian hemp.

(2) All such regulations shall be made in accordance with the provisions of section 46 of this Ordinance.

#### PART III.

#### CONTROL OF PREPARED OPIUM AND THE RESIN OF INDIAN HEMP.

Application to the resin of Indian hemp.

8. In this Part any reference to prepared opium shall be construed as including a reference to the resin obtained from Indian hemp and substances of which such resin forms the base.

Possession, etc., of prepared opium.

9. (1) No person shall—

- (a) import into or export from the Federation; or
- (b) have in his possession; or
- (c) manufacture, sell or otherwise deal in any prepared opium.

(2) Any person who contravenes any of the provisions of sub-section (1) of this section shall be guilty of an offence against this Ordinance and shall be liable on conviction to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

Use of premises, possession of utensils and consumption of opium.

10. (1) If any person—

- (a) being the owner or occupier of any premises permits those premises to be used for the purpose of making prepared opium or for the sale or the smoking or consumption otherwise of prepared opium; or
- (b) is concerned in the management of any premises used for any such purposes as aforesaid,

he shall be guilty of an offence against this Ordinance and shall be liable on conviction to a fine not exceeding

five thousand dollars or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(2) If any person—

(a) has in his possession any pipe or other utensil for use in connection with the smoking of prepared opium, or any utensil used in the preparation of opium for smoking or consumption otherwise; or

(b) smokes or otherwise consumes prepared opium or frequents any place or places used for the purpose of smoking or otherwise consuming prepared opium,

he shall be guilty of an offence against this Ordinance and shall be liable on conviction to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

(3) In this section “consume” with its grammatical variations means eat, chew, smoke, swallow or drink.

#### PART IV.

##### CONTROL OF CERTAIN DANGEROUS DRUGS.

**11.** (1) This Part applies to dangerous drugs listed in Part III of the First Schedule to this Ordinance. Extent of application of Part IV.

(2) If it appears to the High Commissioner in Council that any other derivative of cocaine or morphine or of any salts of cocaine or morphine or of any other alkaloid of opium or any other drug of whatever kind 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 cocaine or morphine, the High Commissioner in Council may by order declare that this Part of this Ordinance shall apply to that derivative or alkaloid or other drug in the same manner as it applies to the drugs mentioned in sub-section (1) of this section.

**12.** (1) No person shall import into, or export from, the Federation any dangerous drug to which this Part applies except under the authorisation of the High Commissioner. Restriction on import and export of certain dangerous drugs.



(2) Any person who contravenes the provisions of this section shall be guilty of an offence against this Ordinance and shall be liable on conviction to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

Keeping or  
using  
premises for  
unlawful  
administra-  
tion.

**13.** Any person who—

- (a) being the occupier of any premises, and not being a registered medical practitioner or a registered dentist, keeps or uses such premises for the purpose of the administration of any dangerous drug, to which this Part applies, to a human being; or
- (b) being the owner or occupier of any premises permits such premises to be used for the purpose of the administration of any such dangerous drug to a human being by any person other than a registered medical practitioner or registered dentist or a person acting under the directions of a registered medical practitioner or registered dentist; or
- (c) being the owner or occupier of any premises permits such premises to be used for the purpose of the smoking or consumption otherwise of any such dangerous drug by a human being

shall be guilty of an offence against this Ordinance, and shall be liable on conviction to a fine not exceeding ten thousand dollars or to imprisonment for a period not exceeding three years or to both such fine and imprisonment.

Administra-  
tion to  
others.

**14.** (1) Any person who administers any dangerous drug to which this Part applies to any other person shall be guilty of an offence against this Ordinance and shall be liable on conviction to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

(2) Nothing in this section shall be deemed to render unlawful the administration of any such drug by or under the directions of a registered medical practitioner or a registered dentist or a medical or dental officer of Her Majesty's Naval, Military or Air Forces who is resident in the Federation on full pay and acting in the course of his duty.

15. Any person who—

- (a) administers to himself or suffers any other person, contrary to the provisions of section 14 of this Ordinance, to administer to him any dangerous drug to which this Part applies; or
- (b) is found in any premises kept or used for any of the purposes specified in section 13 of this Ordinance in order that any such dangerous drug may be administered to or smoked or otherwise consumed by him

Self  
administra-  
tion.

shall be guilty of an offence against this Ordinance and shall be liable on conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding two years.

16. (1) For the purpose of preventing the improper use of the dangerous drugs to which this Part applies, the High Commissioner in Council may make regulations to provide for controlling the manufacture, sale, possession, and distribution of such drugs, and in particular, but without prejudice to the generality of the foregoing power, for—

Control of  
manufacture  
and sale of  
certain  
dangerous  
drugs.

- (a) prohibiting the manufacture of any such drug except on premises licensed for the purpose and subject to any conditions specified in the licence;
- (b) prohibiting the manufacture, sale, or distribution of any such drug except by persons licensed or otherwise authorised under the regulations and subject to any conditions specified in the licence or authority;
- (c) regulating the issue by registered medical practitioners, registered dentists, and veterinary surgeons of prescriptions containing any such drug, and the dispensing of any such prescriptions;
- (d) requiring persons engaged in the manufacture, sale or distribution of any such drug to keep such books and to furnish such information, either in writing or otherwise, as may be prescribed; and
- (e) prescribing the marking of packages, bottles or containers in which any such drug is supplied.

(2) The regulations made under this section may provide for authorising any person who is licensed to sell by retail poisons in accordance with the provisions of any written law relating to poisons from time to time in force in the Federation or any part thereof—

(a) to manufacture in the ordinary course of his retail business any preparation, admixture, or extract of any dangerous drug to which this Part applies; and

(b) to carry on the business of retailing, dispensing, or compounding any such drug;

subject in each case to the power of the High Commissioner in Council to withdraw the authorisation in the case of a person who has been convicted of an offence against this Ordinance, and who cannot, in the opinion of the High Commissioner in Council, properly be allowed to carry on the business of manufacturing, selling, or distributing, as the case may be, any such drug.

(3) Nothing contained in any regulation made under this section shall be construed as authorising the sale, or the keeping of an open shop for the retailing, dispensing, or compounding of poisons by any person who is not duly qualified in that behalf under, or otherwise than in accordance with, the provisions of any written law relating to poisons from time to time in force in the Federation or any part thereof, or as derogating from the provisions of the said Ordinance, for prohibiting, restricting, or regulating the sale of poisons.

(4) All such regulations shall be made in accordance with section 47 of this Ordinance.

Prohibition of trade, etc., in new drugs, and power to apply Part IV with or without modifications to certain drugs.

17. (1) It shall not be lawful for any person in the Federation to trade in, or manufacture for the purposes of trade, any products obtained from any of the phenanthrene alkaloids of opium or from the ecgonine alkaloids of the coca leaf, not being a product which was on the 13th day of July, 1931, being used for medical or scientific purposes:

Provided that if the High Commissioner in Council is at any time satisfied as respects any such product that it is of medical or scientific value, the High Commissioner in Council may by order direct that this sub-section shall cease to apply to that product.

If any person acts in contravention of this sub-section, he shall be guilty of an offence against this Ordinance, and shall be liable on conviction to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

(2) If it is made to appear to the High Commissioner in Council that a decision with respect to any such product as is mentioned in sub-section (1) of this section has in pursuance of article II of the Geneva Convention (No. 2) been communicated by the Secretary-General of the United Nations Organisation to the parties to the said Convention, the High Commissioner in Council may by order, as the case requires, either declare that the provisions of this Part shall apply to that product in the same manner as they apply to the drugs mentioned in sub-section (1) of section 11 or apply this Part to that product with such modifications as may be specified in the order.

(3) The High Commissioner in Council may by order make, in the First Schedule to this Ordinance, any alterations incidental to the inclusion of any such drug or substance in such Schedule.

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PART V.

CONTROL OF EXTERNAL TRADE.

18. In this Part—

“Convention” means the Geneva Convention (No. 1) as supplemented by the Geneva Convention (No. 2);

“diversion certificate” means a certificate issued by the competent authority of a country through which a dangerous drug passes in transit, authorising the diversion of such drug to a country other than that specified as the country of ultimate destination in the export authorisation, and containing all the particulars required to be included in an export authorisation, together with the name of the country from which the consignment was originally exported;

“export authorisation” means an authorisation issued by a competent authority in a country from which a dangerous drug is exported;

“import authorisation” means a licence, issued by a competent authority in a country into which it is intended to import dangerous drugs;

Interpreta-  
tion.

**Export of  
dangerous  
drugs.**

**19. (1)** Upon the production of an import authorisation or an approval of import certificate duly issued by the competent authority in any country, it shall be lawful for the High Commissioner to issue an export authorisation in the Form B set out in the Second Schedule to this Ordinance in respect of any drug referred to in the import authorisation to any person who is named as the exporter in such import authorisation, and is, under the provisions of this Ordinance, otherwise lawfully entitled to export such drug from the Federation. The export authorisation shall be prepared in triplicate and two copies shall be issued to the exporter who shall send one copy with the drug to which it refers when such drug is exported. The High Commissioner shall send the third copy direct to the appropriate authority of the country of ultimate destination. Where the intended exportation is to a country which is not a party to the Convention, it shall not be necessary to produce an import authorisation as aforesaid. In all cases it shall be in the absolute discretion of the High Commissioner to issue or refuse an export authorisation, as he may see fit.

(2) No dangerous drug shall be exported from the Federation unless the consignor is in possession of a valid and subsisting export authorisation relating to such drug granted under this Ordinance.

(3) At the time of exportation of any dangerous drug the exporter shall produce to such officer as the High Commissioner may appoint, the dangerous drug, the export authorisation relating thereto, and such other evidence as such officer may require to satisfy him that the drug is being lawfully exported to the place and person named in the authorisation which refers to it.

(4) Any person who shall export any dangerous drug from the Federation except in pursuance of and in accordance with the provisions of this Ordinance and the terms and conditions of any authorisation or licence granted under this Ordinance in respect of such export shall be guilty of an offence against this Ordinance, and shall be liable on conviction to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

**Import of  
dangerous  
drugs.**

**20. (1)** An import authorisation in the Form C set out in the Second Schedule to this Ordinance permitting the importation into the Federation of any

dangerous drug specified therein may be granted by the High Commissioner, subject to such conditions as he shall deem fit, to any person who may lawfully import such drug and such conditions shall be endorsed upon the import authorisation.

(2) Where an import authorisation is issued in pursuance of sub-section (1), the High Commissioner shall also issue, in relation to the dangerous drug intended to be imported, an approval of import certificate in the Form A set out in the Second Schedule to this Ordinance which shall be forwarded by the intending importer to the person from whom the drug is to be obtained. When the importer to whom an import authorisation is issued under this section intends to import the drug or drugs to which such authorisation relates in more than one consignment, a separate approval of import certificate shall be issued to him in respect of each such consignment.

(3) No dangerous drug shall be imported into the Federation unless the person to whom the drug is consigned is in possession of a valid and subsisting import authorisation granted in pursuance of this section.

(4) Every dangerous drug imported into the Federation from a country which is a party to the Convention shall be accompanied by a valid and subsisting export authorisation or diversion certificate.

(5) Any person who shall import any dangerous drug into the Federation except in pursuance of and in accordance with the provisions of this Ordinance and the terms and conditions of any approval, authorisation or licence granted under this Ordinance in respect of such import shall be guilty of an offence against this Ordinance, and shall be liable on conviction to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

21. (1) No person shall bring any dangerous drug to the Federation in transit unless—

- (a) the drug is in course of transit from a country from which it may lawfully be exported, to another country into which such drug may lawfully be imported; and,
- (b) except where the drug comes from a country not a party to the Convention, it is accom-

Dangerous  
drugs in  
transit.

panied by a valid and subsisting export authorisation or diversion certificate, as the case may be.

(2) Where any dangerous drug in transit is accompanied by an export authorisation or diversion certificate and there are reasonable grounds for believing that such authorisation or certificate is false, or that it has been obtained by fraud or wilful misrepresentation of a material particular, it shall be lawful for the High Commissioner, or any officer authorised by him in that behalf, to seize and detain the drug to which such authorisation or certificate relates. Upon being satisfied that such authorisation or certificate is valid or has not been obtained by fraud or misrepresentation as aforesaid, the High Commissioner or such officer shall release the drug.

(3) Where the dangerous drug in transit is not accompanied by an export authorisation or diversion certificate by reason of the fact that the drug comes from a country not a party to the Convention and there are reasonable grounds for believing that such drug is being conveyed in an unlawful manner or for an unlawful purpose or is in course of transit for the purpose of being imported into another country in contravention of the laws of that country, it shall be lawful for the High Commissioner, or any officer authorised by him in that behalf, to seize and detain the drug.

(4) Where a dangerous drug brought into the Federation in transit is landed, or transhipped in the Federation, it shall be stored and dealt with as the High Commissioner may direct and shall be moved only under and in accordance with a removal licence granted in pursuance of section 22 of this Ordinance.

(5) Nothing in this section shall be deemed to apply to any dangerous drug in transit by post or in transit by air if the aircraft passes over the Federation without landing, or to such quantities of dangerous drugs as may reasonably form part of the medical stores of any ship or aircraft.

(6) Any person who brings any dangerous drug into the Federation in transit otherwise than in accordance with the provisions of this section shall be guilty of an offence against this Ordinance, and shall be liable on conviction to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

22. (1) No person shall—

- (a) in any way move any such drug from the conveyance by which it is brought into the Federation in transit; or
- (b) in any way move any such drug in the Federation at any time after removal from such conveyance;

Removal  
licences in  
transit.

except under and in accordance with a licence (in the Form D set out in the Second Schedule to this Ordinance and in this Ordinance referred to as a "removal licence") issued by the High Commissioner. In all cases it shall be in the absolute discretion of the High Commissioner to issue or refuse a removal licence as he shall deem fit.

(2) No removal licence for the transfer of any such drug to any conveyance for removal out of the Federation shall be issued unless and until a valid and subsisting export authorisation or diversion certificate relating to it is produced to the High Commissioner save that where the drug has come from a country not a party to the Convention this sub-section shall not apply.

(3) The provisions of this section shall not apply to dangerous drugs in transit by post.

(4) Any person who contravenes the provisions of this section shall be guilty of an offence against this Ordinance, and shall be liable on conviction to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

23. (1) It shall be unlawful for any person to cause any dangerous drug in transit to be subjected to any process which would alter its nature, or wilfully to open or break any package containing a dangerous drug in transit except upon the instructions of the High Commissioner or of any officer authorised by the High Commissioner to give such instructions and in such manner as he or such officer may direct.

Drugs not  
to be  
tampered  
with.

(2) Any person who contravenes the provisions of this section shall be guilty of an offence against this Ordinance, and shall be liable on conviction to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.



The diversion of dangerous drugs in transit.

24. (1) No person shall, except under the authority and in accordance with the terms and conditions of a diversion certificate in the Form E set out in the Second Schedule to this Ordinance, cause or procure any dangerous drug brought into the Federation in transit to be diverted to any destination other than that to which it was originally consigned. In the case of any drug in transit accompanied by an export authorisation or a diversion certificate issued by a competent authority of some other country, the country to which the drug was originally consigned shall be deemed to be the country stated in such export authorisation or diversion certificate to be the country of destination.

(2) The High Commissioner may, in his absolute discretion, issue a diversion certificate in respect of any dangerous drug in transit upon production to him of a valid and subsisting import certificate issued by a competent authority in the country to which it is proposed to divert the drug, or if that country is not a party to the Convention upon such evidence as may satisfy him that the drug is to be sent in a lawful manner and for a proper purpose.

(3) A diversion certificate shall be issued in duplicate: one copy thereof shall accompany the drug when it is removed from the Federation; another copy shall be despatched by or on behalf of the High Commissioner direct to the proper authority in the country to which the consignment has been diverted.

(4) Upon the issue of a diversion certificate the export authorisation or diversion certificate (if any) accompanying the drug on its arrival in the Federation shall be detained by the High Commissioner or by such officer as the High Commissioner may appoint to perform such duties and returned to the authority issuing such authorisation or diversion certificate together with a notification of the name of the country to which such drug has been diverted.

(5) Any person who contravenes the provisions of this section shall be guilty of an offence against this Ordinance, and shall be liable on conviction to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

25. Nothing in this Part shall be deemed to apply to such quantity of any dangerous drug in the form of a medicinal preparation in the possession of any person arriving in the Federation by land, air or water from any place outside the Federation as is reasonably required for the use of such person and which has been supplied to such person *bona fide* by or on the prescription of a medical practitioner residing outside the Federation in accordance with the law of the country in which such drug was so supplied, provided that such person shall, as soon as possible on arrival, declare his possession of such dangerous drug to an officer having authority under this Ordinance to search such person and shall submit to such medical examination as may be required of him.

Exemption of preparation in the possession of travellers.

PART VI.

ANCILLARY AND GENERAL PROVISIONS.

26. In this Part—

“senior officer of customs” and “officer of customs” have, respectively, the same meaning as that assigned to such expressions in the Customs Enactment of the Federated Malay States.

Interpretation.

F.M.S.  
En. No. 5  
of 1936.

27. (1) Whenever it appears to any Magistrate or Justice of the Peace, upon information and after such inquiry as he thinks necessary, that there is reasonable cause to believe that in or on any premises there is concealed or deposited any dangerous drug, syringe, pipe, lamp, utensil or other article liable to forfeiture under this Ordinance, or as to which an offence under this Ordinance has been committed, or any book or document directly or indirectly relating to or connected with any transaction or dealing which was, or any intended transaction or dealing which would if carried out be, an offence under this Ordinance, or, in the case of a transaction or dealing carried out or intended to be carried out in any place outside the Federation, an offence under the provisions of any corresponding law in force in that place, such Magistrate or Justice of the Peace may, by his warrant directed to any police officer not below the rank of Sergeant or to any officer of customs, empower such officer by day or by night—

Powers of inspection and seizure.

- (a) to enter such premises and there to search for, and seize and detain, any such dangerous drug, article, book or document;

- (b) to arrest any person or persons being in or on such premises in whose possession any dangerous drug or article subject to forfeiture under this Ordinance is found, or whom the officer reasonably believes to have concealed or deposited such dangerous drug or article; and
  - (c) to seize and detain any book or document found in or on such premises or on such person.
- (2) Such officer may if it is necessary so to do—
- (a) break open any outer or inner door or window of such premises and enter thereinto;
  - (b) forcibly enter such premises and every part thereof;
  - (c) remove by force any obstruction to such entry, search, seizure and removal as he is empowered to effect;
  - (d) detain every person found in or on such premises, until such premises have been searched.
- (3) Any police officer not below the rank of Sub-Inspector or any senior officer of customs or any Inspector or any person authorised in that behalf by any general or special order of the High Commissioner may, for the purposes of this Ordinance, enter the premises of any person carrying on the business of a producer, manufacturer, seller or distributor of any dangerous drug and demand the production of, and inspect, any book or document relating to dealing in any such dangerous drug, and inspect any stock of such dangerous drug.
- (4) Whenever it appears to any police officer not below the rank of Sub-Inspector or to any senior officer of customs that there is reasonable cause to believe that in or on any premises there is concealed or deposited, in contravention of the provisions of this Ordinance, any dangerous drug, syringe, pipe, lamp, utensil or other article or any such book or document as is described in sub-section (1) of this section and he has good grounds for believing that, by reason of the delay in obtaining a search warrant, the object of the search is likely to be frustrated, he may exercise in, upon and in respect of such premises all the powers mentioned in sub-section (1) of this section in as full and ample a manner as if he were empowered to do so by warrant issued under the said sub-section.

(5) Any police officer not below the rank of Sub-Inspector or any senior officer of customs shall be entitled to exercise in, upon and in respect of any ship, not being or having the status of a ship of war, or any islet, landing place or wharf or any warehouse or place adjoining a wharf, and used in connection therewith, all the powers mentioned in sub-section (1) of this section in as full and ample a manner as if he were empowered to do so by warrant issued under the said sub-section.

(6) Any police officer or officer of customs may, for the purpose of carrying out the provisions of this Ordinance, board any ship, not being or having the status of a ship of war, and remain on board as long as such ship remains in the Federation.

(7) Any box, chest, package or other article, which is being landed or has been recently landed from any ship or which is in or upon any ship (not being or having the status of a ship of war), islet, landing place or wharf, or which is being removed from any such ship, islet, landing place or wharf, or which is being brought into, or has recently been brought into the Federation, by land, air or water, or is about to be taken out of the Federation by land, air or water—

(a) may be examined and searched by any officer of customs and may be detained until any person in charge or possession thereof has opened the same to admit of such examination and search and in default of such opening may be removed by such officer to a police station or to a customs office;

(b) may be broken open by the order of any senior officer of customs to facilitate such examination and search:

Provided that any person in charge, or in possession of such box, chest, package or other article shall be afforded every reasonable facility for being present at such breaking open, examination or search.

(8) Any police officer or any officer of customs may stop and search any conveyance which he has reasonable ground for believing to be used for the carriage of any dangerous drug in contravention of this Ordinance.

(9) Any person landing or being about to land or having recently landed from any ship, or leaving any ship in the waters of the Federation, whether for the

purpose of landing or otherwise, or entering or having recently entered the Federation by land, air or water, or being about to leave the Federation by land, air or water shall—

- (a) on demand by any officer of customs, either permit his person and goods and baggage to be searched by such officer or, together with such goods and baggage, accompany such officer to a police station or a customs office, and there permit his person, goods and baggage to be searched by any officer of customs in the presence and under the supervision of a senior officer of customs;
- (b) on demand by any senior officer of customs, permit his person and goods and baggage to be searched by him or by some other officer of customs in his presence and under his supervision :

Provided that the goods of any person who claims to be present when these are searched shall not be searched except in his presence and provided that no female shall be searched except by a female.

Obstruction  
of inspection  
or search.

**28.** Any person who—

- (a) refuses any officer authorised to enter or search access to any premises, or conveyance; or
- (b) assaults, obstructs, hinders or delays him in effecting any entrance which he is entitled to effect under this Ordinance, or in the execution of any duty imposed or power conferred by this Ordinance; or
- (c) fails to comply with any lawful demands of any police officer or officer of customs in the execution of his duty under this Ordinance; or
- (d) refuses or neglects to give any information which may reasonably be required of him and which he has it in his power to give; or
- (e) fails to produce or conceals or attempts to conceal any book, document, dangerous drug, syringe, pipe, lamp, or utensil in relation to which there is reasonable ground for suspecting that an offence has been or is being committed against this Ordinance; or
- (f) rescues or endeavours to rescue or causes to be rescued any things which have been duly seized;

- (g) furnishes to any officer as true, information which he knows or has reason to believe to be false;
- (h) before or after any seizure, breaks or otherwise destroys anything to prevent the seizure thereof, or the securing of the same;

shall be guilty of an offence against this Ordinance, and shall be liable on conviction to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

**29.** (1) The Government shall not be liable to make good any damage which any goods or other property may sustain as a result of an entry, search or detention under the provisions of this Ordinance, unless such damage shall have been caused by the wilful neglect or default of an officer employed by the Government. Indemnity.

(2) In the event of any dispute as to the amount of any damage so caused the same shall be summarily ascertained and determined by a Magistrates' Court.

**30.** (1) All dangerous drugs, syringes, pipes, lamps, utensils, books and documents in respect of which any police officer or officer of customs reasonably believes that any offence under this Ordinance, or any breach of the restrictions or conditions subject to or upon which any licence has been granted, has been or is being committed, together with any receptacle or package, in which the same is found, may be seized by such officer and, upon the conviction of any person of such offence or breach, shall be forfeited. Forfeiture  
of drugs,  
etc.

(2) When any dangerous drug, in respect of which any offence under this Ordinance, or any breach of the restrictions or conditions subject to or upon which any licence has been granted, has been or is being committed, is found in any conveyance, such conveyance may be seized by any officer of customs or police officer and, subject to the provisions of sub-section (3) of this section, shall be forfeited, unless it is proved, to the satisfaction of the Court, that the offence or breach had been or was being committed without the knowledge, consent or connivance of the owner.

(3) No conveyance shall be forfeited under sub-section (2) of this section unless the Court shall have given the owner thereof or his agent an opportunity of showing cause why such conveyance should not be forfeited.

(4) Sub-section (2) of this section shall not apply to any ship of more than one hundred tons burden or to any train or to any aircraft belonging to any person carrying on a regular passenger service to and from the Federation by means of such aircraft:

Provided that any such ship or aircraft may be detained by a police officer not below the rank of Sub-Inspector or a senior officer of customs pending an application to the Court for an order under section 38 of this Ordinance, which application shall be made as soon as practicable after the commencement of such detention of such vessel or aircraft.

(5) The owner of a conveyance forfeited under this section shall be deemed to be a party to a criminal case for the purpose of section 302 of the Criminal Procedure Code of the Straits Settlements in the Settlements and of section 307 of the Criminal Procedure Code of the Federated Malay States in the States.

(6) All dangerous drugs, syringes, pipes, lamps, utensils, which may be seized under the provisions of sub-section (1) of this section together with any receptacle, package or conveyance containing the same, found without an apparent owner and for which no owner appears after such notice given as to a Magistrates' Court seems fit, shall be forfeited.

(7) In this section the owner of a conveyance means the person entitled to the possession of the same immediately before seizure.

S.S. Cap.  
21.

F.M.S.  
Cap. 6:  
M.U. Ord.  
No. 13 of  
1947.

Power of  
arrest and  
seizure.

**31.** (1) Any police officer or any officer of customs may arrest without a warrant any person whom he reasonably believes to have committed or to be committing an offence against this Ordinance.

(2) Every person so arrested shall, together with any article as to which an offence may have been committed or which is otherwise reasonably believed by the officer making such arrest to be liable to forfeiture under this Ordinance, be taken to a police station or to a customs office, and may be searched provided that no female shall be searched except by a female.

(3) Any police officer or officer of customs making an arrest under the provisions of this section may seize and detain any package, receptacle and conveyance which he has reasonable grounds for believing is liable to forfeiture under section 30 of this Ordinance or to detention under an order of the Court under section 38 of this Ordinance.

**32.** Any person who, for the purpose of obtaining, whether for himself or for any other person, the issue, grant, or renewal of any licence or authority under the provisions of this Ordinance, makes any declaration or statement which is false in any material particular, or knowingly utters, produces, or makes use of, any such declaration or statement or any document containing the same, shall be guilty of an offence against this Ordinance, and shall be liable on conviction to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

False  
declaration.

**33.** Any person who abets the commission of, or who attempts to commit, or does any act preparatory to or in furtherance of the commission of, any offence under this Ordinance shall be guilty of such offence and liable to the punishment provided for such offence.

Abetments  
and  
attempts.  
punishable  
as offences.

**34.** Any person who within the Federation, abets the commission in any place outside the Federation of any offence punishable under the provisions of any corresponding law in force in that place, or does any act preparatory to, or in furtherance of, any act, which offence or act if committed in the Federation would constitute an offence under this Ordinance, shall be guilty of an offence under this Ordinance and shall be punishable in the same manner as if the offence or act which he abetted or in respect of which he did such preparatory act or which he furthered had been committed or intended to be committed in the Federation.

Abetting or  
procuring  
the commis-  
sion of an  
offence  
abroad.

**35.** (1) Where an offence against this Ordinance is committed by a company, the chairman and every director and every officer concerned in the management of the company shall be guilty of the like offence, unless he proves to the satisfaction of the Court that the act constituting the offence took place without his knowledge or consent.

Liability of  
officers of a  
company and  
employers  
and servants.

(2) Any person licensed or authorised under any regulation made under this Ordinance who would be liable under this Ordinance or under any regulation



made thereunder to any punishment, penalty or forfeiture for any act, omission, neglect or default shall be liable to the same punishment, penalty or forfeiture for every such act, omission, neglect or default of any agent or servant employed by him in the course of his business as such licensed or authorised person, if such act, omission, neglect or default is committed by such agent or servant in the course of his employment by such licensed or authorised person.

(3) Every such agent or servant shall also be liable to every punishment, penalty or forfeiture prescribed by this Ordinance or under any regulation made thereunder for such acts, omissions, neglects or defaults done or omitted to be done by him as fully and effectually as if he had been the person licensed or authorised.

Burden of proof.

**36.** It shall not be necessary in any proceedings against any person for an offence against this Ordinance to negative by evidence any licence, authorisation, authority, or other matter of exception or defence, and the burden of proving any such matter shall be on the person seeking to avail himself thereof.

Presump-  
tions.

**37.** In all proceedings under this Ordinance or any regulation made thereunder—

- (a) any premises shall be deemed to be used for a purpose if they are used for that purpose even on one occasion only;
- (b) a person, until the contrary is proved, shall be deemed to be the occupier of any premises, if he has, or appears to have, the care or management of such premises;
- (c) if any syringe and dangerous drug suitable for hypodermic injection or any pipe and dangerous drug suitable for smoking be found in any premises, it shall be presumed, until the contrary is proved, that the premises are used for the purpose of the administration of a dangerous drug to, or the smoking or consumption otherwise of a dangerous drug by, a human being and that the occupier permits such premises to be used for such purpose;
- (d) any person who is found to have had in his custody or under his control anything whatsoever containing any dangerous drug shall, until the contrary is proved, be

deemed to have been in possession of such drug and shall, until the contrary is proved, be deemed to have known the nature of such drug;

- (e) any person who is found to have had in his possession or under his control or subject to his order any document of title relating to any dangerous drug shall, until the contrary is proved, be deemed to have known the nature of such drug;
- (f) if any dangerous drug is found to be concealed in any ship or aircraft it shall be presumed, until the contrary is proved, that the said drug is so concealed with the knowledge of the master of the ship or aircraft and has been imported in such ship or aircraft;
- (g) if any dangerous drug is found to be concealed in any premises, it shall be presumed, until the contrary is proved, that the said drug is so concealed with the knowledge of the occupier of the premises;
- (h) if any dangerous drug is found concealed in any compartment, specially constructed for the purpose, on any vehicle, it shall until the contrary is proved, be deemed to have been so concealed with the knowledge of the owner of the vehicle and of the person in charge of the vehicle for the time being;
- (i) evidence by a police officer not below the rank of Sub-Inspector or of any senior officer of customs that any pipe or other utensil is for use in the consumption or preparation of opium shall, until the contrary is proved, be deemed to be sufficient evidence of the fact;
- (j) when any substance suspected of being a dangerous drug has been seized and such substance is contained in a number of receptacles, it shall be sufficient to analyse samples of the contents of a number not less than ten per centum of such receptacles and if such analysis establishes that such samples are all of the same nature and description, it shall be presumed, until the contrary is proved, that the contents of all the receptacles were of the same nature and

description as the samples so analysed and if such analysis establishes that such samples consist of or contain a dangerous drug, it shall be presumed, until the contrary is proved, that the contents of all the receptacles consist of or contain the same proportion of such drug.

Ship or  
aircraft used  
for unlawful  
import or  
export.

38. (1) If any ship or any aircraft is used for the import or export of any drug contrary to this Ordinance or for the receipt or storage of any drug imported contrary to this Ordinance, the owner and master thereof shall be guilty of an offence against this Ordinance and liable to a fine not exceeding ten thousand dollars unless it is proved to the satisfaction of the Court that the owner or master was not implicated in the placing or keeping of such drug on board the ship or aircraft and that the offence in question was committed without his knowledge, consent or connivance, and the ship or aircraft may be detained by order of the Court until security has been given for such sum as the Court orders, not exceeding ten thousand dollars.

(2) Except in the case of drugs consigned in accordance with an authorisation issued under section 19, 20 or 24 of this Ordinance or in transit in accordance with the provisions of section 21 of this Ordinance, the finding of any drug on board any ship or aircraft shall be *prima facie* evidence that the ship or aircraft has been used for the importation or exportation of such drug contrary to this Ordinance or for the receipt or storage of drugs imported contrary to this Ordinance.

(3) Any person who conceals any dangerous drug in any part of any ship or aircraft or who, being cognizant of any dangerous drug being concealed in any ship or aircraft, does not take the earliest reasonable opportunity of reporting the same to the master of such ship or aircraft after such ship has entered the territorial waters of the Federation or such aircraft has landed in the Federation, as the case may be, shall be liable on conviction to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment, unless he shall prove that he informed such master before such ship entered such waters or such aircraft so landed, as the case may be.

**39.** Every person convicted of an offence under this Ordinance for which no penalty is specifically provided shall, in respect of each offence, be liable to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

General  
penalty.

**40.** (1) Except as hereinafter provided, no complaint as to an offence under this Ordinance shall be admitted in evidence in any civil or criminal proceeding whatsoever, and no witness shall be obliged or permitted to disclose the name or address of any informer, or state any matter which might lead to his discovery.

Protection of  
informers.

(2) If any books, documents or papers which are in evidence or liable to inspection in any civil or criminal proceeding whatsoever contain any entry in which any informer is named or described or which might lead to his discovery, the Court before which the proceeding is had shall cause all such passages to be concealed from view or to be obliterated so far as is necessary to protect the informer from discovery, but no further.

(3) If on a trial for any offence under this Ordinance the Court, after full inquiry into the case, is of opinion that the informer wilfully made in his complaint a material statement which he knew or believed to be false or did not believe to be true, or if in any other proceeding the Court is of opinion that justice cannot be fully done between the parties thereto without the discovery of the informer, the Court may require the production of the original complaint, if in writing, and permit inquiry and require full disclosure concerning the informer.

**41.** (1) A Sessions Court shall have power to impose the full penalty or punishment provided by this Ordinance or by any regulation.

Jurisdiction  
of Courts.

(2) All fines and forfeitures and the proceeds of the sale of any article forfeited under this Ordinance or any regulation made thereunder shall be disposed of in such manner as the High Commissioner may generally or specially direct.

**42.** Prosecution in respect of offences under this Ordinance may be conducted by any police officer not below the rank of Sub-Inspector, any senior officer of customs, or any officer of customs specially or generally authorised thereto in writing by the Comptroller of Customs.

Power to  
conduct  
prosecutions.

Licences,  
permits,  
etc., may be  
subject to  
conditions.

**43.** Any licence, authorisation, permit or authority issued or granted under this Ordinance or under any regulation made thereunder may be issued or granted on such terms and subject to such conditions as may be prescribed, or as the officer issuing or granting the same shall (either generally or in any particular instance) think proper; and in such case, such terms and conditions shall be binding on and observed by the licensee or grantee, as the case may be.

Power of  
High Com-  
missioner to  
delegate  
powers and  
functions.

**44.** It shall be lawful for the High Commissioner by order under his hand to delegate to any fit and proper officer authority to exercise (subject to any limitations which may in such order be specified) any of the powers and functions vested in the High Commissioner by this Ordinance, other than those expressed to be vested in the High Commissioner in Council, and thereupon such officer shall, to the extent of such delegation, be deemed to be empowered and authorised to exercise such powers and functions accordingly. The High Commissioner may under this section delegate the same powers and functions to more than one officer and different powers and functions to different officers.

Power to  
High Com-  
missioner in  
Council to  
exempt  
certain  
drugs and  
institutions  
from certain  
provisions  
of the  
Ordinance.

**45.** The High Commissioner in Council may, by order or by regulations made under this Ordinance, exempt from any of the provisions of this Ordinance or the regulations made thereunder:

(a) dangerous drugs in respect of which—

(i) the Council of the United Nations Organisation shall have communicated to the parties to the Convention (No. 1) under the provisions of Article 8 of the said Convention a finding of the Health Committee of the United Nations Organisation; or

(ii) the High Commissioner in Council shall have decided that such dangerous drugs cannot give rise to the drug habit on account of the medicaments with which the said dangerous drugs are compounded; or

(b) any public hospital, public infirmary, public dispensary or such like institutions as he may approve from time to time.

46. The provisions contained in and the powers conferred by this Ordinance shall, except so far as may otherwise expressly be enacted or provided, be in addition to and not in derogation of any other provisions or powers existing under any written law for the time being in force in the Federation or in any part thereof and in particular, but without prejudice to the generality of the foregoing, to the provisions and powers existing under the Sale of Food and Drugs Ordinance, 1952.

Ordinance not to derogate from other statutory or other legal provisions and powers.

No. 28 of 1952.

47. (1) The High Commissioner in Council may make regulations for the further, better and more convenient carrying out of the provisions or purposes of this Ordinance and in particular, but without derogating from the generality of the provisions last aforesaid, with respect to any or all of the following matters :

Regulations.

- (a) the matters referred to in sections 7 and 16 of this Ordinance;
- (b) the prescription of forms and fees in connection with any matter under this Ordinance;
- (c) the prescription of anything which is required to be, or which may be prescribed, under this Ordinance.

(2) The High Commissioner in Council may in such regulations or by separate regulations made under this Ordinance provide that any act or omission in contravention of the provisions of any regulation or of the terms or conditions of any licence, permit or other authority issued under any regulation shall be an offence and may impose one or more of the following penalties for such offence, namely, fine, imprisonment and forfeiture :

Provided that no fine imposed by such regulations shall exceed ten thousand dollars and no penalty of imprisonment imposed shall exceed a term of four years.

(3) All regulations made under this Ordinance shall be published in the *Gazette* and shall be laid as soon as practicable before the Legislative Council.

(4) If a resolution of the Legislative Council is passed within the next subsequent three months after any such regulation is laid before it annulling the regulation or any part thereof, the whole regulation

or such part thereof as the case may be shall thenceforth be void but without prejudice to the validity of anything previously done thereunder.

Inspectors  
to be deemed  
public  
servants.  
F.M.S.  
Cap. 45 :  
F.M. No. 32  
of 1948.

**48.** All Inspectors under this Ordinance shall be deemed to be public servants within the meaning of the Penal Code.

Action of  
Officers no  
offence.

**49.** Nothing done by any officer of the Government in the course of his duties shall be deemed to be an offence under this Ordinance.

Repeal.

**50.** The Ordinances, Enactments and Proclamation specified in the Third Schedule to this Ordinance are hereby repealed.

#### FIRST SCHEDULE.

[(Sections 2, 11 (1) and 17 (3).]

##### PART I.

1. Raw opium.
2. Coca leaves.
3. Indian hemp.

##### PART II.

4. Prepared opium.
5. Resin of Indian hemp and substances of which such resin forms the base.

##### PART III.

6. Medicinal opium.
7. Any extract or tincture of Indian hemp; and any preparation, not being a preparation capable of external use only, made from extract or tincture of Indian hemp.
8. Morphine and its salts.
9. Cocaine (including synthetic cocaine) and ecgonine and their respective salts, and the esters of ecgonine and their respective salts.
10. 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, and any preparation, admixture, extract or other substance (not being such a solution or dilution as aforesaid) containing not less than one-fifth per cent. of morphine or one-tenth per cent. of cocaine.

11. Diacetylmorphine (commonly known as diamorphine or heroin) and the other esters of morphine, and their respective salts.
12. Any preparation, admixture, extract or other substance containing any proportion of diacetylmorphine or of the other esters of morphine or their respective salts, and any preparation, admixture, extract or other substance containing any proportion of ecgonine or of the esters of ecgonine or their respective salts.
13. Dihydrohydroxycodeinone, dihydrocodeinone, dihydromorphinone, acetyldihydrocodeinone, dihydromorphine, dihydrodesoxymorphine (having the chemical formula  $C_{17}H_{21}O_2N$ ), methyl-dihydromorphinone (having the chemical formula  $C_{17}H_{19}NO_2$  or  $C_{18}H_{21}NO_2$  and commonly known as metopon), their esters and the salts of any of these substances and of their esters, morphine-N-oxide (commonly known as genomorphine), the morphine-N-oxide derivatives, and any other pentavalent nitrogen morphine derivatives.
14. Thebaine, methylmorphine (commonly known as codeine), ethylmorphine (commonly known as dionine), benzylmorphine and any other ether of morphine and their respective salts.
15. Alphaprodine (oc-4-Propionoxy-4-phenyl-1: 3-dimethyl-4-piperidine).
  - Amidone (dl-2-Dimethylamino-4: 4-diphenylheptane-5-one) commonly known as Physeptone.
  - Betaprodine (b-4-Propionoxy-4-phenyl-1: 3-dimethyl-4-piperidine).
  - Hydroxypethidine (Ethyl-4-m-hydroxyphenyl-1-methyl-piperidine-4-carboxylate).
  - Isoamidone (6-Dimethylamino-4: 4-diphenyl-5-methyl-hexan-3-one).
  - Ketobemidone (4-Propionyl-4-m-hydroxyphenyl-1-methyl-piperidine).
  - Methadol (6-Dimethylamino-4: 4-diphenyl-heptan-3-ol).
  - Methadyl acetate (6-Dimethylamino-4: 4-diphenyl-3-heptyl acetate).
  - Pethidine (1 methyl-4-phenyl-piperidine-4-carboxylic acid ethylester).
  - Phenadoscane (6-Morpholino-4: 4-diphenylheptan-3-one) and their respective salts.
16. Any preparation, admixture, extract or other substance containing any proportion of any of the substances mentioned in paragraphs 13, 14 or 15 except, in the case of preparations of methylmorphine or ethylmorphine, syrupus codeinæ phosphatis B.P.C. 1949 and preparations, admixtures or other substances containing not



more than 2.5 per cent. of methylmorphine or ethylmorphine (calculated as pure drug) associated with other medicinal substances.

NOTE.—In this Schedule percentages in the case of liquid preparations shall be calculated on the basis that a preparation containing one per centum of any substance means a preparation in which one gramme of the substance, if a solid, or one millilitre of the said substance, if a liquid, is contained in every one hundred millilitres of the preparation, and so in proportion for any greater or less percentage

SECOND SCHEDULE.

FEDERATION OF MALAYA.

THE DANGEROUS DRUGS ORDINANCE, 1952.

(No. 30 of 1952.)

Section 20 (2).

FORM A.

Serial No. . . . .

File No. . . . .

INTERNATIONAL OPIUM CONVENTIONS.

CERTIFICATE OF APPROVAL OF IMPORT.

In pursuance of the Dangerous Drugs Ordinance, 1952, I, the officer to whom authority is delegated under section 44, hereby certify that I have approved the importation by (a)

(a) Here insert name and full postal address of importer.

(b) Here insert the each description and amount of the drugs to be imported.

(c) Here insert name and address of firm in exporting country from which drug is to be obtained.

of (b)

from (c)

subject to the conditions that—

- (i) the consignment shall be imported before the (date)
- (ii) the consignment shall be imported by
- (iii) the consignment shall be imported through the Customs Office at
- (iv) the consignment shall follow the route
- (v) the consignment ~~shall not be~~ <sup>may be</sup> imported through the post;

and I certify that I am satisfied that the consignment proposed to be imported is required—

- (1) for legitimate purposes (in the case of raw opium and the coca leaf and Indian hemp);
- (2) solely for medicinal or scientific purposes (in the case of drugs to which Chapter III of the International Opium Convention, 1925, and Article 1 of the 1931 Convention apply).

(Signature and Stamp).

(Date)



each parcel there shall be legibly stated the number of the parcel in which the duplicate copy is to be found. [See footnote (2)].

6. The exporter, if so required by the Comptroller of Customs or the Postmaster-General, shall produce to him, within such time as he may allow, proof, to his satisfaction, that the said drugs were duly delivered at the destination named in this Authorisation, and in the event of non-compliance with this condition the Authorisation shall be deemed void and of no effect.
7. The exporter shall furnish to the officer to whom authority is delegated under section 44 of the Dangerous Drugs Ordinance, 1952, such returns of the goods exported by him in pursuance of this Authorisation as may from time to time be required.
8. This Authorisation is valid only for the exporter named above and may be revoked at any time by the officer to whom authority is delegated under section 44 of the Dangerous Drugs Ordinance, 1952. It shall be produced for inspection when required by any duly authorised person.
9. This Authorisation, unless sooner revoked, shall continue in force for three calendar months from the date hereof. It must be produced, at the time of export, to an officer of <sup>\*the Customs Department,</sup>~~the Post Office,~~ who will retain it.

\* Strike out the words not applicable.

If not used it shall be surrendered to the officer to whom authority is delegated as aforesaid within seven days of the date of its expiry.

(Signature and Stamp).

Date

- 
- NOTE.—(1) If any alteration is desired in this Authorisation it must be returned with a request for amendment and a statement of the reasons therefor. No unauthorised alteration is permissible.
- (2) In the case of drugs exported by post failure to comply with this condition may lead to delay or confiscation of the parcels in the country of destination.
  - (3) In the case of drugs exported by ship this document is required in pursuance of the International Opium Convention, 1925, Article 15, to be produced to the competent authorities of any country through which the consignment passes, whether it is transhipped or not. Failure to comply with the condition may lead to delay or confiscation of the consignment.

FEDERATION OF MALAYA.

THE DANGEROUS DRUGS ORDINANCE, 1952.

(No. 30 of 1952.)

Section 20 (1).

FORM C.

Authorisation No.

File No.

INTERNATIONAL OPIUM CONVENTIONS.

IMPORT AUTHORISATION.

In pursuance of the Dangerous Drugs Ordinance, 1952, I, the officer to whom authority is delegated under section 44, hereby authorise\*

(hereinafter called "the importer")

to import the drugs specified in the Schedule hereto, from†

This Authorisation is issued subject to the following conditions:

\* Here insert name and full postal address of importer.  
† Here insert name and full postal address of exporter.

1. The drugs shall be imported before (date).
2. This Authorisation is not a licence to be in possession of or to supply the drugs imported.
3. This Authorisation does not relieve the importer from compliance with any Customs regulations in force for the time being relating to the importation of goods into or transshipment of goods in the Federation, or any Post Office Rules for the time being in force in the Federation.
4. This Authorisation is valid only for the importer and may be revoked at any time by the High Commissioner to whom it shall in that event be immediately surrendered. It shall be produced for inspection when required by any duly authorised person.
5. This Authorisation unless sooner revoked shall be produced to the Customs Officer at the time of importation and shall be surrendered to the Customs Officer at the time when the last consignment of drugs is imported.
6. If the importation of all the drugs specified in the Schedule hereto is not effected before the date specified in condition No. 1 this Authorisation shall immediately after that date be surrendered to the officer to whom authority is delegated under section 44 of the Dangerous Drugs Ordinance, 1952.
7. The copy of the Export Authorisation, if any, which accompanies the drugs shall be forwarded to the officer to whom authority is delegated under section 44 as aforesaid immediately the importation of the drugs has been effected.

(Signature and Stamp).

Date

## SCHEDULE.

*Specifying the drugs and quantities thereof to be imported.*

This Authorisation is not to leave the possession of the importer until it is surrendered to the officer to whom authority is delegated under section 44 or to the Customs Officer who will complete the certificate on the back and return the Authorisation to the officer to whom authority is delegated under section 44 of the Dangerous Drugs Ordinance, 1952.

## ENDORSEMENT BY CUSTOMS OFFICER AT THE TIME OF IMPORTATION.

Date	Description of drugs imported	Number and date of export Authorisation	Quantity	How imported	Customs entry or Parcel No.	Signature mark and station of Customs Officer
1	2	3	4	5	6	7
				<i>e.g.</i> <i>oz.</i> (in the case of ship), or by registered parcel post or by insured box post.		

This Authorisation, when all the drugs to which it relates have been imported, must be returned by the Customs Officer to the officer to whom authority is delegated under section 44 of the Dangerous Drugs Ordinance, 1952.

## FEDERATION OF MALAYA.

## THE DANGEROUS DRUGS ORDINANCE, 1952.

(No. 30 of 1952.)

Section 22 (1).

FORM D.

## INTERNATIONAL OPIUM CONVENTIONS.

## LICENCE FOR THE REMOVAL OF DANGEROUS DRUGS IN TRANSIT.

In pursuance of the Dangerous Drugs Ordinance, 1952, I, being the officer to whom authority is delegated under section 44, hereby authorise\*

\* Here insert name and full postal address of importer.

to remove  
the dangerous drugs described hereunder from  
to  
Nature and quantity of dangerous drugs  
Particulars of export authorisation (or diversion certificate) if  
any relating thereto

Name of ship (or particulars of other conveyance) on which the drugs were brought into the Federation

Date of arrival

Number of packages

Marks and numbers on packages

This licence is issued subject to the following conditions:

- (1) This licence is valid only for the removal of the drugs specified above.
- (2) The removal of the drugs shall take place between  

A.M.	A.M.
and	on the
	, 19 .
P.M.	P.M.
- (3) If the removal of the drugs does not take place within the hours and on the day specified, this licence must be returned to the officer to whom authority is delegated under section 44 of the Dangerous Drugs Ordinance, 1952, forthwith; and in any case shall be surrendered when the removal has taken place.
- (4) The drugs must not be moved unless an officer of the Customs Department is present.
- (5) This licence does not authorise the person named above to be in possession of the drugs otherwise than for the purpose of removing them in accordance with this licence.
- (6) The packages containing the drugs are not to be opened or broken in the course of the removal.
- (7) This licence shall be produced at any time when required by a duly authorised person.

*(Signature and Stamp).*

*Date*

FEDERATION OF MALAYA.

THE DANGEROUS DRUGS ORDINANCE, 1952.

(No. 30 of 1952.)

Section 24 (1).

FORM E.

INTERNATIONAL OPIUM CONVENTIONS.

DIVERSION CERTIFICATE.

I, being the officer to whom authority is delegated under section 44 of the Dangerous Drugs Ordinance, 1952, hereby certify that I have authorised the diversion of the consignment of drugs, of which particulars are given below, to the destination stated below:

Description and quantities of drugs

Name of ship (or particulars of other conveyance) on which the consignment was brought to the Federation

Name and address of the exporter

Name and date of exporter authorisation and authority by whom issued

Name and address of original consignee named in the export authorisation

Name and address of consignee to whom the consignment is authorised to be diverted

Number and date of import certificate (and authority by whom issued) by virtue of which this diversion is authorised

Name of ship (or particulars of other conveyance) on which the consignment is authorised to be carried from the Federation

Period within which the consignment is carried from the Federation.

This certificate is issued subject to the following conditions:

- (1) The duplicate copy of this certificate shall accompany the consignment to the place of destination and for this purpose shall be delivered to the master of the ship or aircraft (or to the person in charge of other conveyance) by which the consignment is dispatched.
- (2) This certificate does not relieve any person who may be concerned with the carriage of the consignment of drugs specified above from compliance with any Customs regulations in force for the time being relating to the exportation of goods from the Federation.
- (3) This certificate is valid only for the consignment and for the period specified above, and may be revoked at any time.
- (4) If the consignment of drugs is not carried from the Federation within the period specified above, this certificate shall be surrendered to the officer to whom authority is delegated under section 44 of the Dangerous Drugs Ordinance, 1952.
- (5) This certificate shall be produced at any time when required by a duly authorised person.

*(Signature and Stamp).*

*Date*

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NOTE.—(1) If any alteration is desired in this authorisation, it must be returned with a request for amendment and a statement for the reasons therefor. No unauthorised alteration is permissible.

- (2) This document is required in pursuance of the International Opium Convention, 1925, Article 15, to be produced to the competent authorities of any country through which the consignment passes, whether it is transhipped or not. Failure to comply with the condition may lead to delay or confiscation of the consignment.

## THIRD SCHEDULE.

(Section 50.)

## REPEAL.

No.	Short title.
S.S. Cap. 190 ...	The Deleterious Drugs Ordinance.
S.S. Cap. 223 ...	The Chandu Revenue Ordinance.
F.M.S. Cap. 134 ...	The Opium and Chandu Enactment.
F.M.S. Cap. 183 ...	The Deleterious Drugs Enactment.
Johore Enact. No. 96 ...	The Deleterious Drugs Enactment.
Johore Enact. No. 111...	The Opium and Chandu Enactment.
Kedah Enact. No. 3 of 1348	Enactment No. 29 (Deleterious Drugs).
Kedah Enact. No. 8 of 1356	The Chandu Enactment.
Kelantan Enact. No. 3 of 1928	The Opium and Chandu Enactment, 1928.
Kelantan Enact. No. 15 of 1938	The Deleterious Drugs Enactment.
Trengganu Enact. No. 2 of 1352	The Chandu Enactment.
Trengganu Enact. No. 62 of 1356	The Deleterious Drugs Enactment.
Perlis Enact. No. 10 of 1356	The Chandu Enactment, 1356.
Perlis Enact. No. 2 of 1348	The Deleterious Drugs Enactment, 1348.
B.M.A. Proclamation No. 49	The Opium and Chandu Proclamation.

Passed in the Legislative Council on the third day  
of July, 1952.

HASHIM BIN MAT DRIS,  
*Clerk of Council.*



**THE DANGEROUS DRUGS ORDINANCE, 1952.**

(No. 30 of 1952.)

**THE DANGEROUS DRUGS REGULATIONS, 1952.**

IN exercise of the powers conferred by sections 7, 16 and 47 of the Dangerous Drugs Ordinance, 1952, the High Commissioner in Council hereby makes the following Regulations:

1. These Regulations may be cited as the **Dangerous Drugs Regulations, 1952.** Citation.

2. (1) In these Regulations unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say— Interpretation.

“authority” means any written licence or authorisation granted under or any general authorisation conferred by these Regulations and the expression “authorised” shall be construed with reference to such authority;

“Director of Medical Services” means the Director of Medical Services, Federation of Malaya;

“drug” means any dangerous drug as defined in the Ordinance;

“inspector” means any Inspector of Dangerous Drugs and Poisons appointed under the Ordinance;

“Part I Poisons” means poisons defined as Part I Poisons in the Poisons Ordinance, 1952; No. 29 of 1952.

“preparation” means any preparation which is included in the First Schedule to the Ordinance;

“Register” means a bound book and does not include any form of loose-leaf register or card-index;

“the Ordinance” means the Dangerous Drugs Ordinance, 1952. No. 30 of 1952.

(2) For the purposes of these Regulations, but subject in each case to any limitation attached to his authority:

(a) a person authorised to manufacture a drug shall be deemed to be authorised to supply that drug;

(b) a person authorised to supply a drug or preparation shall be deemed to be a person authorised to be in possession of, to procure, to offer to supply or procure, and to advertise for sale, that drug or preparation; and

(c) a person authorised to supply a drug by way of wholesale dealing shall be deemed to be a person authorised to supply such drug to a person included in class (a), (b), (d), (e), (f), (g) or (h) of Regulation 8 of these Regulations.

3. (1) A person shall not cultivate any plant of the genus *Erythroxylon*, *papaver* and *cannabis* cultivation: *Erythroxylon*, *papaver* and *cannabis* cultivation:

(a) unless he is duly authorised by the High Commissioner in Council so to do;

- (b) except in places specified in such authorisation;
- (c) otherwise than in accordance with the terms and conditions of his authority.

(2) Any person who acts in contravention of this Regulation shall be guilty of an offence and liable to a fine not exceeding ten thousand dollars or to imprisonment of either description for a term not exceeding five years or to both such fine and imprisonment.

**Manufacture of drugs.**

4. A person shall not manufacture, or carry on any process in the manufacture of a drug—

- (a) unless he is duly licensed or authorised so to do;
- (b) except on premises specified in such licence or authority or otherwise authorised under these Regulations;
- (c) otherwise than in accordance with the terms and conditions of his authority.

**Supplying, procuring and advertising of drugs and preparations.**

5. (1) A person shall not supply or procure, or offer to supply or procure, to or for any person (including himself) whether in the Federation or elsewhere, or advertise for sale a drug or preparation—

- (a) unless he is authorised so to do;
- (b) otherwise than in accordance with the terms and conditions of his authority:

Provided that for the purpose of these Regulations the administration of a drug or preparation by, or under the direct personal supervision and in the presence of, a registered medical practitioner, or by, or under the direct personal supervision of and in the presence of, a registered dentist in the course of dental treatment, shall not be deemed to be the supplying of a drug or preparation.

(2) Subject as hereinafter provided, a person shall not supply or procure, or offer to supply or procure, a drug or preparation to or for any person unless that person is authorised to be in possession of the drug or preparation and the drug or preparation is to be supplied or procured in accordance with the terms and conditions of that person's authority.

**Possession of drugs and preparations.**

6. (1) A person shall not be in possession of a drug or preparation unless he is so authorised.

(2) For the purposes of these Regulations:

(a) a person to whom a drug or preparation is lawfully supplied—

- (i) by a registered medical practitioner or veterinary surgeon authorised under subparagraph (e) of paragraph (1) of these Regulations who dispenses his own medicines; or
- (ii) on a prescription lawfully given by a registered medical practitioner, a registered dentist or an authorised veterinary surgeon,

shall be deemed to be a person authorised to be in possession of the drug or preparation so supplied:

Provided that a person supplied with a drug or preparation by, or on a prescription given by, a medical practitioner shall

not be deemed to be a person authorised to be in possession of the drug or preparation if he was then being supplied with such drug or preparation by, or on a prescription given by, another medical practitioner in the course of treatment and did not disclose the fact to the first-mentioned medical practitioner before the supply by him or on his prescription.

But nothing in this proviso shall be construed so as to deem guilty of an offence any person supplying or procuring any drug or preparation to or for any other person unless such supplier or procurer knew or had reason to believe that such other person was then being supplied with such drug or preparation by or on a prescription given by another medical practitioner.

(b) a person shall be deemed to be in possession of a drug or preparation if it is in his actual custody or is held by any other person subject to his control or for him or on his behalf.

(3) Any person in possession of a drug or preparation in contravention of the provisions of this Regulation shall be guilty of an offence and shall, where no other penalty is specifically provided, be liable to a fine of five thousand dollars or to imprisonment for a term not exceeding four years or to both such fine and imprisonment.

7. (1) Where a drug or preparation is to be lawfully supplied to any person (hereinafter referred to as "the recipient") otherwise than by, or on a prescription given by, a duly qualified medical practitioner, the person supplying the drug or preparation (hereinafter referred to as "the supplier") shall not deliver it to a person who purports to be sent by or on behalf of the recipient, unless that person either:

- (a) is a person authorised under these Regulations to be in possession of that drug or preparation; or
- (b) produces to the supplier a statement in writing signed by the recipient to the effect that he is authorised by the recipient to receive the drug or preparation in question on behalf of the recipient and the supplier is reasonably satisfied that the document is a genuine document.

(2) A person to whom a drug or preparation is lawfully delivered in the circumstances mentioned in sub-paragraph (b) of paragraph (1) of this Regulation shall be deemed to be a person authorised to be in possession thereof, but for such period only as in the circumstances of the case is reasonably sufficient to enable the delivery to the recipient to be effected.

(3) Any supplier delivering any drug or preparation otherwise than in accordance with this Regulation to any person other than the recipient shall be guilty of an offence and punishable in the same manner as if he had supplied such drug or preparation not being an authorised person.

(4) Where a drug or preparation is to be lawfully supplied to any person and is to be sent to that person by post it shall be sent by registered or insured post.

Restriction  
on delivery of  
drugs and  
preparation to  
messengers.

General authority for certain classes of persons to possess and supply drugs and preparations. No. 29 of 1952.

8. (1) Persons who are members of the following classes, that is to say—

- (a) registered medical practitioners;
- (b) registered dentists Division I;
- (c) registered pharmacists who are licensed under the Poisons Ordinance, 1952, to sell Part I Poisons by retail;
- (d) registered pharmacists who are employed or engaged in dispensing medicines at a public hospital or other public institution;
- (e) the Director of Veterinary Services, Federation of Malaya, and such veterinary surgeons as are authorised by the High Commissioner in Council;
- (f) persons who are in charge of a laboratory used for research or instruction at an institution and approved by the High Commissioner in Council;
- (g) persons in charge of a dispensary which is maintained by an estate or mine and is approved by the High Commissioner in Council;
- (h) chemists of the Department of Chemistry and any Municipal Analyst;
- (i) inspectors;
- (j) any medical or dental officer of Her Majesty's Naval, Military or Air Forces or of any Local Forces established under any written law who is resident in the Federation on full pay and acting in the course of his duty;

are hereby authorised, subject to the provisions of Regulation 10 so far as may be necessary for the practice or exercise of their respective professions, functions or employments, in their capacity as members of their respective classes, to be in possession of and to supply drugs or preparations:

Provided that a dentist or dental officer shall not be authorised to supply drugs or preparations.

Interpretation: "Institution."

(2) In this Regulation the expression "institution" means a university, university college, public hospital, public research institute or other like institution.

General authority for persons who are authorised sellers of poisons to manufacture preparations and retail drugs and preparations.

9. (1) Registered pharmacists who are licensed to sell Part I Poisons by retail are hereby authorised—

- (a) to manufacture in the ordinary course of their retail business (i) any tincture of Indian hemp, and (ii) any preparation; and
- (b) subject to the provisions of these Regulations to carry on the business of retailing, dispensing or compounding drugs or preparations.

(2) Every drug or preparation in the actual custody of a person authorised by virtue of this Regulation shall be kept in a locked receptacle which can be opened only by him or by some assistant of his being a registered pharmacist, except when the necessities of the practice of the profession function or employment by virtue of which that person is authorised as aforesaid otherwise require.

(3) Any person failing or omitting to keep any drug or preparation in the manner required by paragraph (2) of this Regulation shall be guilty of an offence and liable to a fine of five hundred dollars.

10. (1) If any person, being an authorised person, is convicted of an offence against the Ordinance or these Regulations, the High Commissioner in Council may, if he is of opinion that that person cannot properly be allowed to remain an authorised person, by notice in the *Gazette*, withdraw the authority of that person:

Withdrawal of authority.

Provided that—

- (a) in the case of a person authorised by virtue of the last preceding Regulation the High Commissioner in Council shall, before withdrawing the authority, consult the Pharmacy Board established under the Registration of Pharmacists Ordinance, 1951;
- (b) nothing in this Regulation shall be taken to prejudice any power otherwise vested in the High Commissioner in Council or the Director of Medical Services of withdrawing any authority granted by him.

No. 62 of 1951.

(2) Where the person whose authority is withdrawn under paragraph (1) of this Regulation is a registered medical practitioner, registered dentist or an authorised veterinary surgeon, the High Commissioner in Council may by notice given in like manner, direct that it shall not be lawful for that person to give prescriptions for the purpose of these Regulations.

(3) If the High Commissioner in Council has reason to suspect that a registered medical practitioner or registered dentist is supplying or prescribing drugs or preparations to or for either himself or any other person otherwise than is properly required for the purpose of the medical or dental treatment of himself or that other person, the High Commissioner in Council may refer the matter to a tribunal constituted in accordance with the provisions contained in the First Schedule to these Regulations, and, if the tribunal so recommend, the High Commissioner in Council may, by notice in the *Gazette*, withdraw the authority of the practitioner or dentist to supply, procure or be in possession of drugs or preparations and give the like direction with respect to him as may be given under paragraph (2) of this Regulation.

11. (1) For the purposes of these Regulations "prescription" means a prescription directing the supply of a drug or preparation and given either by a registered medical practitioner for the purposes of medical treatment, by a registered dentist for the purposes of dental treatment or by an authorised veterinary surgeon for the purposes of animal treatment.

Form of prescription.

(2) A person by whom a prescription is given shall comply with the following requirements:

The prescription must—

- (a) be in writing and signed by the person giving it with his usual signature and dated by him;
- (b) specify the address of the person giving it;
- (c) specify the name and address of the person for whose treatment it is given or, if it is given by a veterinary surgeon, of the person to whom the article prescribed is to be delivered;

- (d) have written thereon, if given by a dentist, the words "For local dental treatment only", and, if given by a veterinary surgeon, the words "For animal treatment only"; and
- (e) specify, if it prescribes a preparation containing or compounded of preparations all of which are contained in the British Pharmacopoeia or the British Pharmaceutical Codex, the total amount of the preparation or of each preparation, as the case may be, and in any other case the total amount of the drug to be supplied.

Dispensing of prescriptions.

12. (1) A person shall not supply a drug or preparation on a prescription—

- (a) unless the prescription complies with the provisions of these Regulations relating to prescriptions; and
- (b) unless in the case of any prescription, he either—
  - (i) is acquainted with the signature of the person by whom it purports to have been given and has no reason to suppose that it is not genuine; or
  - (ii) has taken reasonably sufficient steps to satisfy himself that it is genuine.

(2) Any person supplying a drug or preparation on a prescription in contravention of paragraph (1) of this Regulation shall be guilty of an offence and liable to a fine not exceeding two thousand dollars.

(3) If a prescription expressly states that it may, subject to the lapse of a specified interval or of specified intervals, be dispensed a second or third time, the drug or preparation thereby prescribed may, as the case may be, be supplied a second or a third time after the specified interval or intervals and no more, but, subject as aforesaid, a prescription shall not for the purposes of these Regulations be taken to authorise the drug or preparation prescribed to be supplied more than once.

(4) The person dispensing a prescription shall, at the time of dispensing it, mark thereon the date on which it is dispensed and in the case of a prescription which may be dispensed a second or third time, the date of each occasion on which it is dispensed, and shall retain it and keep it on the premises where it is dispensed and so as to be at all times available for inspection.

(5) Any person dispensing a prescription who shall fail to mark such prescription in the manner required by paragraph (4) of this Regulation or who shall fail to retain or keep it on the premises or who shall fail to produce it for inspection when lawfully required shall be guilty of an offence and liable to a fine not exceeding one thousand dollars.

Supply by authorised retailers to certain authorised persons.

13. (1) A registered pharmacist shall not supply any drug to any person authorised under Regulation 8 of these Regulations unless the following conditions are fulfilled:

- (a) there must have been received by the seller before the sale an order in writing signed by the purchaser stating his name and address and the name and quantity of the article to be purchased;

- (b) the seller must be reasonably satisfied that the signature affixed to the order is in fact the signature of the person purporting to sign it, and that that person is a registered medical practitioner, a registered dentist Division I, an authorised veterinary surgeon or a person duly authorised in class (f), (g), (h), (i), or (j) of the said Regulation;
- (c) the article sold, if sent by post to the purchaser, must be sent by registered or insured post;
- (d) the seller must enter in the Register the amount of drug supplied and the form in which it is supplied, together with the date on which the order is executed.

Provided that if a seller is reasonably satisfied that a registered medical practitioner, a registered dentist, or a duly qualified veterinary surgeon, desiring to purchase a drug urgently requires it for the purpose of his profession, but is, by reason of some emergency, unable, before delivery, either to furnish to the seller an order in writing duly signed, or to attend and sign the book, the seller may send the drug to the purchaser to be handed over to him either in exchange for such an order to the seller within the twenty-four hours next following.

(2) If any purchaser by whom any such undertaking as aforesaid has been given fails to deliver to the seller a signed order in accordance with such undertaking, or if any person for the purpose of obtaining delivery of any drug under the foregoing proviso makes a statement which is to his knowledge false, he shall be guilty of an offence and liable on conviction to a fine not exceeding two thousand dollars or imprisonment of either description for a term which may extend to twelve months, or to both.

14. (1) Subject to the provisions of this Regulation a person shall not—

Marking of  
packages and  
bottles.

- (a) supply a drug unless the package or bottle in which it is contained is plainly marked with the amount of the drug contained therein; or
- (b) supply a preparation, unless the package or bottle in which it is contained is plainly marked—
  - (i) in the case of a powder, solution or ointment, with the total amount thereof in the package or bottle and the percentage of the drug contained in the powder, solution or ointment; or
  - (ii) in the case of tablets or other similar articles, with the amount of the drug in each article and the number of articles in the package or bottle.

(2) This Regulation shall not apply in a case where a preparation is lawfully supplied, in accordance with these Regulations by, or on a prescription lawfully given by, a duly qualified medical practitioner.

Keeping of records.

15. (1) Every person authorised to supply drugs or preparations shall comply with the following provisions—

- (a) he shall, in accordance with the provisions of this Regulation keep in the English language, a Register in the form set out in the Second Schedule to these Regulations and enter therein in chronological order true particulars with respect to every quantity of any drug or preparation obtained by him and with respect to every quantity of any drug or preparation supplied by him, whether to persons within or to persons outside the Federation;
- (b) a separate Register or a separate part of the Register shall be used with respect to each of the following drugs and preparations; namely,
  - (i) that in paragraph 6,
  - (ii) those in paragraph 7,
  - (iii) those in paragraph 8,
  - (iv) those in paragraph 9,
  - (v) those in paragraph 11,
  - (vi) those in paragraph 13,
  - (vii) those in paragraph 14,
  - (viii) those in paragraph 15,
 of the First Schedule to the Ordinance;
- (c) the required entry must be made on the day on which the drug or preparation is received by or supplied by him, or, if that is not reasonably practicable, on the day next following the said day;
- (d) no cancellation, obliteration or alteration shall be made of an entry in the Register and any correction of an entry must be made by way of a marginal note or a footnote which must specify the date on which the correction is made;
- (e) the authorised person shall, on demand by the Director of Medical Services or by any person empowered in that behalf, by order in writing by the Director of Medical Services, furnish to the Director of Medical Services or that person, as the case may be, such particulars as the Director of Medical Services or that person may require with respect to the obtaining or supplying by the authorised person of any drug or preparation or with respect to any stocks of drugs or preparations in the possession of the authorised person.

(2) So much of this Regulation as requires a person to enter in the Register particulars with respect to drugs or preparations supplied by him shall not apply to—

- (a) a registered practitioner or a registered dentist who enters in a day-book particulars of every drug or preparation supplied by him to any person, together with the name and address of that person and the date of the supply, and enters in a separate book kept, in the English language, for the purposes of this Regulation a proper reference to each entry in the day-book which relates to the supply of any drug or preparation; or



(b) a licensed retail seller of Part I Poisons within the meaning of the Poisons Ordinance, 1952, who enters in the Register a proper reference to each entry in the Prescription Book which relates to the supply of any drug or preparation.

No. 29 of 1952.

(3) Reference in the separate book must be made in chronological order and the book must be kept in the separate parts relating respectively to each of the several classes of drugs and preparations specified in paragraph (1) of this Regulation, and must not be used for any purpose other than the purposes of paragraph (2) of this Regulation.

(4) The entry in the day-book or in the separate book must be made on the day on which, but for paragraph (2) of this Regulation, an entry would have been required to be made in the Register, and sub-paragraph (e) of paragraph (1) of this Regulation shall apply as respects any such entry.

(5) Every Register, every separate book kept under the provisions of paragraph (2) of this Regulation, every day-book in which any entry with respect to the supply of a drug or preparation is made and every Prescription Book containing an entry which is referred to in the Register shall be kept on the premises to which the Register, separate book, day-book or Prescription Book relates or where the prescription was dispensed, as the case may be, and so as to be at all times available for inspection.

(6) Every entry required to be made under this Regulation and every correction of such an entry must be made in ink or otherwise so as to be indelible.

(7) For the purposes of this Regulation, "a proper reference" means a reference which is entered in the Register under the same date as that on which the entry in the day-book or in the Prescription Book was made and is otherwise such as to enable that entry to be easily identified.

Interpretation:  
"proper  
reference".

(8) A registered pharmacist who manufactures or compounds any preparation, whether or not partially exempted under the Third Schedule to these Regulations, or any admixture containing any drug, shall enter in the Register true particulars with respect to every quantity of any drug used by him in manufacturing or compounding the said preparation or the said admixture.

16. (1) All registers, records, books, prescriptions, signed orders and other documents which are kept, issued or made in pursuance of the requirements or for the purposes of these Regulations shall be preserved; in the case of a register, book or other like record for a period of two years from the date on which the last entry is made therein, and in the case of any other document for a period of two years from the date on which it is issued or made.

Preservation  
of records.

(2) Any person failing to comply with the requirements of this Regulation shall be guilty of an offence against the Ordinance and liable to a fine not exceeding two thousand dollars.

17. (1) The master of any ship is hereby authorised to be in possession of drugs and preparations so far as may be necessary to comply with any written law relating to merchant shipping for the time being in force in the country in which the ship is

Special  
provisions  
with respect  
to ships.

registered and to supply drugs and preparations to members of the crew of the ship subject to and in accordance with any instructions issued by any competent authority of the said country and to any conditions imposed by the Director of Medical Services.

(2) Where any drug or preparation is supplied to a member of the crew of a ship an entry in the ship's official log book of the medical treatment adopted shall notwithstanding anything to the contrary in these Regulations be a sufficient record of the supply provided that the entry specifies the drug or preparation and the quantity thereof supplied.

(3) (a) The master of any ship is hereby authorised to purchase such quantity of drugs or preparations as may be certified by a Port Health Officer to be necessary for the equipment of the ship.

(b) Any person who supplies a drug or preparation in accordance with a certificate given under sub-paragraph (a) of this paragraph shall retain the said certificate and endorse upon it the date on which the drug or preparation was supplied and shall keep the said certificate for a period of two years from the said date so as to be at all times within that period available for inspection. Any person failing to keep such certificate so as to be available for inspection for the said period of two years shall be guilty of an offence and shall be liable to a fine not exceeding two thousand dollars.

No. 29 of 1952.

(c) For the purposes of the Poisons Ordinance, 1952, the sale to a master of a ship under this Regulation shall be deemed to be a sale to the Port Health Officer.

Wholesale  
licences.

18. (1) A person shall not supply or procure or offer to supply or procure by way of wholesale dealing, to or for any person (including himself) or whether in the Federation or elsewhere advertise for sale by way of wholesale dealing, a drug or preparation—

(a) unless he is duly authorised by a licence in the form set out in the Fourth Schedule to these Regulations so to do;

(b) otherwise than in accordance with the terms and conditions of his licence;

(c) if the drug or preparation is to be supplied to or procured for any person unless that person is authorised to be in possession of the drug or preparation, or to, or for a person so authorised otherwise than in accordance with the terms and conditions of that person's authority.

(2) For the purposes of this Regulation "by way of wholesale dealing" means "for the purpose of resale".

(3) The fee for a licence issued under sub-paragraph (a) of paragraph (1) of this Regulation shall be fifty dollars per annum.

Restrictions  
on dealings  
in drugs.

19. Any person other than a person acting in accordance with an authority under Regulation 8, 9, or 17 of these Regulations and any other Regulations applicable to such authority or with a licence under Regulation 18 of these Regulations who, whether on his own behalf or on behalf of any other person, buys or sells, or supplies or procures, or otherwise deals in, or offers to

deal in or advertises for sale any drug, whether such drug be in the Federation or elsewhere, and whether it be ascertained or appropriated or in existence or not shall be guilty of an offence and shall when no other penalty is specifically provided by these Regulations for such offence be liable to a fine of ten thousand dollars or imprisonment for a period not exceeding four years or to both such fine and imprisonment:

Provided that this Regulation shall not apply to a person who buys or procures for *bona fide* medical use a drug sold to him by an authorised person who has sold the same under Regulations 6 and 13 of these Regulations.

20. (1) Any inspector may apply to purchase any article advertised for sale or exposed for sale, which he knows or has reason to believe to consist of or contain any drug, and the person in possession or charge of such article shall supply such article to him and shall not charge more than the advertised or a reasonable price therefor.

Inspectors  
may purchase  
samples.

(2) The inspector making any such purchase may select the actual case, bottle or package which he requires, or may demand to be served from any receptacle pointed out by him, and the person in possession or charge shall comply with such requirement or demand.

(3) An inspector purchasing any article with the intention of submitting the same to analysis shall immediately on completion of the purchase—

- (a) notify to the seller or his agent selling the article his intention to have the same analysed;
- (b) divide the same into three parts;
- (c) mark and seal or fasten up each one of the parts in such manner as its nature will permit;
- (d) deliver one of the parts to the seller or his agent and another to the Chief Chemist of the Federation of Malaya for analysis; and
- (e) retain the third part for comparison.

(4) Any person who without reasonable excuse contravenes any provision of paragraphs (1) and (2) of this Regulation shall be liable to a fine not exceeding one thousand dollars.

Penalty.

21. (1) Any inspector may at all reasonable times inspect all weights, measures and instruments for weighing used by or in the possession of any person or on any premises for use for weighing drugs.

Inspection  
of weights and  
measures.

(2) Any person who on demand made by an inspector neglects or refuses to produce for inspection any such weights, measures or instruments for weighing used by him or in his possession, or on his premises, or refuses to permit the inspector to examine or remove for examination the same, shall be liable to a fine not exceeding five hundred dollars, and for a second or subsequent offence to a fine not exceeding one thousand dollars.

22. (1) Any person who wilfully supplies false information as to any particulars required to be entered in any book under these Regulations shall be guilty of an offence and liable to imprisonment of either description for a period not exceeding twelve months.

Penalties:  
Supplying  
false informa-  
tion.

## THIRD SCHEDULE

[Regulation 25.]

## PART I.

## (a) Morphine Preparations:

1. *Cereoli iodoformi et morphinæ*—In 1 bougie, iodoform 0.320 g. morphine hydrochloride 0.016 g., oil of theobroma, sufficient to fill a 1 g. mould.
2. *Emplastrum opii*—Elemi 20 g., terebinthina 30 g., cera flava 15 g., olibanum pulvis 18 g., benzoës pulvis 10 g., opii pulvis 5 g., balsamum peruvianum 2 g.
3. *Emplastrum opii*—Extract of opium 25 g., refined elemi 25 g., diachylon plaster with gum 50 g.
4. *Emplastrum opii*—Elemi 8 g., terebinthinæ communis 15 g., ceræ flavæ 5 g., olibani pulveratæ 8 g., benzoës pulverate 4 g., opii pulverati 2 g., balsami peruviani 1 g.
5. *Emplastrum opii*—Opium, in very fine powder 10 g., resin plaster 90 g.
6. *Emplastrum opii* (*see* formula under 5) mixed with other plasters contained in the B.P. or B.P.C.
7. *Linimentum opii*—Tincture of opium 500 ml., liniment of soap, 500 ml.
8. *Linimentum opii* (*see* formula under 7) mixed with any other liniment of the B.P. or of the B.P.C.
9. *Linimentum opii ammoniatum*—Ammoniated liniment of camphor 30, tincture of opium 30, liniment of belladonna 5, strong solution of ammonia 5, liniment of soap to 100.
10. *Linimentum opii ammoniatum* (*see* formula under 9) mixed with any other B.P. or B.P.C. liniment.
11. Caustic "Nerve Pastes"—Preparations containing in addition to morphine salts, or morphine and cocaine salts, at least 25% of arsenious acid, and made up with the requisite proportion of creosote or phenol to produce the consistency of a paste.
12. *Diarrhœa pills*—Camphor 0.0648 g., lead acetate 0.013 g., bismuth subnitrate 0.162 g., tannic acid 0.0648 g., opium powder 0.026 g.
13. *Pilulæ digitalis et Opii compositæ*—Digitalis leaves, in powder 0.31 g., opium in powder 0.10 g., 0.78 g., syrup of glucose, a sufficient quantity to make 12 pills.
14. *Pilulæ hydrargyri cum Opio*—Mercury pill 3.89 g., opium in powder 19 g., to make 12 pills.
15. *Pilulæ hydrargyri cum Creta et Opii*—Mercury with chalk 0.78 g., compound powder of ipecacuanha (*see* formula under 21) 0.78 g., milk sugar and syrup of glucose, of each a sufficient quantity to make 12 pills.
16. *Pilulæ ipecacuanhæ cum Scilla*—Compound powder of ipecacuanha (*see* formula under 21) 30 g., squill, in powder 10 g., syrup of glucose, a sufficient quantity.

deal in or advertises for sale any drug, whether such drug be in the Federation or elsewhere, and whether it be ascertained or appropriated or in existence or not shall be guilty of an offence and shall when no other penalty is specifically provided by these Regulations for such offence be liable to a fine of ten thousand dollars or imprisonment for a period not exceeding four years or to both such fine and imprisonment:

Provided that this Regulation shall not apply to a person who buys or procures for *bona fide* medical use a drug sold to him by an authorised person who has sold the same under Regulations 6 and 13 of these Regulations.

20. (1) Any inspector may apply to purchase any article advertised for sale or exposed for sale, which he knows or has reason to believe to consist of or contain any drug, and the person in possession or charge of such article shall supply such article to him and shall not charge more than the advertised or a reasonable price therefor.

Inspectors  
may purchase  
samples.

(2) The inspector making any such purchase may select the actual case, bottle or package which he requires, or may demand to be served from any receptacle pointed out by him, and the person in possession or charge shall comply with such requirement or demand.

(3) An inspector purchasing any article with the intention of submitting the same to analysis shall immediately on completion of the purchase—

- (a) notify to the seller or his agent selling the article his intention to have the same analysed;
- (b) divide the same into three parts;
- (c) mark and seal or fasten up each one of the parts in such manner as its nature will permit;
- (d) deliver one of the parts to the seller or his agent and another to the Chief Chemist of the Federation of Malaya for analysis; and
- (e) retain the third part for comparison.

(4) Any person who without reasonable excuse contravenes any provision of paragraphs (1) and (2) of this Regulation shall be liable to a fine not exceeding one thousand dollars.

Penalty.

21. (1) Any inspector may at all reasonable times inspect all weights, measures and instruments for weighing used by or in the possession of any person or on any premises for use for weighing drugs.

Inspection  
of weights and  
measures.

(2) Any person who on demand made by an inspector neglects or refuses to produce for inspection any such weights, measures or instruments for weighing used by him or in his possession, or on his premises, or refuses to permit the inspector to examine or remove for examination the same, shall be liable to a fine not exceeding five hundred dollars, and for a second or subsequent offence to a fine not exceeding one thousand dollars.

22. (1) Any person who wilfully supplies false information as to any particulars required to be entered in any book under these Regulations shall be guilty of an offence and liable to imprisonment of either description for a period not exceeding twelve months.

Penalties:  
Supplying  
false informa-  
tion.

(2) Any person who enters in any book required to be kept under these Regulations false information as to any particulars prescribed to be entered knowing the same to be false or not believing it to be true shall be guilty of an offence and liable to a fine not exceeding five thousand dollars or to imprisonment of either description for a period not exceeding twelve months, or to both such fine and imprisonment.

(3) Any person who enters in such book such false information believing the same to be true shall be guilty of an offence and liable to a fine of one thousand dollars unless he proves that such entry was made without any negligence of his part.

Making a  
false  
document.

23. (1) Any person who makes a false document for the purpose of obtaining any drug from any person authorised under Regulation 8 of these Regulations or licensed under Regulation 18 of these Regulations and any person who uses as genuine such a false document knowing or having reason to believe it to be false, shall be punished with imprisonment of either description for a period not exceeding twelve months.

(2) For the purpose of this Regulation the expression "makes a false document" has the meaning assigned to it in the Penal Code and the person making the same for the purpose specified in paragraph (1) of this Regulation shall be deemed to have made the same fraudulently.

F.M.S.  
Cap. 45:  
F.M. No. 32  
of 1948.

Failing to  
keep proper  
books.

24. (1) Every person authorised under Regulation 8 of these Regulations or licensed under Regulation 18 of these Regulations shall at all times keep such proper books as are prescribed in Regulation 15 of these Regulations showing such particulars of all drugs or preparations received and supplied as are prescribed.

(2) Any person who fails to comply with paragraph (1) of this Regulation shall be liable to a fine not exceeding two thousand five hundred dollars or to imprisonment of either description for a period not exceeding twelve months, or to both.

Restriction  
of application  
of Regulations  
to certain  
preparations.

25. Nothing in these Regulations except the provisions of paragraph (8) of Regulation 15 and Regulation 16 of these Regulations shall apply to any preparation specified in the Third Schedule to these Regulations.

Director of  
Medical  
Services to  
authorise or  
license  
persons.

26. (1) Where under the provisions of these Regulations any person may be specially authorised or licensed to do any act, such authorisation or licence may be granted by the Director of Medical Services or such person as he may authorise in that behalf.

(2) Every such licence or authorisation shall be in writing and shall be subject to such conditions as the Director of Medical Services or such person as he may authorise in that behalf, may think fit to impose and endorse upon such licence or authorisation or otherwise notify in writing to the holder of such licence or authorisation.

(3) No person shall have a right to any such licence or authorisation.

(4) The Director of Medical Services or such person as he may authorise in that behalf may at any time at his discretion cancel or vary such licence or authorisation or cancel vary or add to any of the conditions thereon upon written notice to the holder thereof which shall be deemed duly served upon such holder by leaving the same at his last known place of address.

**FIRST SCHEDULE.**

[Regulation 10 (3).]

1. The Tribunal, in the case of a medical practitioner, shall consist of the Director of Medical Services and two registered medical practitioners; and in the case of a dentist, shall consist of the Director of Medical Services and two registered dentists, together with in each case a legal assessor.

2. The members of the Tribunal (other than the Director of Medical Services) and the legal assessor shall be appointed by the High Commissioner in Council.

3. In the case of a medical practitioner, the medical members of the Tribunal shall be appointed on the nomination of the Medical Council established by any written law relating to the registration of medical practitioners for the time being in force in the Federation or any part thereof.

4. In the case of a dentist, the dental members of the Tribunal shall be appointed on the nomination of the Dental Board established by the Registration of Dentists Ordinance, 1948.

F.M. No. 7 of 1948.

**SECOND SCHEDULE.**

[Regulation 15 (1) (a).]

**FORM OF REGISTER.**

**PART I.**

Entries to be made in case of drugs or preparations obtained.

(The class of drugs and preparations to which the entries relate to be specified at the head of each page in the Register).

Date on which supply received.	Name	Address	Amount obtained.	Form in which obtained.
	of person or firm from whom obtained.			

**PART II.**

Entries to be made in case of drugs or preparations supplied.

(The class of drugs and preparations to which the entries relate to be specified at the head of each page in the Register).

Date on which the transaction was effected.	Name	Address	Authority of person or firm supplied to be in possession.	Amount supplied.	Form in which supplied.
	of person or firm supplied.				

## THIRD SCHEDULE

[Regulation 25.]

## PART I.

## (a) Morphine Preparations:

1. Cereoli iodoformi et morphinæ—In 1 bougie, iodoform 0.320 g. morphine hydrochloride 0.016 g., oil of theobroma, sufficient to fill a 1 g. mould.
2. Emplastrum opii—Elemi 20 g., terebinthina 30 g., cera flava 15 g., olibanum pulvis 18 g., benzoës pulvis 10 g., opii pulvis 5 g., balsamum peruvianum 2 g.
3. Emplastrum opii—Extract of opium 25 g., refined elemi 25 g., diachylon plaster with gum 50 g.
4. Emplastrum opii—Elemi 8 g., terebinthinæ communis 15 g., ceræ flavæ 5 g., olibani pulveratæ 8 g., benzoës pulverate 4 g., opii pulverati 2 g., balsami peruviani 1 g.
5. Emplastrum opii—Opium, in very fine powder 10 g., resin plaster 90 g.
6. Emplastrum opii (*see* formula under 5) mixed with other plasters contained in the B.P. or B.P.C.
7. Linimentum opii—Tincture of opium 500 ml., liniment of soap, 500 ml.
8. Linimentum opii (*see* formula under 7) mixed with any other liniment of the B.P. or of the B.P.C.
9. Linimentum opii ammoniatum—Ammoniated liniment of camphor 30, tincture of opium 30, liniment of belladonna 5, strong solution of ammonia 5, liniment of soap to 100.
10. Linimentum opii ammoniatum (*see* formula under 9) mixed with any other B.P. or B.P.C. liniment.
11. Caustic "Nerve Pastes"—Preparations containing in addition to morphine salts, or morphine and cocaine salts, at least 25% of arsenious acid, and made up with the requisite proportion of creosote or phenol to produce the consistency of a paste.
12. Diarrhœa pills—Camphor 0.0648 g., lead acetate 0.013 g., bismuth subnitrate 0.162 g., tannic acid 0.0648 g., opium powder 0.026 g.
13. Pilulæ digitalis et Opii compositæ—Digitalis leaves, in powder 0.31 g., opium in powder 0.10 g., 0.78 g., syrup of glucose, a sufficient quantity to make 12 pills.
14. Pilulæ hydrargyri cum Opio—Mercury pill 3.89 g., opium in powder 19 g., to make 12 pills.
15. Pilulæ hydrargyri cum Creta et Opii—Mercury with chalk 0.78 g., compound powder of ipecacuanha (*see* formula under 21) 0.78 g., milk sugar and syrup of glucose, of each a sufficient quantity to make 12 pills.
16. Pilulæ ipecacuanhæ cum Scilla—Compound powder of ipecacuanha (*see* formula under 21) 30 g., squill, in powder 10 g., syrup of glucose, a sufficient quantity.



## (a) Morphine Preparations—(cont.).

17. *Pilulæ hydrargyri bichlorati cum Opii extracto*—Bichloride of mercury triturated 10 cg., extract of opium 20 cg., extract of couch-grass 20 cg., liquorice root in powder, q.s. for 10 pills.
18. *Pilulæ hydrargyri iodati cum Opii pulvere*—Hydrargyrum iodatum freshly prepared 50 cg., opium powder 20 cg., powdered liquorice 30 g., white honey, q.s. for 10 pills.
19. *Pilulæ plumbi, cum Opio*—Lead acetate, in powder 80 g., opium, in powder 12 g., syrup of glucose 8 g. (or a sufficient quantity).
20. *Pilulæ terebinthinæ compositæ*—Opium 0.5 g., chinini sulfas 2 g., styrax liquidus 2 g., terebinthina larcina 8 g., magnesii subcarbonas, a sufficient quantity to make 100 pills.
21. *Pulvis ipecacuanhæ compositus*. Syn, *Pulvis ipecacuanhæ et opii*, Dover's powder. Ipecacuanha root, in powder 10 g., opium, in powder 10 g., potassium sulphate in powder 80 g.
22. Mixtures of Dover's powder (*see* formula under 21) with mercury and chalk, aspirin, phenacetin, quinine and its salts, and sodium bicarbonate.
23. *Pulvis kino compositus*—Kino, in powder 75 g., opium, in powder 5 g., cinnamon bark, in powder, 20 g.
24. *Suppositoria plumbi composita*. Syn. *Suppositoria Plumbi cum Opio*. Lead acetate, in powder 2.4 g., opium, in powder 0.8 g., oil of theobroma, a sufficient quantity for 12 suppositories, each weighing about 1 g.
25. *Coryza Tablets No. 2*—Powdered opium 0.0043 g., quinine sulph. 0.022 g., ammon, chlor. 0.022 g., camphor 0.022 g., ext. belladonna leaves 0.0043 g., ext. aconite root 0.0043 g.
26. *Diarrhœa Tablets No. 2*—Powdered opium 0.016 g., camphor 0.016 g., powdered ipecacuanha 0.008 g., lead acetate 0.011 g.
27. *Dysentery Tablets*—Powdered opium 0.013 g., powdered ipecacuanha 0.0648 g., powdered calomel 0.0324 g., lead acetate 0.0324 g., bismuth betanaphthol 0.1944 g.
28. *Tabella hydrargyri cum Opio*—Mercurous chloride powder 0.065 g., antimony oxide powder 0.065 g., ipecacuanha-root powder 0.065 g., gelatine solution, a sufficient quantity to make 1 tablet.
29. *Tabella plumbi cum Opio*—Sugar of lead 0.195 g., powdered opium 0.065 g., gelatine solution, a sufficient quantity to make 1 tablet.
30. *Tablettæ plumbi cum Opio*—Lead acetate, in fine powder 19.44 g., opium, in powder 3.24 g., refined sugar, in powder 6.48 g., ethereal solution of theobroma 3.60 ml., alcohol 0.90 ml.
31. *Unguentum gallæ compositum*—Galls in very fine powder 20, extract of opium 4, distilled water 16, wool fat 10, soft paraffin, yellow 50.

## (a) Morphine Preparations—(cont.).

32. Unguentum gallæ compositum (*see* formula under 31) mixed with other ointments and plasters contained in the B.P. or B.P.C.
33. Unguentum gallæ cum Opio—Gall ointment 92.5 g., opium in powder 7.5 g.
34. Unguentum gallæ cum Opio (*see* formula under 33) mixed with other ointments and plasters contained in the B.P. or B.P.C.
35. Yatren—105 (iodoxyquinoline-sulphonic acid) with 5% opium admixture.

## (b) Cocaine Preparations:

1. Bernatzik's Injections—(a) Hydrargyrum bicyanatum 0.03 g., cocainum 0.02 g., (b) Hydrargyrum succinatum 0.03 g., cocainum 0.01 g.
2. Stila's Injections—(a) Hydrargyrum succinatum 0.03 g., cocainum muriaticum 0.01 g., (b) Hydrargyrum succinatum 0.05 g., cocainum muriaticum 0.03 g.
3. Natrium biboracicum compositum cum cocaino—In tablets, compressed tablets, lozenges, pastilles and the like, difficult to break up, and containing not more than 0.2% of cocaine salts in conjunction with not less than 20% borax and not less than 20% antipyrine, or some similar analgesic, and not more than 40% of flavouring matter. Maximum weight of each tablet, etc., 1 g.
4. Caustic "Nerve Pastes"—Preparations containing, in addition to cocaine salts or cocaine and morphine salts, at least 25% of arsenious acid, and made up with the requisite proportion of creosote or phenol to produce the consistency of a paste.
5. Cocaine and atropine tablets, with a content of not more than 0.0003 g. of cocaine salts and not less than 0.0003 g., mannite 0.003 g. Weight of one tablet 0.0036 g. Cocaine content 8.3 %.

## (c) Heroin Preparations:

1. Elixir camphoræ compositum—Camphor 4 gr., oil of anise 5 m., benzoic acid 6 gr., diamorphine hydrochloride 4 gr., liquid extract of ipecacuanha 120 m., tincture of squill 1½ fl. oz., simple syrup to 20 fl. oz.
2. Elixir diamorphine et terpini, with apomorphine—Apomorphine hydrochloride 5 gr., diamorphine hydrochloride 4 gr., terpin hydrate 44 gr., alcohol 10 fl. oz., glycerine 5 fl. oz., syrup of wild cherry to 20 fl. oz.
3. Linctus diamorphine with ipecacuanha—Liquid extract of ipecacuanha 120 m., diamorphine hydrochloride 4 gr., tincture of hyoscyamus 1½ fl. oz., spirit of chloroform 1½ fl. oz., syrup of balsam of tolu 3 fl. oz., syrup of wild cherry 3 fl. oz., glycerine to 20 fl. oz.
4. Linctus senegæ compositus—Liquid extract senega 1 fl. oz., liquid extract of squill 1 fl. oz., tartarated antimony 8 gr., diamorphine hydrochloride 4 gr., glycerine 2 fl. oz., simple syrup to 20 fl. oz.

## (c) Heroin Preparations—(cont.).

5. *Linctus thymi compositus*—Diamorphine hydrochloride 4 gr., apomorphine hydrochloride 5 gr., distilled water 1 fl. oz., liquid extract of thyme (1-1) 5 fl. oz., solution of tolu  $1\frac{1}{4}$  fl. oz., glycerine to 20 fl. oz. solution of.

## (d) Dicodide Preparations:

1. *Cardiazol-Dicodide Solutions*—Solutions containing not less than 10% of cardiazol and not more than 0.5% of dicodide salts.

## (e) Eucodal Preparations:

1. *Anti-Opium Tablets*—Eucodal 1 g., pulvis gentianæ 35 g., pulvis ipecacuanhæ 20 g., quinine sulphate 20 g., caffeine 5 g., sugar of milk 25 g., mix up and make up 5 gr. tablets. In exempting this preparation from the operation of the Geneva Convention, the Health Committee expressed the wish that it should not be offered to the public under the name of "anti-opium".
2. *Tablets B.B. Compound*—Berberis vulgaris powder 0.0324 g., nux vomica 0.013 g., eucodal 0.0032 g., ipecacuanha 0.0648 g., rhubarb 0.013 g., pulvis cinnamoni compositus 0.0324 g., aromatic chalk 0.0032 g.

## PART II.

*Pasta Arseni Trioxidi et Cocainæ* B.P.C. 1949.

*Pil. Ipecac. c. Scilla*, B.P.C. 1934.

*Pil. Digitalis et Opii Co.*, B.P.C. 1923.

*Pil. Hydrarg. c. Cret. et Opii*, B.P.C. 1949.

*Pulv. Cretæ Aromat. c. Opio*, B.P. 1948.

*Pulv. Ipecac. et Opii*, B.P. 1948.

*Suppos. Plumbi c. Opio*, B.P. 1932.

*Tabellæ Plumbi c. Opio*, B.P.C. 1934.

*Elixir Diamorphinæ et Terpini c. Apomorphina*, B.P.C. 1934.

*Linctus Diamorphinæ Camphoratus*, B.P.C. 1923 and 1934.

*Linctus Diamorphinæ c. Ipecacuanha*, B.P.C. 1934.

*Linctus Diamorphinæ et Scillæ*, B.P.C. 1923 and 1934.

*Linctus Diamorphinæ et Thymi*, B.P.C. 1923 and 1934.

*Mixtures of Pulv. Ipecac. et Opii* B.P. 1948 with any of the following:

*Hydrarg. c. Cret.*, B.P. 1948.

Acetylsalicylic Acid.

Phenacetin.

Quinine and its Salts.

Sodium Bicarbonate.

*Cocaine Eyedrops*—a preparation consisting of an admixture of cocaine in castor oil with mercuric chloride in a proportion of not more than one part in 200 of cocaine and not less than one part in 3000 of mercuric chloride.

Methylmorphine and ethylmorphine and their respective salts and any preparation, admixture or other substance containing any proportion of methylmorphine or ethylmorphine associated with an inert substance whether solid or liquid; and preparations and admixtures or other substances containing more than 2.5 per cent. of methylmorphine or ethylmorphine (calculated as pure drug) associated with other medical substances.

FOURTH SCHEDULE.

THE DANGEROUS DRUGS ORDINANCE, 1952.

(No. 30 of 1952.)

[Regulation 18.]

LICENCE TO KEEP AND SELL DANGEROUS DRUGS BY WHOLESALE.

Licence is hereby granted to..... of..... carrying on business at..... to keep and sell by wholesale at his said business premises the Dangerous Drugs hereunder specified:

.....  
.....  
.....  
.....  
.....  
.....  
.....

This licence is issued subject to the provisions of "The Dangerous Drugs Ordinance, 1952" and of any Regulations made thereunder and subject to the following conditions:

.....  
.....  
.....  
.....

This licence takes effect from the.....day of.....1952, and expires on the 31st day of December of that year.

Dated at.....this.....day of.....19.....

.....  
Director of Medical Services.

Made this 23 day of July 1952.  
[Health 1262/52.]

4236-50-18-9-52.

Clerk of Council.

## THE DANGEROUS DRUGS ORDINANCE, 1952.

(No. 30 of 1952.)

### THE DANGEROUS DRUGS (HOSPITAL, ETC.) (GENERAL EXEMPTION) ORDER, 1952.

In exercise of the powers conferred by section 45 of the Dangerous Drugs Ordinance, 1952, the High Commissioner in Council hereby makes the following Order:

1. This Order may be cited as the **Dangerous Drugs (Hospital, etc.) (General Exemption) Order, 1952.** Citation.

2. Any public hospital, public infirmary, public dispensary, public clinic, public mental hospital or public sanatorium supported by any public authority, or out of public funds or by charity or voluntary subscription, in which dangerous drugs are dispensed by a registered pharmacist or, in his absence, by a registered medical practitioner, if the conditions set out in Schedule A or Schedule B of this Ordinance are complied with, is exempted from the operation of the Dangerous Drugs Regulations, 1952 (hereinafter called the Regulations), in so far as they concern drugs and preparations included in Part III of the First Schedule to the Dangerous Drugs Ordinance, 1952: provided—

Exemption  
of hospitals,  
etc., from  
Regulations.

(a) that the foregoing exemption may be revoked at any time by the High Commissioner in Council, either generally or in respect of a particular hospital, infirmary, mental hospital, or sanatorium; and

(b) that any hospital, infirmary, mental hospital or sanatorium exempted under the foregoing provisions may be inspected in respect of the observance of the said conditions at any time by any person authorised by the Director of Medical Services for the purpose.

#### SCHEDULE A.

1. All orders for supplies of such drugs and preparations shall be signed by the registered pharmacist or, in his absence, by one of the registered medical practitioners attached to the hospital or other institution.

2. All supplies of such drugs and preparations shall be received by and kept in the charge of the registered pharmacist responsible for dispensing medicine. He shall enter in the drug ledger a record of all supplies received in the form prescribed in Part I of the Second Schedule to the Regulations. A separate record shall be kept in respect of each class of drugs as prescribed in sub-paragraph (b) of paragraph (1) of Regulation 15 of the Regulations.

3. Any such drug shall be dispensed only for the use of an individual patient. The prescription (which may be given on the patient's bedcard or case sheet) shall be in writing and shall be dated and signed or initialled by the registered medical practitioner and shall state either the name of the patient or the number of the case. A fresh prescription must be given on each occasion on which a fresh supply of the drug or medicine is required to be dispensed.

4. The registered pharmacist or, in his absence, the registered medical practitioner responsible for dispensing the drugs shall at the time of dispensing any prescription, stamp or otherwise

mark the prescription in such a way as to indicate that the prescription has been dispensed, and he shall keep a record of all cases in which any of the drugs have been dispensed, giving the date, and name of the registered medical practitioner prescribing and the name of the patient or the number of the case. A separate record shall be kept in respect of each class of drugs as prescribed in paragraph 2 of this Schedule.

5. All such prescriptions shall be kept for at least two years.

6. Stock preparations of the drugs required to be kept in the wards or in the out-patient department shall only be supplied by the dispensary on the written requisition of the sister in charge of the ward or out-patient department, and shall be kept by her under lock and key, and shall only be used by her in accordance with the directions of one of the registered medical practitioners in charge of the patients.

7. A requisition shall be marked in the dispensary to show that it has been complied with and shall be filed in the dispensary and a copy or note of the requisition shall be kept by the sister in charge.

8. Adequate precautions shall be taken to prevent any theft of the drugs while being conveyed from the dispensary to the wards or out-patients department.

9. Particular preparations of any of the drugs may be prescribed by reference to any conventional name by which they are known in the hospital.

#### SCHEDULE B.

1. All supplies of such drugs and preparations shall be obtained by, or on the written order of, one of the medical practitioners attached to or attending the hospital who shall certify that the supply is necessary for the treatment of the patients in the hospital.

2. All supplies of such drugs and preparations will be received by the matron, acting matron, senior hospital assistant or senior nurse of the hospital and shall be kept by her in a locked cupboard of which she alone shall have the key. She shall enter in the drug ledger a record of all supplies received in the form prescribed in Part I of the Second Schedule to the Regulations. A separate record shall be kept in respect of each class of drugs as prescribed in sub-paragraph (b) of paragraph (1) of Regulation 15 of the Regulations.

3. The matron, acting matron, senior hospital assistant or senior nurse shall only use or administer the drugs in accordance with the directions of the registered practitioners attached to or attending the hospital.

[Health 1262/52.]

Made this            day of            , 1952.

*Clerk of Council.*

4237—50—13.9-52.



UNITED NATIONS

**E/NL**.1952/105-107/Corr.1  
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## **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

### **FEDERATION OF MALAYA**

*Corrigendum*

Page 42, 7th line: Substitute "four" for "five".

Page 58, Amend the line following "Director of Medical Services" to read: "Made this twenty-third day of September 1952".