



## 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

### PAPUA AND NEW GUINEA

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 texts.

E/NL. 1956/73

TERRITORY OF PAPUA AND NEW GUINEA.

No. 21 of 1953

AN ORDINANCE

Relating to Dangerous Drugs.

[Reserved 4th November, 1952.]

[Governor-General's assent notified 23rd April, 1953.]

Be it ordained by the Legislative Council for the Territory of Papua and New Guinea, in pursuance of the powers conferred by the Papua and New Guinea Act 1949-1950, as follows:—

1. This Ordinance may be cited as the Dangerous Drugs Ordinance 1952.

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the Gazette.

3. (1) The Ordinances specified in the Schedule to this Ordinance are repealed.

(2) All licences, notices and certificates granted, published or issued under an Ordinance repealed by this Ordinance and in force immediately before the commencement of this Ordinance shall continue in force as if granted, published or issued under this Ordinance.

4. In this Ordinance, unless the contrary intention appears—

"cocaine" means methyl-benzoyl laevo-ecgonine((a) 20<sup>o</sup>—16<sup>o</sup> 4 in 20 per cent.

D

solution of chloroform), of which the formula is C<sub>17</sub>H<sub>21</sub>NO<sub>4</sub>;

"coca leaf" means the leaf of the Erythroxylon Coca Lamarck and the Erythroxylon novo-granatense (Morris) Hieronymus and their varieties, belonging to the family of Erythroxylaceae and the leaf of other species of this genus from which it may be found possible to extract cocaine either directly or by chemical transformation;

"crude cocaine" means an extract of the coca leaf which can be used directly or indirectly for the manufacture of cocaine;

"dangerous drugs" includes—

- (a) medicinal opium, crude cocaine, ecgonine, cocaine and their respective salts, papaverine and any other alkaloid prepared from opium and the respective salts thereof, morphine and diacetyl-morphine and the other esters and the derivatives of morphine and their respective salts.
- (b) Dihydroxycodone (Eucodal), dihydrocodeinone (Dicodide), dihydromorphinone (Dilaudide), acetyldihydrocodeinone (Acedicone), dihydromorphine, 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;
- (c) Methyl-morphine (commonly known as Codeine) and ethyl-morphine (commonly known as Dionine) and the other ethers of morphine and the salts or derivatives of these substances;
- (d) all preparations officinal and non-officinal (including the so-called anti-opium remedies) containing not less than one-fifth part per centum of morphine calculated as anhydrous morphine or not less than one-tenth part per centum of cocaine;
- (e) all preparations containing Diacetyl-morphine;
- (f) galenical preparations (such as extract and tincture) of Indian Hemp and all preparations made from such galenical preparations.
- (g) Pethidine (ethyl-4-phenyl-1-methyl-piperidine-4-carboxylate) and its salts and any preparation thereof whether known or described under the names of Dolantin, Demerol, Dolosal, or Isonepicaine or otherwise;

Short title.

Commencement.

Repeal and saving.

Definitions.

- (h) Amidone (6-dimethylamino-4: 4-diphenylheptan-3-one) and its salts whether known or described under the names of Amidone, Isoamidone, Adanon, Dolophine, Methadon, Physeptone or otherwise and any other drug of the amidone group whether known by any of the foregoing names or otherwise, and all preparations and admixtures thereof;
- (i) Phenadoxone (6-morpholino-4: 4-diphenylheptan-3-one) and its salts and any other compound of the Phenadoxone group whether known or described under the name of Heptalgin or otherwise;
- (j) barbituric acid and all organic or metallic derivatives of barbituric acid and all their respective salts whether known or described as Veronal, Veramon, Proponal, Medinal, Barbital, barbitone, phenobarbital, sodium phenobarbital, Luminal, Sodium Luminal, Dial, Pentothal, Kemithal or any other trade name, mark or designation and all preparations and admixtures thereof; and
- (k) any other narcotic drug, which the Administrator declares to be a dangerous drug in pursuance of the next succeeding section;

"diacetylmorphine" means diacetylmorphine (diamorphine, heroin) having the chemical formula  $C_{21}H_{23}NO_5$ ;

"ecgonine" means laevo-ecgonine ((a)  $200 = D$

$\cdot 45^{\circ}6$  in 5 per cent. solution of water), of which the formula is  $C_9H_{15}NO_3H_2O$  and all derivatives of laevo-ecgonine which might serve industrially for its recovery;

"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;

"legally qualified medical practitioner" means a person registered as a Legally Qualified Medical Practitioner under the Medical Ordinance 1952;

"medicinal opium" means raw opium which has undergone the process necessary to adapt it for medicinal use in accordance with the requirements of the British Pharmacopoeia, whether in powder form or granulated or otherwise or mixed with neutral materials;

"morphine" means the principal alkaloid of opium having the chemical formula  $C_{17}H_{19}NO_3$ ;

"prepared opium" means the product of raw opium obtained by a series of special operations, especially by dissolving, boiling, roasting and fermentation, designed to transform it into an extract suitable for consumption, and includes dross and all other residues remaining when opium has been smoked;

"raw opium" means the spontaneously coagulated juice obtained from the capsules of the *Papaver somniferum* L., which has only been submitted to the necessary mani-

pulations for packing and transport, whatever its content of morphine;

"registered dentist" means a person registered as a Dentist under the Medical Ordinance 1952;

"registered pharmacist" means a person registered as a Pharmacist under the Medical Ordinance 1952.

5. The Administrator may, by notice in the Gazette, declare a narcotic drug to be a dangerous drug for the purposes of this Ordinance.

6. The—

- (a) importation into the Territory;
- (b) exportation from the Territory;
- (c) making; or
- (d) sale

of raw opium or of prepared opium is prohibited.

7. The making in, or exportation from, the Territory of a dangerous drug is prohibited.

8. The importation into the Territory of a dangerous drug is prohibited unless imported by a person licensed in accordance with the next succeeding section and in accordance with the conditions and restrictions prescribed by that section.

9. (1) The Administrator may grant a licence to a person to import into the Territory dangerous drugs, or one or more particular forms of dangerous drugs to be specified in the licence, subject to the following conditions and restrictions:—

- (a) The drugs shall be imported for medicinal purposes only;
- (b) A licence to import the drugs shall be issued only to—
  - (i) a legally qualified medical practitioner;
  - (ii) a veterinary surgeon registered under a law of the Territory or of a State;
  - (iii) a registered dentist;
  - (iv) a registered pharmacist; or
  - (v) a person who proves to the satisfaction of the Administrator that he is a fit and proper person to be allowed to import dangerous drugs or the particular form of dangerous drugs he seeks permission to import.
- (2) A licence granted under this section—
  - (a) shall be for a period of one year and may be renewed from time to time for a like period; and
  - (b) shall be in the prescribed form.
- (3) Before a licence is granted the applicant shall—
  - (a) give security to the satisfaction of the Administrator that—
    - (i) all importations made by him in pursuance of the licence or of any renewal of the licence will be disposed of for medicinal purposes only;
    - (ii) he will record in a book kept by him for the purpose particulars of the quantities imported and of how and to whom they have been disposed of; and

Dangerous drugs.

Prohibition regarding raw opium and prepared opium.

Dangerous drugs not to be made or exported.

Importation of dangerous drugs without licence prohibited.

Issue of licence.

(iii) he will at all reasonable times produce to the Administrator, or an officer thereto authorized by the Administrator, the book so kept and the balance of the importations on hand at the time when the book is produced; and

(b) give an undertaking in writing that he will be responsible for the making of reasonable inquiries as to the purpose and destination of dangerous drugs imported under the licence and subsequently sold, with a view to assuring himself that the drugs are intended for medicinal purposes only.

Import authorization.

10. (1) The holder of a licence to import dangerous drugs shall advise the Administrator of his intention to import dangerous drugs and shall state—

- (a) the exact description and quantity of the drugs to be imported; and
- (b) the name and address of the firm in the exporting country from which the drugs are to be obtained.

(2) The Administrator may issue a certificate to the importer in accordance with the prescribed form, specifying the period within which the importation must be effected.

Forfeiture of dangerous drugs.

11. Raw opium, prepared opium or dangerous drugs imported in contravention of this Ordinance or of a licence granted in pursuance of this Ordinance shall be seized by a Customs Officer and may be dealt with as the Administrator directs.

Offences.

12. (1) A person who—

- (a) without reasonable excuse (proof whereof shall lie upon him) has in his possession on board a ship a prohibited import to which this section applies;
- (b) imports into the Territory a prohibited import to which this section applies;
- (c) without reasonable excuse (proof whereof shall lie upon him) has in his possession a prohibited import to which this section applies which has been imported into the Territory in contravention of this Ordinance or of a licence granted in pursuance of this Ordinance;
- (d) aids, abets, counsels or procures, or is in any way knowingly concerned in, the importation into the Territory of a prohibited import to which this section applies; or
- (e) fails to disclose to the Administrator or an officer thereto authorized by the Administrator on demand any information in his possession or power concerning the importation or intended importation into the Territory of a prohibited import to which this section applies,

is guilty of an offence and is punishable, upon conviction, by imprisonment for a term not less than three months and not exceeding two years.

(2) This section applies to raw opium, prepared opium and all dangerous drugs, the importation of which is prohibited by this Ordinance.

(3) An offence against this section is punishable on summary conviction.

13. A person shall not export from the Territory or make or sell raw opium or prepared opium.

Penalty for exporting, etc., raw or prepared opium.

Penalty: One hundred pounds or imprisonment for six months.

14. A person shall not export from the Territory or make a dangerous drug.

Penalty for exporting, etc., dangerous drugs.

Penalty: Fifty pounds or imprisonment for three months.

15. The Administrator may at any time cancel a licence granted under the provisions of this Ordinance.

Cancellation of licences.

16. The Administrator shall furnish to the Minister—

Returns.

(a) during the month of January in each year a return setting out—

- (i) the stocks of dangerous drugs held by importers in the Territory;
- (ii) the imports of dangerous drugs into, and the consumption of dangerous drugs in, the Territory during the preceding year; and
- (iii) the amounts of raw opium, prepared opium and dangerous drugs confiscated during the preceding year, the reasons for confiscation and the manner of disposal of the confiscated substance; and

(b) a quarterly return setting out the imports of dangerous drugs during the preceding three months.

17. The Administrator in Council may make Regulations, not inconsistent with this Ordinance, prescribing all matters which are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance and in particular—

Regulations.

- (a) for requiring persons to furnish such returns in relation to dangerous drugs as are necessary for the purposes of carrying out this Ordinance;
- (b) for prescribing the fees to be paid for the issue of a licence under this Ordinance;
- (c) for prescribing the forms to be used for the purposes of this Ordinance; and
- (d) for prescribing penalties not exceeding Fifty pounds for a breach of the Regulations.

### THE SCHEDULE.

Section 3

Ordinance of the Territory of Papua.  
Dangerous Drugs Ordinance, 1923

Ordinance of the Territory of New Guinea.  
Dangerous Drugs Ordinance 1927.

Ordinance of the Territory of Papua and  
New Guinea.

Dangerous Drugs (Papua) Ordinance 1950.

TERRITORY OF PAPUA AND NEW GUINEA.

REGULATIONS.

No. 23 of 1955.

REGULATIONS MADE UNDER THE "DANGEROUS DRUGS ORDINANCE 1952".

I, Donald Mackinnon Cleland, Administrator of the Territory of Papua and New Guinea, by virtue of the powers conferred by the Dangerous Drugs Ordinance 1952 and all other powers me enabling, and acting with the advice of the Executive Council, do hereby make the following Regulations:—

"DANGEROUS DRUGS REGULATIONS 1955."

- Citation. 1. These Regulations may be cited as the Dangerous Drugs Regulations 1955.
- Interpretation. 2. In these Regulations, "the Ordinance" means the Dangerous Drugs Ordinance 1952.
- Licences. 3. (1) A licence under Section 9 of the Ordinance shall be in Form 1.  
(2) The fee for the issue or renewal of a licence is Ten shillings.
- Security. 4. A security under Subsection (3) of Section 9 of the Ordinance shall be in Form 2.
- Import authorization. 5. A certificate under Section 10 of the Ordinance shall be in Form 3.

THE SCHEDULE.

Reg. 3. Form 1.  
Territory of Papua and New Guinea.

Dangerous Drugs Ordinance 1952. No.  
Book No. LICENCE TO IMPORT DANGEROUS DRUGS.

This is to certify that of is licensed, for a period of one year from the date hereof, to import into the Port of for medicinal purposes only, the following dangerous drugs:—

This Licence may be renewed from time to time by the Administrator by endorsement thereon.

Dated this day of , 19 .  
Administrator.

Reg. 4. Form 2.  
Territory of Papua and New Guinea.

Dangerous Drugs Ordinance 1952.  
SECURITY.

By this Security the Subscriber is, pursuant to the Dangerous Drugs Ordinance 1952, bound to the Administration of the Territory of Papua and New Guinea in the sum of

subject only to the condition that if of who/which is an applicant for a Licence under the Dangerous Drugs Ordinance 1952 to import to the Territory the following Drugs:— shall, so long as he/she/it holds a Licence to import the above Drugs—

- (1) ensure that all importations made by him/her/it pursuant to the Licence or

of any renewal thereof will be disposed of for medicinal purposes only; and  
(2) record in a book kept by him/her/it for the purpose, particulars of the quantities imported and of how and to whom they have been disposed of, and will, at all reasonable times, produce to the Administrator or an Officer thereto authorized by the Administrator the book so kept and the balance of the importations on hand at the time when the book is produced. Then this Security shall be thereby discharged.

Dated at the day of , 19 .

Name and Description of Subscriber.	Signature of Subscriber.	Signature of Witness.

Reg. 5. Form 3.

Territory of Papua and New Guinea.

Dangerous Drugs Ordinance 1952.

IMPORT CERTIFICATE.

I hereby approve the importation by (a) of (b) from (c) within a period of from date hereof. Dated this day of , One thousand nine hundred and

Administrator.

- (a) Name, address and occupation of importer.
- (b) Exact description and quantity of drugs to be imported.
- (c) Name and address of persons or firm in exporting country from which drugs are to be obtained.

Dated at Port Moresby, this fifteenth day of June, One thousand nine hundred and fifty-five.

D. M. CLELAND,  
Administrator.

E/NL. 1956/75

Gazette No. 53 27th October, 1955

TERRITORY OF PAPUA AND NEW GUINEA

Dangerous Drugs Ordinance 1952

DECLARATION OF DANGEROUS DRUGS.

I, Donald MacKinnon Cleland, Administrator of the Territory of Papua and New Guinea, by virtue of the powers conferred by the Dangerous Drugs Ordinance 1952 and all other powers me enabling, do hereby declare the following Narcotic Drugs to be Dangerous Drugs for the purposes of the said Ordinance:—

Acetyldihydrocodeine (Acetylcodeine) and its salts.

Benzylmorphine, its salts, and preparations of benzylmorphine or its salts.

Coca leaves.

Dihydrocodeine (Paracodine) and its salts.

Dihydrodesoxymorphine, its esters, its salts, the salts of its esters, and preparations of dihydrodesoxymorphine or of those esters or salts.

Methyldihydromorphinone and its salts.

Thebaine, its salts, and preparations of thebaine or its salts.

6-dimethylamino-4, 4-diphenyl-3-acetoxyheptane (otherwise identified by the symbol N.I.H. 2953) and its salts.

6-dimethylamino-4, 4-diphenyl-3-heptanol (otherwise identified by the symbol N.I.H.-2933 and known as Methadol) and its salts.

alpha-1, 3-dimethyl-4-phenyl-4-propionoxy piperidine (otherwise identified by the symbol NU-1196 and known as Alphaprodine, Nisentil, Nisintil) and its salts.

beta-1, 3-dimethyl-4-phenyl-4-propionoxy piperidine (otherwise identified by the symbol NU-1779 and known as Betaprodine) and its salts.

4, 4-diphenyl-5-methyl-6-dimethylamino-hexanone-3 (known as Iso-methadone) and its salts.

4-(3-hydroxyphenyl) -1-methyl-4-piperidyl ethylketone hydrochloride (known as Cliradon, Keto-Bemidone) and its salts.

3-methoxy-N-methylmorphinan and its salts.

1 - methyl - 3 - ethyl - 4 - phenyl - 4 - propionoxy piperidine (otherwise identified by the symbol NU-1932 and its salts.

1 - methyl - 4 - metahydroxyphenyl - piperidine-4-carboxylic acid ethyl ester (known as Bemidone) and its salts.

Dated at Port Moesby, this seventeenth day of October, 1955.

(D. M. Cleland.)  
ADMINISTRATOR.