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COMMENTS  
INDEX UNIT

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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

# AUSTRALIA

COMMUNICATED BY THE GOVERNMENT OF  
AUSTRALIA

Lake Success,  
New York, 1950

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 hereafter the texts of regulations.

NEW SOUTH WALES



[Published in Government Gazette No. 223 of 9th  
December, 1949.]

POLICE OFFENCES (AMENDMENT) ACT, 1908,  
AS AMENDED.—PROCLAMATION.

(L.S.) J. NORTHCOTT, Governor.

I, Lieutenant-General JOHN NORTHCOTT, Companion of the Most Honourable Order of the Bath, Member of the Royal Victorian Order, Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia, with the advice of the Executive Council, do, by this my Proclamation, declare that Part VI of the Police Offences (Amendment) Act, 1908, as amended, shall apply to:—

Indian Hemp (*Cannabis*), including any portion of the plants of the genus *Cannabis* from which the resins have not been extracted, and any resin, extract, tincture, preparation or admixture of such plants, but excluding seeds incapable of germination; and

Dihydromorphinone, known as Dilaudid or other trade name, and any preparation, admixture, extract or other substance containing not less than one-fifth per centum of Dilaudid;

in the same manner as it applies to the drugs mentioned in paragraph (a) of subsection (2) of section 18 of the said Act.

That part of the Proclamation published in Government Gazette No. 65 of the 18th June, 1948, relating to Indian Hemp (*Cannabis Indica*) is hereby repealed.

Signed and sealed at Sydney, this twenty-third day of November, 1949.

By His Excellency's Command, C. H. MATTHEWS,  
GOD SAVE THE KING!

[1949—No. 62.]

NEW SOUTH WALES.



## REGULATION.

### **POLICE OFFENCES (AMENDMENT) ACT, 1908, as amended.**

*[Published in Government Gazette No. 40 of 25th March, 1949.]*

Chief Secretary's Department, Sydney, 25th March, 1949.

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the provisions of the Police Offences (Amendment) Act, 1908, as amended, has been pleased to amend Regulation 1 made thereunder in the manner set forth hereunder.

J. M. BADDELEY.

Regulation 1 is amended by *adding* at the end thereof the following new clause:—

(6) In the Regulations the expression "public hospital" includes a hospital conducted by the Repatriation Department of the Commonwealth of Australia.

(NEW SOUTH WALES

Regulation 67 of 1-4-49)

[6599] Chief Secretary's Department, Sydney, 1st April, 1949.

POLICE OFFENCES (AMENDMENT) ACT, 1908, AS AMENDED.—  
REGULATIONS.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to amend in the manner set forth hereunder the Regulations under the Police Offences (Amendment) Act, 1908, as amended.

J. M. BADDELEY.

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The Regulations under the Police Offences (Amendment) Act, 1908, as amended by subsequent Acts, are amended:—

- (a) by *omitting* from paragraph (4) of Regulation 1 the definition of "prescription";
- (b) by *omitting* from paragraph (2) of Regulation 8 the word "given" and by *inserting* in lieu thereof the words "issued in accordance with these Regulations";
- (c) by *inserting* at the end of paragraph (1) of Regulation 17 the words "containing any drug";
- (d) by *inserting* in paragraph (2) of Regulation 17 after the word "prescription" where firstly occurring the words "containing any drug".

NEW SOUTH WALES.

[1949 - No. 83]

REGULATION.

**POLICE OFFENCES (AMENDMENT) ACT, 1908, as amended.**

[*Published in Government Gazette No. 70 of 29th April, 1949.*]

Chief Secretary's Department, Sydney, 29th April, 1949.

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the provisions of the Police Offences (Amendment) Act, 1908, as amended, has been pleased to amend the Regulations made thereunder in the manner set forth hereunder.

J. M. BADDELEY.

The Regulations are amended by *adding* after Regulation No. 15 the following new heading and Regulation:—

*Possession and Use of Drugs in Aircraft.*

15A. (1) A person licensed by the Director-General of Civil Aviation to engage in regular public transport operations is hereby authorised to be in possession of morphia and morphine-like substances for installation in aircraft so far as is necessary for the purpose of complying with the requirements of any Regulation or Order in pursuance of the Commonwealth Air Navigation Act, 1920-1947, subject to the following conditions:—

- (a) That the drugs are stored in a sealed first-aid kit in the aircraft.
- (b) That the drugs are used only for emergency purposes.
- (c) That any such drugs installed in an aircraft shall not exceed the quantity required to be provided in the scale of emergency equipment prescribed under the abovementioned Regulations or any Order issued thereunder.

(2) The first-aid kits in which the drugs are stored shall be inspected periodically by a medical officer or some other responsible person appointed for the purpose and, when practicable, as soon as possible after a kit has been used in an emergency.

(3) A person authorised under this Regulation to be in possession of drugs for installation in aircraft shall make provision for a medical practitioner or approved person to enter or cause to be entered in a register kept solely for that purpose under the provisions of Regulation 11 a record of—

- (a) all supplies of the drugs purchased or otherwise obtained by him;
- (b) all quantities of the drugs issued by him, together with the designation number or letters of the aircraft in which the drugs are to be stored;
- (c) the date and place in which the drugs were used for emergency purposes on any particular aircraft, and the quantity so used.

(4) The holder of a licence to manufacture or distribute drugs or any person authorised under the Regulations to dispense drugs may supply drugs pursuant to paragraph (1) of this Regulation on the written order of a medical practitioner appointed by the person authorised to be in possession of such drugs or if a medical officer has not been so appointed on presentation of the written order of such person endorsed by the Superintendent of Aviation Medicine, Department of Civil Aviation.

(5) The Captain of an overseas aircraft engaged in public transport operations which is in the State of New South Wales is hereby authorised to be in possession of such quantity of the drugs mentioned in paragraph (1) of this Regulation as may be certified in writing by the Superintendent of Aviation Medicine, Department of Civil Aviation, to be necessary for the equipment of the aircraft. The holder of a licence to manufacture or distribute drugs or other person authorised under the Regulations to dispense drugs may supply any drugs in accordance with such certificate.

(6) A person who supplies a drug in accordance with a certificate or order given under this Regulation shall cancel such certificate or order and retain it on a special file for a period of not less than two years.

## VICTORIA

[Extract from the *Victoria Government Gazette*, No. 992,  
dated 23rd November, 1949.]

Extr. A

## The Poisons Act.

## DANGEROUS DRUGS.

ADDITIONS TO SIXTH SCHEDULE, PARAGRAPH (1), TO POISONS  
ACT 1928.

## PROCLAMATION

By His Excellency the Governor of the State of Victoria  
and its Dependencies in the Commonwealth of Australia,  
&c., &c., &c.

**W**HEREAS by section 38, sub-section (2), of the *Poisons Act* 1928, as amended by section 5 of the *Poisons Act* 1930, power is conferred on the Governor in Council on the recommendation of the Pharmacy Board of Victoria to declare that Division 2 of Part III. of the said *Poisons Act* 1928 shall apply to any substance of whatever kind in the same manner as it applies to the substances and preparations mentioned in paragraph 1 of the Sixth Schedule to the last-mentioned Act, and that the provisions of Division 2 of Part III. thereof shall apply accordingly if it appears to the Governor in Council that the substance is or is likely to be productive, if improperly used, of ill effects substantially of the same character or nature as, or analogous to, those produced by morphine or cocaine: And whereas it appears to the Governor in Council that—

Phenadoxone (6-morpholino-4 : 4-diphenyl-heptan-3-one hydrochloride), also known as heptalgin, its salts and any preparation, admixture, extract, or other substance containing any proportion of phenadoxone, are each productive, if improperly used, of ill effects substantially of the same character or nature as, or analogous to, those produced by morphine or cocaine: Now therefore I, the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, with the advice of the Executive Council thereof, and on the recommendation of the said Board, do by this my Proclamation add to paragraph 1 of the Sixth Schedule to the *Poisons Act* 1928 the name of—

Phenadoxone (6-morpholino-4 : 4-diphenyl-heptan-3-one hydrochloride), also known as heptalgin, its salts and any preparation, admixture, extract, or other substance containing any proportion of phenadoxone, and declare that the provisions of Division 2 of Part III. of the *Poisons Act* 1928 shall apply to the following substance, namely to:—

Phenadoxone (6-morpholino-4 : 4-diphenyl-heptan-3-one hydrochloride), also known as heptalgin, its salts and any preparation, admixture, extract, or other substance containing any proportion of phenadoxone, in the same manner as it applies to the substances and preparations mentioned in paragraph 1 of the Sixth Schedule to the said *Poisons Act* 1928.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this fifteenth day of November, in the year of our Lord One thousand nine hundred and forty-nine, and in the thirteenth year of the reign of His Majesty King George VI.

(L.S.)

DALLAS BROOKS.

By His Excellency's Command,

C. P. GARTSIDE,

Minister of Health.

GOD SAVE THE KING!

Extract "B"

VICTORIA

Extract from Victorian Government Gazette No. 599 dated 20th July, 1949.

POISONS ACT 1928 (No. 3748)

At the Executive Council Chamber, Melbourne, the twelfth day of July, 1949.

PRESENT:

His Excellency the Lieutenant-Governor of Victoria.

Lieut.-Col. Dennett

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Lieut.-Col. Leggatt.

DANGEROUS DRUGS REGULATIONS 1949

Under the powers in that behalf conferred by the Poisons Acts, His Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, and on the recommendation of the Pharmacy Board of Victoria, doth make the Regulations following, that is to say:-

1. These Regulations may be cited as the Dangerous Drugs Regulations 1949, and shall be read and construed as one with the Dangerous Drugs Regulations 1930, 1931, 1932, 1934, 1945, 1946, 1946 (No. 2), 1946 (No. 3), 1946 (No. 4), 1947, 1948, 1948 (No. 2), and 1948 (No. 3).
2. After Regulation 19 (b) of the Dangerous Drugs Regulations 1930 add the following Regulation, namely:-  
"19. (c) Supply any patent or proprietary medicine containing a dangerous drug (excepting a preparation containing not more than 0.01 per centum of morphine or its salts) unless the container of such medicine is plainly labelled with the following words:- 'This preparation must not be given to children under six years of age except under medical direction'."

And the Honorable Charles Percival Gartside, His Majesty's Minister of Health for the State of Victoria, shall give the necessary directions herein accordingly.

Clerk of the Executive Council

## SOUTH AUSTRALIA.

**Regulation under the Dangerous Drugs Act, 1934.**

*At the Executive Council Office, at Adelaide,  
the 6th day of October, 1949.*

BY virtue of the provisions of the Dangerous Drugs Act, 1934, and all other powers in thereunto enabling, I, the Governor of the State of South Australia, with the advice and consent of the Executive Council, hereby make the following regulation.

C. W. M. NORRIE, Governor.

*Regulation Under the Dangerous Drugs Act, 1934.*

The regulations made pursuant to the Dangerous Drugs Act, 1934, and published in the *Government Gazette* of the 23rd September, 1937, at page 797 thereof, as varied from time to time, are further varied by adding after regulation 14 the following regulation:—

“14A. (1) A person licensed by the Director-General of Civil Aviation to engage in regular public transport services is hereby authorized to be in possession of drugs and preparations for installation in aircraft so far as is necessary for the purpose of complying with the requirements of any regulation or order made in pursuance of the Commonwealth Air Navigation Act, 1920-1947, subject to the following conditions:—

- (a) The drugs shall be stored in a sealed first-aid kit in the aircraft.
  - (b) The drugs shall be used only for emergency purposes.
  - (c) The drugs installed in an aircraft shall not exceed the quantity required to be provided in the scale of emergency equipment prescribed under the regulations made in pursuance of the Commonwealth Air Navigation Act, 1920-1947, or any order issued thereunder.
- (2) (a) The first-aid kits in which the drugs are stored shall be inspected by a medical officer or some other responsible person appointed for the purpose periodically and, when practicable, as soon as possible after a kit has been used in an emergency.
- (b) A person authorized under this regulation to be in possession of dangerous drugs for installation in aircraft shall make provision for a medical practitioner or approved person to enter or cause to be entered in a register solely kept for that purpose a record of—
- (i.) All supplies of the drugs purchased or otherwise obtained by him.
  - (ii.) All quantities of the drugs supplied by him together with the designation number or letters of the aircraft in which the drugs are to be stored.
  - (iii.) The date on and the place in which the drugs were used for emergency purposes on any particular aircraft, and the quantity so used.

(3) The holder of a licence under these regulations or other authorized person may supply drugs pursuant to paragraph (1) of this regulation on the written order of a medical practitioner appointed by the person authorized to be in possession of such drugs or, if a medical practitioner has not been so appointed, on the presentation of the written order of such person endorsed by the Superintendent of Aviation Medicine, Department of Civil Aviation.

(4) The captain of an overseas aircraft engaged in public transport services which is in the State of South Australia is hereby authorized to purchase and be in possession of such quantity of drugs and preparations as may be certified in writing by the Superintendent of Aviation Medicine, Department of Civil Aviation, to be necessary for the equipment of the aircraft. The holder of a licence or other authorized person may supply any drugs in accordance with such certificate.

(5) A person who supplies a drug or preparation in accordance with a certificate or order given under this regulation shall cancel such certificate or order and retain it on a special file for a period of not less than two years."

And the Honourable the Chief Secretary is to give the necessary directions herein accordingly.

C.B.H., 103/1948.

F. G. BYRNE, Clerk of the Council.