



UNITED NATIONS

E/NL.1998/3
22 April 1998

ENGLISH ONLY*

LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF
THE INTERNATIONAL TREATIES ON NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

*In accordance with the relevant articles of the international treaties on narcotic drugs and psychotropic substances,
the Secretary-General has the honour to communicate the following legislative text.*

JAMAICA

Communicated by the Government of Jamaica

NOTE BY THE SECRETARIAT

- (a) Some editing of texts may be done by the Secretariat in the interest of clarity. In this connection, words in square brackets [] have been added or changed by the Secretariat.
- (b) Only passages directly relevant to the control of narcotic drugs or psychotropic substances have been reproduced in this document. Non-relevant parts of laws and regulations have been deleted by the Secretariat; such deletions are indicated by [...].

DANGEROUS DRUGS (AMENDMENT) ACT, 1994

*Note by the Secretariat: This document is a direct reproduction of the text communicated to the Secretariat by the Government of Jamaica.

JAMAICA

No. 30—1994

I assent,

[L.S.]

H. F. COOKE,
Governor-General

15th day of December, 1994.

AN ACT to Amend the Dangerous Drugs Act.

[16th December, 1994]

BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:—

1. This Act may be cited as the Dangerous Drugs (Amendment) Act, 1994, and shall be read and construed as one with the Dangerous Drugs Act¹ (hereinafter referred to as the principal Act) and all amendments thereto.

Short title
and con-
struction.

2. Section 5 of the principal Act is amended—

(a) by renumbering the section as subsection (1) of section 5; and

Amendment
of section
5 of princi-
pal Act.

¹ E/NL.1973/56

[No. 30] *The Dangerous Drugs (Amendment) Act, 1994*

- (b) by inserting next after subsection (1) as renumbered the following as subsection (2)—

“ (2) Every person who contravenes subsection (1) shall be liable—

- (a) on conviction before a Circuit Court to a fine or to imprisonment for a term not exceeding thirty-five years or to both such fine and imprisonment;
- (b) on summary conviction before a Resident Magistrate to a fine not exceeding five hundred thousand dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.”.

Amendment
of section
7A of principal
Act.

3. Subsection (1) of section 7A of the principal Act is amended—

- (a) by deleting from paragraph (a) the word “twenty-five” and substituting therefor the word “thirty-five”;
- (b) by deleting from paragraph (b) the words “fifty thousand” and substituting therefor the words “five hundred thousand”.

Amendment
of section
7B of principal
Act.

4. Section 7B of the principal Act is amended—

- (a) by deleting from paragraph (d) the word “twenty-five” and substituting therefor the word “thirty-five”; and
- (b) by deleting from paragraph (e) the words “fifty-thousand” and substituting therefor the words “five hundred thousand”.

The Dangerous Drugs (Amendment) Act, 1994 [No. 30]

5. The principal Act is amended by inserting immediately after section 8 the following as sections 8A and 8B—

Insertion of
new sections
8A and 8B in
principal
Act.

"Cultivat-
ing, sell-
ing or deal-
ing in or
transport-
ing co-
caine, etc.

8A.—(1) Every person who, save as authorized by a licence or under regulations made under this Act—

- (a) sells or distributes any drug to which this Part applies; or
- (b) being the owner or occupier of any premises uses such premises for the manufacture, sale or distribution of any such drug or knowingly permits such premises to be so used; or
- (c) uses any conveyance for carrying any such drug or for the purpose of the sale or distribution of such drug or, being the owner or person in charge of any conveyance, knowingly permits it to be so used, shall be guilty of an offence.

(2) Every person who contravenes subsection (1) shall be liable—

- (a) on conviction before a Circuit Court to a fine or to imprisonment for a term not exceeding thirty-five years or to both such fine and imprisonment;
- (b) on summary conviction before a Resident Magistrate to a fine not exceeding five hundred thousand dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

[No. 30] *The Dangerous Drugs (Amendment) Act, 1994*

Possession
of cocaine,
etc.

8B.—(1) A person shall not, save as authorized by a licence, or under any regulations made under this Act, be in possession of any drug to which this Part applies.

(2) Every person who contravenes this section shall be guilty of an offence and shall be liable—

- (a) on conviction before a Circuit Court to a fine or to imprisonment for a term not exceeding thirty-five years or to both such fine and imprisonment;
- (b) on summary conviction before a Resident Magistrate to a fine not exceeding five hundred thousand dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.”.

Amendment
of section
22 of principal
Act.

6. Section 22 of the principal Act is amended—

(a) in subsection (2)—

- (i) by deleting from paragraph (a) the word “twenty-five” and substituting therefor the word “thirty-five”;
- (ii) by deleting from paragraph (b) the words “fifty thousand” and “three” and substituting therefor the words “five hundred thousand” and “five”, respectively;

(b) in subsection (3)—

- (i) by deleting from paragraph (a) the word “fifteen” and substituting therefor the word “thirty-five”;

The Dangerous Drugs (Amendment) Act, 1994 [No. 30]

- (ii) by deleting from paragraph (b) the words “fifty thousand” and “three” and substituting therefor the words “five hundred thousand” and “five”, respectively;
- (c) in subsection (4)—
- (i) by deleting from paragraph (a) the word “fifteen” and substituting therefor the word “thirty-five”;
 - (ii) by deleting from paragraph (b) the words “fifty thousand” and “three” and substituting therefor the words “five hundred thousand” and “five”, respectively.