

UNITED NATIONS

NATIONS UNIES

41

MASTER FILE

LAWS AND REGULATIONS

COMMUNICATED IN COMPLIANCE WITH THE TERMS OF THE

CONVENTION FOR LIMITING THE MANUFACTURE
AND REGULATING THE DISTRIBUTION
OF NARCOTIC DRUGS OF 13 JULY 1931

AS AMENDED BY THE PROTOCOL OF 11 DECEMBER 1946



COMMONWEALTH OF AUSTRALIA

1948

E/NL.1948/77
28 February 1949

Note by the Secretary-General

In accordance with Article 21 of the Convention of 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 forward to the Members of the United Nations and to the other parties to the Convention the following text communicated by the Government of the Commonwealth of Australia.

THE COMMONWEALTH OF AUSTRALIA
CUSTOMS (PROHIBITED EXPORTS) REGULATIONS¹

| | |
|--|---|
| Citation. | 1. These Regulations may be cited as the Customs (Prohibited Exports) Regulations. |
| Commencement. | 2. These Regulations shall come into operation on the twenty-fifth day of January, 1935. |
| Interpretation. | 3. In these Regulations, any reference to a Schedule shall be read as a reference to a Schedule to these Regulations. |
| Export of arms, &c, prohibited except with consent of the Minister. | 4. The exportation of the arms, explosives, military stores, and naval stores specified in the First Schedule* shall be prohibited, unless the consent in writing of the Minister to the exportation of the goods has first been obtained. |
| Export of certain goods prohibited. | 5. The exportation of the goods specified in the Second Schedule* shall be prohibited. |
| Export of certain goods permitted subject to conditions. | 6. The exportation of the goods specified in the Third Schedule* shall be prohibited, unless the conditions and restrictions respectively specified in that Schedule opposite to the name or description of those goods are complied with. |
| Export of certain goods prohibited except with the consent of the Minister. | 7. The exportation of the goods specified in the Fourth and Fifth Schedules* shall be prohibited, unless the consent in writing of the Minister to the exportation of the goods has first been obtained. |
| Export to certain countries prohibited, except with the consent of the Minister. | 8. The exportation of the goods specified in the Sixth Schedule* to the places respectively specified in that Schedule opposite to the name or description of those goods shall be prohibited, unless the consent in writing of the Minister to the exportation of the goods has first been obtained. |

¹These Regulations comprise the following Statutory Rules:-

| Acts under which Regulation made. | Year and Number of Statutory Rules | Date on which Regulations made | Date on which Regulations notified in the Gazette |
|-----------------------------------|------------------------------------|--------------------------------|---|
| <i>Customs Act 1901-1934</i> | 1935, No. 2 | 15th January, 1935 .. | 17th January, 1935 |
| | 4 | 23rd January, 1935 .. | 25th January, 1935 |
| | 1935, No. 103 | 23rd October, 1935 .. | 24th October, 1935 |
| | 115 | 15th November, 1935 .. | 15th November, 1935 |
| <i>Customs Act 1901-1935</i> | 1936, No. 27 | 4th March, 1936 .. | 5th March 1936 |
| | 87 | 24th June, 1936 .. | 25th June, 1936 |
| | 103 | 29th July, 1936 .. | 30th July, 1936 |
| | 141 | 7th October, 1936 .. | 8th October, 1936 |
| | 1937, No. 73 | 23rd June, 1937 .. | 24th June 1937 |
| | 1938, No. 61 | 22nd June, 1938 .. | 23rd June, 1938 |
| | 65 | 27th June, 1938 .. | 30th June, 1938 |
| | 86 | 24th August, 1938 .. | 25th August, 1938 |
| | 1939, No. 170 | 6th December, 1939 .. | 14th December, 1939 |
| | 1940, No. 30 | 14th February, 1940 .. | 15th February, 1940 |
| | 1941, No. 136 | 18th June, 1941 .. | 19th June, 1941 |
| | 1942, No. 479 | 29th October, 1942 .. | 29th October, 1942 |
| | 1945, No. 87 | 5th June, 1945 .. | 7th June, 1945 |
| | 149 | 19th September, 1945 .. | 19th September, 1945 |
| <i>Customs Act 1901-1936</i> | 1946, No. 10 | 11th January, 1946 .. | 17th January, 1946 |
| | 53 | 13th March, 1946 .. | 21st March, 1946 |
| | 90 | 22nd May, 1946 .. | 23rd May, 1946 |
| | 106 | 26th June, 1946 .. | 27th June, 1946 |
| | 126 | 31st July, 1946 .. | 1st August, 1946 |
| | 138 | 21st August, 1946 .. | 22nd August, 1946 |
| | 166 | 20th November, 1946 .. | 21st November, 1946 |
| | 178 | 11th December, 1946 .. | 12th December, 1946 |
| | 179 | 11th December, 1946 .. | 12th December, 1946 |
| | 1947, No. 11 | 22nd January, 1946 .. | 24th January, 1947 |
| | 35 | 5th March, 1947 .. | 14th March, 1947 |
| | 54 | 7th May, 1947 .. | 8th May, 1947 |
| | 80 | 25th June, 1947 .. | 26th June, 1947 |
| | 82 | 25th June, 1947 .. | 26th June, 1947 |
| | 95 | 23rd July, 1947 .. | 29th July, 1947 |
| | 105 | 4th August, 1947 .. | 4th August, 1947 |
| | 116 | 20th August, 1947 .. | 22nd August, 1947 |
| 138 | 24th September, 1947 .. | 26th September, 1947 | |
| 153 | 22nd October, 1947 .. | 24th October, 1947 | |

Note by Secretariat

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

Export to certain places prohibited except subject to conditions

Added by 1942, No. 479.**

9. The exportation of the goods specified in the Seventh Schedule* to the place specified in that Schedule opposite to the name or description of those goods shall be prohibited, unless the conditions and restrictions respectively specified in that Schedule opposite to the name or description of those goods are complied with.

THE FOURTH SCHEDULE

GOODS THE EXPORTATION OF WHICH IS PROHIBITED UNLESS THE CONSENT OF THE MINISTER HAS FIRST BEEN OBTAINED

Amended by
 1935, No. 4;
 1936, Nos. 87, 103;
 1937, No. 79;
 1938, No. 86;
 1940, No. 30;
 1945, Nos. 87, 149;
 1946, Nos. 10, 53, 90, 166;
 1947, Nos. 11, 80, 82, 105.

| Item No. | Kind or Description of Goods |
|----------|--|
| 1 | |
| 1A | |
| 3 | |
| 5 | |
| 5A | |
| 5B | |
| 6 | <p>Drugs, as specified hereunder, viz.:</p> <p>(a) Raw opium; ("Raw opium" includes powdered or granulated opium, but does not include medicinal opium)</p> <p>(b) Medicinal opium; ("Medicinal opium" means raw opium which has undergone the processes necessary to adapt it for medicinal use in accordance with the requirements of the British Pharmacopoeia, whether it is in the form of powder or is granulated or is in any other form, and whether it is or is not mixed with neutral substances)</p> <p>(c) Morphine and its salts;</p> <p>(d) Esters of morphine, viz: (i) diacetylmorphine, its salts, and preparations containing diacetylmorphine or its salts (ii) other esters of morphine and their salts;</p> <p>(e) Dihydrooxycodone; dihydrocodeinone; dihydromorphinone; acetyldihydrocodeinone; dihydromorphine; their esters and the salts of any of these substances and of their esters;</p> <p>(f) Morphine-N-oxide (commonly known as genomorphine); the morphine-N-oxide derivatives, and any other pentavalent nitrogen morphine derivatives;</p> <p>(g) Ethers of morphine, viz: (i) methylmorphine and ethylmorphine and their salts; (ii) other ethers of morphine (including benzylmorphine) and their salts;</p> <p>(h) Crude cocaine; ("Crude cocaine" means any crude extract of the coca leaf which contains cocaine)</p> <p>(i) Cocaine and its salts;</p> <p>(j) Ecgonine and its salts; the esters of ecgonine and their salts; ("Ecgonine" means laevo-ecgonine and all the derivatives of laevo-ecgonine which might serve industrially for its recovery)</p> |

Note by Secretariat

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

*Regulation 1 of Statutory Rules 1942, No. 479, is as follows:

1. "These Regulations shall come into operation on the first day of December 1942."

THE FOURTH SCHEDULE

continued

| Item No. | Kind or Description of Goods |
|----------|---|
| 6 | <p>(k) Thebaine and its salts;</p> <p>(l) Coca leaves; ("Coca leaves" means the leaves of any plant of the genus of the <i>erythroxylaceae</i> from which cocaine can be extracted either directly or by chemical transformation)</p> <p>(m) Indian hemp; ("Indian hemp" means the dried flowering or fruiting tops of the pistillate plant (known as <i>Cannabis Sativa</i>) from which the resin has not been extracted, by whatever name such tops are called.</p> <p>(n) Galenical preparations (extract and tincture) of Indian hemp;</p> <p>(o) Resin obtained from Indian hemp and ordinary preparations of which such resin forms the base (such as hashish, esrar, chiras, djamba);</p> <p>(p) any solution or dilution of morphine or cocaine or their salts in an inert substance whether liquid or solid, containing any proportion of morphine or cocaine;</p> <p>(q) all preparations containing more than 0.2 per centum of morphine or more than 0.1 per centum of cocaine;</p> <p>(r) any preparation containing any proportion of any of the substances referred to in sub-paragraph (ii) of paragraph (d) and paragraphs (e), (f), (g), (j) and (k) of this item.</p> <p>(s) any other derivative of morphine or cocaine or of any salts of morphine or cocaine, or any other alkaloid of opium or any other drug of whatever kind which, in the opinion of the Minister, is or is likely to be productive, if improperly used, or is capable of being converted into a substance which is or is likely to be productive, if improperly used, of ill effects substantially of the same character or nature as or analogous to those produced by morphine or cocaine.</p> |