

(Enregistré sur les Records le 7 mars 1931).

AT THE COURT AT BUCKINGHAM PALACE,

The 12th day of February, 1931.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

EARL OF DESART

SIR DINSHAH MULLA

MR. SECRETARY HENDERSON

MR. KENNEDY

SIR CHARLES TREVELYAN

MR. MORRISON.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 5th day of February, 1931, in the words following, viz. :—

Loi ayant
rapport à
l'Importation
l'Exportation, la
Manufacture,
la Vente et

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l'Emploi
d'Opium et
d'autres
Drogues
Dangereuses
dans les Iles
du Bailliage.

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—“(1) That in order to provide that the legislation respecting Dangerous Drugs at present in force in this Bailiwick should be rendered similar to that in force in England and that all the Islands of the Bailiwick should be included in the same law, the Royal Court on the 6th day of September, 1930, adopted a Bill or *Projet de Loi*, prepared by the Law Officers of the Crown, intituled ‘*Loi ayant rapport à l'Importation, l'Exportation, la Manufacture, la Vente et l'Emploi d'Opium et d'autres Drogues Dangereuses dans les Iles du Bailliage*’, and requested the Bailiff to submit the same to the States of Deliberation for their approval. (2) That on the 29th day of October, 1930, the said Bill or *Projet de Loi* was duly considered by the States, when a resolution was passed approving the same with slight modifications and authorising the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. (3) That on the 18th day of December, 1930, the said Bill or *Projet de Loi* was also considered by the States of Alderney when a resolution was passed approving the same. (4) That the said Bill or *Projet de Loi* is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or *Projet de Loi* of the States of Guernsey intituled ‘*Loi ayant rapport à l'Importation, l'Exportation, la Manufacture, la Vente et l'Emploi d'Opium et d'autres Drogues Dangereuses dans les Iles du Bailliage*’, and to order and direct that the same shall have the force of Law within the Bailiwick of the Island of Guernsey.”

“THE LORDS OF THE COMMITTEE, in obedi-

ence to Your Majesty's said Order of Reference have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Bailiwick of the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI AYANT RAPPORT À L'IMPORTATION,
L'EXPORTATION, LA MANUFACTURE, LA
VENTE ET L'EMPLOI D'OPIUM ET
D'AUTRES DROGUES DANGEREUSES
DANS LES ILES DU BAILLIAGE.

DÉFINITIONS.

Les mots " Conseil " et " The Board " signifient

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le Conseil Administratif des Etats de l'Ile de Guernesey.

Les drogues auxquelles référence est faite dans cette Loi sont celles contenues dans la Cédule A annexée à cette Loi.

Les mots " l'opium préparé ", " l'opium non préparé ", " la feuille de coca ", " le chanvre indien " et " l'ecgonine " auront respectivement la signification qui leur est donnée dans la Cédule B annexée à cette Loi.

L'OPIUM NON PRÉPARÉ, DE LA FEUILLE DE COCA ET DU CHANVRE INDIEN.

ARTICLE I.

Il est défendu d'importer ou d'apporter dans les Iles du Bailliage de l'opium non préparé, de la feuille de coca, et du chanvre indien

- (a) d'aucun pays à l'exception en ce qui concerne l'Ile de Guernesey de la Grande Bretagne et en ce qui concerne les autres Iles du Bailliage, de la dite Ile de Guernesey ;
- (b) de la Grande Bretagne ou de la dite Ile de Guernesey sans que les formalités y référant ci-après prescrites soient observées.

ARTICLE II.

Il est défendu d'exporter de l'opium non préparé, de la feuille de coca et du chanvre indien d'aucune des Iles du Bailliage excepté de l'Ile de Guernesey aux autres Iles du Bailliage et ce seulement en conformité avec les formalités y référant ci-après prescrites.

ARTICLE III.

Afin de régler et restreindre la production, la possession, la vente et la distribution de l'opium non préparé, de la feuille de coca et du chanvre indien et particulièrement afin d'en prohiber la production,

la possession, la vente ou la distribution excepté par des personnes dûment licenciées ou autrement autorisées à l'effet, les règlements contenus dans la Cédule C annexée à cette Loi seront en force.

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ARTICLE IV.

L'Opium Préparé.

(1) Il est défendu d'importer ou d'apporter dans les Iles du Bailliage ou d'exporter des dites Iles de l'opium préparé.

(2) Toute personne qui

(a) manufacture, vend ou autrement trafique en opium préparé, ou

(b) a en sa possession de l'opium préparé, ou

(c) étant l'occupant de prémisses permet telles prémisses d'être employées pour la préparation de l'opium à fumer ou pour la vente de l'opium préparé ou comme lieu pour fumer de l'opium préparé, ou

(d) est intéressé dans la conduite de prémisses employées à un des objets mentionnés au dernier alinéa, ou

(e) a en sa possession des pipes ou autres ustensiles pour servir à fumer de l'opium ou des ustensiles employés pour la préparation de l'opium à fumer, ou

(f) fume ou autrement se sert de l'opium préparé ou fréquente un lieu ou on fume de l'opium, sera coupable d'une offense et sera passible des peines portées à l'article VII de cette Loi.

ARTICLE V.

Des Drogues.

(1) Il est défendu d'importer ou d'apporter des drogues dans les Iles du Bailliage :—

(a) d'aucun pays excepté en ce qui concerne l'Ile de Guernesey, de la Grande Bretagne, et en

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ce qui concerne les autres Iles du Bailliage, de la dite Ile de Guernesey ;

(b) de la Grande Bretagne ou de la dite Ile de Guernesey sans que les formalités ci-après prescrites soient observées.

(2) Il est défendu d'exporter des drogues d'aucune des Iles du Bailliage excepté de l'Ile de Guernesey aux autres Iles du Bailliage et ce seulement en conformité avec les formalités ci-après prescrites.

(3) Afin d'empêcher l'usage impropre des drogues, les règlements quant à la manufacture, à la vente, à la possession, et à la distribution des dites drogues contenus dans la Cédule D annexée à cette Loi seront en force.

(4) Rien dans les règlements contenus dans la Cédule D ne sera censé autoriser la vente en détail de poison que par des personnes qui sont dûment autorisées à cet effet à le faire d'après les Ordonnances qui sont ou qui seront de temps à autre en force dans les dites Iles du Bailliage, et ne dérogent les dits règlements aux droits accordés aux Chimistes et Pharmaciens de débiter des poisons en vertu des dites Ordonnances mais tels Chimistes et Pharmaciens seront en outre tenus d'observer les conditions imposées par cette Loi et par les règlements contenus dans les dites Cédules.

RÈGLEMENTS GÉNÉRAUX.

ARTICLE VI.

Inspection
des livres,
fonds, etc., de
fabricants,
vendeurs,
etc., de
l'opium ou de
drogues
dangereuses.

(1) L'Inspecteur de la Police Salariée de l'Ile de Guernesey ou un membre de la dite Police Salariée agissant sous les ordres de tel Inspecteur dans les Iles de Guernesey, Serk, Herm et de Jethou, et les Connétables de l'Ile d'Auregny ou l'Assistant de Connétable, lors autorisé par Monsieur le Juge de la dite Ile, pourront entrer dans les prémisses d'un individu qui manufacture, vend ou distribue des drogues, de l'opium non préparé, de la feuille de coca et

du chanvre indien et pourront exiger la production de ses livres et autres documents y ayant rapport et pourront inspecter ses livres, documents et son fonds. 1951

(2) Si Monsieur le Baillif ou en son absence le Lieutenant-Baillif en ce qui regarde les Iles de Guernesey, Serk, Herm et de Jethou, ou Monsieur le Juge de la dite Ile d'Auregny en ce qui regarde la dite Ile d'Auregny, est satisfait par dénonciation par serment, qu'il y a lieu de soupçonner que des drogues auxquelles cette Loi s'applique, sont contrairement aux dispositions de cette Loi en la possession ou sous le contrôle d'une personne quelconque et dans des prémisses quelconques, ou qu'un document quelconque ayant rapport directement ou indirectement à une opération existante ou à une opération projetée laquelle est ou serait si elle était exécutée, une offense contre les dispositions de cette Loi ou laquelle dans le cas d'une opération exécutée ou destinée à être exécutée dans un lieu hors de ce Bailliage était ou serait une offense contre une Loi ou Ordonnance semblable en force dans tel lieu, est en la possession ou sous le contrôle d'une personne quelconque et dans des prémisses quelconques le dit Baillif ou Lieutenant-Baillif dans les Iles de Guernesey, Serk, Herm et de Jethou ou le dit Juge dans l'Ile d'Auregny selon le cas pourra octroyer un mandat de perquisition autorisant un membre quelconque de la dite Police Salarlée dans l'Ile de Guernesey ou un des Connétables ou l'Assistant de Connétable dans la dite Ile d'Auregny selon le cas nommé dans le dit mandat, dans tout temps pourvu que ce soit dans un mois de la date du dit mandat, d'entrer dans les prémisses mentionnées dans le dit mandat et d'user de force s'il est nécessaire et de fouiller les dites prémisses et toute personne trouvée sur les dites prémisses et s'il y a cause raisonnable de soupçonner qu'une offense contre les dispositions de cette Loi a été commise à l'égard de telles drogues quelconques qui pourront être trouvées sur les prémisses ou en la possession d'une telle per-

Octroi d'un mandat autorisant la visite, etc., de prémisses soupçonnées.

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sonne, ou qu'un document quelconque trouvé sur les dites prémisses est un document tel que visé par le présent article de saisir et détenir telles drogues ou tel document selon le cas.

Peines pour
empêchement
à la visite de
prémisses
sous mandat.

(3) Toute personne qui mettra empêchement à la visite de l'Inspecteur, membre de la Police Salariée, Connétable ou Assistant de Connétable selon le cas ou qui refusera de produire ou qui cachera ou essayera de cacher des drogues, des livres ou autres documents en sa possession ayant rapport aux drogues, sera passible des peines portées à l'article VII de cette Loi.

ARTICLE VII.

Pénalités
pour offenses
contre les
dispositions
de cette Loi.

- (1) Celui
- (a) qui agit en contravention à cette Loi ou qui néglige de porter à exécution ou qui enfreint les règlements contenus dans les Cédules de cette Loi, ou
 - (b) qui contrevient ou qui néglige de porter à exécution les conditions contenues dans sa licence ou son autorisation octroyée en vertu de cette Loi, ou
 - (c) qui dans le but d'obtenir, soit pour lui-même, soit pour autrui, l'octroi ou le renouvellement d'une telle licence ou autorisation, fait une déclaration qui est fausse dans aucun détail, ou qui sciemment émet, produit ou se sert d'une telle déclaration ou d'un document quelconque contenant telle déclaration, ou
 - (d) qui dans aucune des Iles de ce Bailliage assiste, encourage ou procure la commission dans un lieu quelconque en dehors de telle Ile d'une offense punissable sous les dispositions d'une Loi ou d'une Ordonnance semblable en force dans tel lieu, ou qui commet un acte préparatif à un acte ou pour l'avancement d'un acte lequel s'il était commis dans ce Bailliage

serait une offense contre les dispositions de
cette Loi, 1931
sera coupable d'une offense et sera passible pour
chaque offense

- (i) lors trouvé coupable sous acte d'accusation, d'une amende n'excédant pas mille livres sterling ou de la servitude pénale pendant une période n'excédant pas dix ans ou d'un emprisonnement n'excédant pas deux ans avec ou sans travail forcé ou de telle amende et de telle servitude pénale ou emprisonnement à la fois, ou
- (ii) lors trouvé coupable en Cour de Police Correctionnelle d'une amende n'excédant pas deux cent cinquante livres sterling ou d'un emprisonnement avec ou sans travail forcé pendant une période n'excédant pas douze mois ou de telle amende et tel emprisonnement à la fois.

Et pourront les objets à l'égard desquels l'offense fut commise être confisqués et détruits par ordre et à la discrétion de la Cour : pourvu toutefois qu'un contrevenant à cette Loi lors trouvé coupable d'avoir enfreint ou d'avoir manqué à remplir un règlement quelconque passé en vertu de cette Loi quant à la garde de livres ou à l'émission ou la préparation d'ordonnances contenant des drogues auxquelles cette Loi s'applique, ne sera pas condamné à être emprisonné sans avoir l'option de payer une amende ni condamné à payer une amende excédant cinquante livres sterling si la Cour est satisfaite que l'offense fut commise par inadvertence et non dans le cours de ou en rapport avec la commission d'une offense contre les dispositions de cette Loi.

(2) Celui qui essaye de commettre une offense contre les dispositions de cette Loi ou qui sollicite ou incite une autre personne à commettre telle offense, sera passible aux mêmes peines comme s'il avait commis l'offense.

(3) Lorsque la personne trouvée coupable d'une offense est une Société anonyme le Président (anglicé

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“Chairman”), tout administrateur ou officier engagé dans l'administration de la Société anonyme sera tenu pour coupable de l'offense à moins qu'il ne prouve que l'acte qui constitue l'offense eut lieu sans sa connaissance ou son consentement.

ARTICLE VIII.

Preuve.

Dans les poursuites pour infraction de cette Loi, la partie publique ne sera pas obligée de prouver que l'accusé n'avait pas de licence ou autorisation mais l'obligation de prouver le contraire incombera à l'accusé.

ARTICLE IX.

Procédure
par rapport
aux avertisse-
ments, etc.,
sur
l'importation
de l'opium
non-préparé,
de drogues,
etc., dans
l'Ile de
Guernesey

(1) Tous Médecins, Chimistes, Pharmaciens, Dentistes et Chirurgiens Vétérinaires autorisés par la Cour Royale à exercer leurs professions respectives dans la dite Ile de Guernesey qui se proposent d'importer ou d'apporter de l'opium non préparé, de la feuille de coca, du chanvre indien ou des drogues dans la dite Ile, avertiront le Conseil par écrit, lors de chaque commande, de la quantité et de la nature de l'opium non préparé, de la feuille de coca, du chanvre indien ou des drogues commandées ainsi que du nom et de l'adresse du consignateur.

La copie de l'autorisation d'exportation de l'opium non préparé de la feuille de coca, du chanvre indien ou des drogues qui est expédiée au Lieutenant-Gouverneur par le Secrétaire d'Etat sera transmis par le Lieutenant-Gouverneur au Conseil. L'importateur, au reçu des marchandises, immédiatement avertira le Conseil par écrit de la nature et de la quantité actuelle de drogues par lui reçue et le Conseil de la même manière endossera la copie de la dite autorisation et la rendra au Lieutenant-Gouverneur qui la transmettra au Secrétaire d'Etat.

et dans les
autres îles du
Bailliage.

(2) Tous Médecins, Chimistes, Pharmaciens, Dentistes et Chirurgiens Vétérinaires dans les Iles de

Serk, Herm et de Jethou, et tous Médecins, Chimistes, Pharmaciens, Dentistes et Chirurgiens Vétérinaires dans l'Île d'Auregny dûment autorisés à exercer leurs professions respectives, qui désirent importer de l'opium non préparé, de la feuille de coca, du chanvre indien ou des drogues dans une des dites Îles respectives enverront une copie de la commande au Lieutenant-Gouverneur laquelle contiendra la quantité, la nature de l'opium non préparé, de la feuille de coca, du chanvre indien ou des drogues et le nom et l'adresse du consignateur.

Le consignateur, avant d'exécuter la commande sera tenu d'obtenir une licence d'exportation du Lieutenant-Gouverneur, copie de laquelle licence sera transmise par le Lieutenant-Gouverneur à l'importateur qui, lorsque l'importation a été effectuée, l'endossera à cet effet et la rendra au Lieutenant-Gouverneur.

(3) Dans le cas où une importation n'a pas été effectuée dans le délai fixé par l'autorisation le Conseil en fera enquête et rapport au Lieutenant-Gouverneur.

ARTICLE X.

Il sera nommé par la Cour Royale un Inspecteur de drogues pour les Îles du Bailliage lequel est autorisé à entrer en tout temps dans les prémisses d'un individu qui importe, exporte, manufacture, vend ou distribue de l'opium non préparé, de la feuille de coca, du chanvre indien ou des drogues et à exiger la production de ses livres et autres documents y ayant rapport et à inspecter tant les dits livres et documents que son fonds y ayant rapport. Toute personne qui mettra empêchement à la visite de l'Inspecteur ou qui refusera de produire ou qui cachera ou essayera de cacher ses livres, documents ou fonds sera coupable d'une offense et sera passible des peines portées à l'article VII de cette Loi.

Pouvoirs de
l'Inspecteur
de Drogues.

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Modification
par
Ordonnance
des
Dispositions
de cette Loi.

ARTICLE XI.

Lorsque Sa Majesté par Ordre en Conseil aura déclaré que les dispositions du Titre III de l'Acte du Parlement dit " The Dangerous Drugs Act, 1920 " amendé par l'Acte du Parlement dit " The Dangerous Drugs Act, 1925 "

- (a) cesseront de s'appliquer à une préparation quelconque contenant aucune des drogues auxquelles les dits Actes du Parlement s'appliquent, ou
- (b) doivent s'étendre à une préparation contenant une drogue ou dérivatif d'une drogue autre que les drogues ou préparations de drogues visées par le dit Titre du dit Acte ainsi amendé afin de s'y appliquer de même manière qu'elles s'appliquent aux drogues et préparations de drogues y mentionnées,

la Cour Royale pourra par Ordonnance modifier les dispositions de cette Loi afin soit de faire cesser leur application soit d'étendre leur application par rapport à une drogue ou préparation contenant une drogue dans l'intention de tel Ordre de Sa Majesté en Conseil et ce à partir de la date de l'enregistrement de tel Ordre sur les Records de cette Ile.

ARTICLE XII.

Opium non-
préparé, etc.,
en transit.

Dans le cas qu'un envoi d'opium non préparé, de la feuille de coca, du chanvre indien ou de l'une quelconque des drogues ou préparations d'icelles dont l'exportation d'un pays hors de ce Bailliage à une destination hors de ce Bailliage est autorisée par la loi de tel pays, soit apporté dans ce Bailliage, il est défendu à toute personne sans licence du Lieutenant-Gouverneur de détourner, faire détourner ou procurer le détournement de tel envoi à une destination autre que la destination à laquelle il fut consigné d'origine. La destination à laquelle l'envoi fut consigné d'origine sera censée être la destination

portée dans la licence, le permis ou autre autorisation pour l'exportation de tel envoi du pays d'exportation. 1931

ARTICLE XIII.

La Cour Royale est autorisée à passer toutes et telles Ordonnances qu'elle jugera nécessaires pour la mise à exécution de la présente Loi. Pouvoirs de la Cour Royale de passer Ordonnances.

ARTICLE XIV.

Les amendes seront applicables moitié à Sa Majesté et moitié au délateur. Applications des amendes.

ARTICLE XV.

Sont et demeurent rappelées la Loi ayant rapport à l'importation, l'exportation, la manufacture, la vente et l'emploi d'opium et autres drogues dangereuses sanctionnée par Ordre de Sa Majesté en Conseil en date du 16 avril 1924 enregistré sur les Records de cette Ile le 14 juin 1924 et la Loi au même sujet sanctionnée par Ordre de Sa Majesté en Conseil en date du 22 mars 1927 enregistré sur les Records de cette Ile de 9 avril 1927. Rappels.

ARTICLE XVI.

Et viendra cette Loi en force à compter de la date de l'enregistrement sur les Records de cette Ile de l'Ordre de Sa Majesté en Conseil la sanctionnant.

CÉDULE A.

- (1) Medicinal opium ;
- (2) Morphine, diacetylmorphine (commonly known as diamorphine or heroin), any other ester of morphine, and their respective salts ;
- (3) Di-hydro-morphinone and its salts ;
- (4) Cocaine (including synthetic cocaine), ecgonine, and their respective salts ;

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(5) Dihydro-oxycodone, dihydrocodeinone, and their respective salts ;

(6) any extract or tincture of Indian hemp ; and

(7) any preparation, admixture, extract or other substance containing any proportion of diacetylmorphine or of any other ester of morphine, dihydro-morphinone, dihydro-oxycodone, dihydro-codeinone or their respective salts or containing not less than one-fifth per cent. of morphine or one-tenth per cent. of cocaine or eugonine.

For the purpose of this Schedule the percentage in the case of morphine shall be calculated as in respect of anhydrous morphine.

CÉDULE B.

The words "l'opium non préparé" or "raw opium" include powdered or granulated opium, but not medicinal opium.

The words "l'opium préparé" or "prepared opium" mean opium prepared for smoking, and include dross and any other residues remaining after opium has been smoked.

"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 it is in the form of powder or is granulated or is in any other form or whether it is or is not mixed with neutral substances.

"Feuille de coca" (coca leaf) means the leaf of the *Erythroxylon Coca Lamarck* and the *Erythroxylon nonogranatense* (Morris) Hieronymus and their varieties, belonging to the family of *Erythroxylacae* and the leaf of other species of the genus from which it may be found possible to extract cocaine either directly or by chemical transformation.

"Le Chanvre Indien" (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, and also resins obtained from Indian Hemp and all preparations of which such resins form the base.

“L'Ecgonine” (ecgonine) means laevo-ecgonine and includes any derivative of ecgonine from which it may be recovered industrially.

CÉDULE C.

Regulations referred to under Article III of this Law. Sale and Distribution.

1.—No person shall supply or procure or offer to supply or procure raw opium, coca leaves or Indian hemp to or for any person whether in the Islands of the Bailiwick or elsewhere or shall advertise raw opium, coca leaves or Indian hemp for sale

(a) unless in the Island of Guernsey he is licensed by the Board and in the other Islands of the Bailiwick by the Lieutenant-Governor, or is authorised by this Law and Regulations to supply raw opium, coca leaves and Indian hemp, or unless he is licensed by the Board or the Lieutenant-Governor as the case may be, to import raw opium, coca leaves and Indian hemp, or (but so far only as regards procuring raw opium, coca leaves and Indian hemp) unless he is licensed by the Board or the Lieutenant-Governor as the case may be, to procure raw opium, coca leaves and Indian hemp; or

(b) otherwise than in accordance with the terms and conditions of such licence or authority.

2.—No person shall supply or procure or offer to supply or procure raw opium, coca leaves or Indian hemp to or for any person who is not licensed or otherwise authorised to be in possession of raw opium, coca leaves or Indian hemp nor to any person so licensed or authorised except in accordance with the terms and conditions of such licence or authority.

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Possession.

3.—No person shall be in possession or attempt to obtain possession of raw opium, coca leaves or Indian hemp unless,

- (a) he is licensed to import them ; or
- (b) he is licensed or otherwise authorised to supply them ; or
- (c) he is otherwise licensed in the Island of Guernsey by the Board and in the other Islands of the Bailiwick by the Lieutenant-Governor or authorised under this Law and regulations to be in possession of them.

Records.

4.—Every person who supplies raw opium, coca leaves or Indian hemp shall comply with the following provisions :—

- (a) he shall enter or cause to be entered in separate registers kept for the sole purpose all supplies of raw opium, coca leaves and Indian hemp purchased or otherwise obtained by him and all dealings in raw opium, coca leaves and Indian hemp effected by him (including sales or supplies to persons in the other Islands of the Bailiwick) in the form and containing the particulars shown in the form attached to this Schedule ;
- (b) he shall make the entry with respect to any raw opium, coca leaves or Indian hemp purchased or otherwise obtained by him on the day on which it is received and with respect to any sale or supply by him of raw opium, coca leaves or Indian hemp on the day on which the transaction is effected, or where that is not reasonably convenient on the day following the day on which the raw opium, coca leaves or Indian hemp is received or the transaction is effected ;

- (c) where he carries on business at more than one set of premises he shall keep separate registers in respect of each set of premises ;
- (d) he shall keep the registers in some part of the premises to which they relate so that they shall at all times be available for inspection in accordance with the provisions of this Law ;
- (e) he shall not cancel, obliterate, or alter any entry in a register or make therein any entry which is untrue in any particular. Any mistake in an entry may be corrected by a marginal note or footnote giving the correct particulars and dated ;
- (f) he shall preserve the registers for not less than two years from the date of the last entry therein.

General Authorisations.

5.—Any duly qualified Medical practitioner authorised to practise in the Islands respectively of the Bailiwick of Guernsey and all persons so authorised to practise as Chemists, and to retail poisons under the Ordinances of the Courts of the said Islands respectively, and any duly qualified Veterinary Surgeon authorised to practise as aforesaid are hereby authorised so far as necessary for the practice of their professions or employment in such capacity respectively to be in possession of and supply raw opium, coca leaves and Indian hemp, but subject to the provisions of the foregoing regulation. Also any person appointed by either the States of Guernsey or the States of Alderney as Analyst is hereby authorised so far as necessary for the practice of his profession or employment in such capacity to be in possession of raw opium, coca leaves, Indian hemp, but subject to the provisions of the foregoing regulation in as far as they apply.

6.—In the event of any person licensed or author-

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ised under this Law and Regulations to be in possession of or to supply raw opium, coca leaves and Indian hemp being convicted of an offence against this Law or against any of the Regulations, the Board in respect of an offence committed in Guernsey and the Lieutenant-Governor in respect of an offence committed in any other Island of the Bailiwick may by notice in the Guernsey Gazette and in the London or Edinburgh Gazette withdraw the licence or authority as the case may be in respect of such person, if in the opinion of the Board or the Lieutenant-Governor as the case may be, such person cannot properly be allowed to be in possession of or supply raw opium, coca leaves or Indian hemp, provided that it shall be lawful for such person to appeal to the Royal Court sitting as a Full Court against the decision of the Board or the Lieutenant-Governor.

Delivery to Messengers.

7.—No person shall deliver any raw opium, coca leaves or Indian hemp to any person not licensed or otherwise authorised to be in possession of raw opium, coca leaves or Indian hemp who purports to be sent by or on behalf of a person so licensed or authorised, unless such person produce an authority in writing signed by the person so licensed or authorised to receive the raw opium, coca leaves or Indian hemp on his behalf, and unless the person supplying the raw opium, coca leaves or Indian hemp is satisfied that the authority is genuine.

Meaning of Possession.

Raw opium, coca leaves and Indian hemp in the order or disposition of any person shall for the purpose of these Regulations be deemed to be in his possession.

SCHEDULE.

RAW OPIUM, COCA LEAVES AND INDIAN HEMP.

(a) Record of Raw Opium purchased or otherwise obtained.

Date on which supply received.	Name of person, body or firm from whom obtained.	Address of person, body or firm from whom obtained.	Amount obtained.	Form in which obtained, <i>i.e.</i> raw, powdered or granulated.

Record of Coca Leaves purchased or otherwise obtained.

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

Record of Indian Hemp purchased or otherwise obtained.

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

(b) Record of Raw Opium sold or supplied.

Date on which the transaction was effected.	Name of person, body or firm to whom sold or supplied.	Address of person, body or firm to whom sold or supplied.	Authority of person, body or firm to be in possession of raw Opium.	Amount sold or supplied.	Form in which sold or supplied, <i>i.e.</i> , raw, powdered or granulated.

Record of Coca Leaves sold or supplied.

Date on which the transaction was effected.	Name of person, body or firm to whom sold or supplied.	Address of person, body or firm to whom sold or supplied.	Authority of person, body or firm to be in possession of Coca Leaves.	Amount sold or supplied.	Form in which sold or supplied.

Record of Indian Hemp sold or supplied.

Date on which the transaction was effected.	Name of person, body or firm to whom sold or supplied.	Address of person, body or firm to whom sold or supplied.	Authority of person, body or firm to be in possession of Indian Hemp.	Amount sold or supplied.	Form in which sold or supplied.

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CÉDULE D.

Regulations referred to in sub-section (3) of Article V of this Law.

1.—The drugs to which these Regulations refer are those contained in Schedule A of this Law.

Manufacture.

2.—No person shall manufacture or carry on any process in the manufacture of any of the drugs in the Islands of the Bailiwick unless

- (a) in the Island of Guernsey he is authorised by the Board or by these Regulations or in the other Islands of the Bailiwick by the Lieutenant-Governor or by these Regulations, to do so ;
- (b) except on premises licensed for the purpose by the Board or the Lieutenant-Governor as the case may be ;
- (c) otherwise than in accordance with the terms and conditions of such licence or authority.

Sale and Distribution.

3.—No person shall supply or procure or offer to supply or procure any of the drugs to or for any person whether in the Islands of the Bailiwick or elsewhere, or shall advertise any of the drugs for sale

- (a) unless in the Island of Guernsey he is licensed by the Board or is authorised by these Regulations to supply the drugs or in the other Islands of the Bailiwick he is licensed by the Lieutenant-Governor or is authorised by these Regulations to supply the drugs, or unless he is licensed or otherwise authorised to manufacture the drugs, or (but so far only as regards procuring drugs) unless he is licensed to procure the drugs ;

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(b) otherwise than in accordance with the terms and conditions of such licence or authority.

4.—Except when the drugs are lawfully dispensed in pursuance of a prescription given by a duly qualified Medical practitioner, Dentist or Veterinary Surgeon authorised to practise in the said Islands respectively, or are supplied by a duly qualified Medical practitioner or by a duly qualified Veterinary Surgeon so authorised to practise, who dispenses his own medicines in accordance with the conditions hereinafter specified, no person shall supply or procure or offer to supply or procure any of the drugs to or for any person in the Islands of the Bailiwick who is not licensed or otherwise authorised to be in possession of the drugs, nor to any person so licensed or authorised except in accordance with the terms and conditions of such licence or authority.

Provided that the administration of the drugs by or under the direct personal supervision and in the presence of a duly qualified Medical practitioner authorised to practise or by or under that of a Dentist authorised to practise, shall not be deemed to be supplying the drug within the meaning of this and the following Regulations.

Conditions as to Giving and Dispensing of Prescriptions.

5.—A prescription for the supply of any of the drugs must comply with the following conditions :—

The prescription must be in writing, must be dated and signed by the Medical practitioner, Dentist or Veterinary Surgeon, as the case may be, with his usual signature and address, and must specify the name and address of the person for whose use the prescription is given and the total amount of the drug to be supplied on the prescription, except that in the case of a preparation which is contained in the British Pharmacopœia,

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the British Pharmaceutical Codex or the Drug Tariff issued by the Minister of Health for National Health Insurance purposes and which is not combined with any other preparation of any of the drugs not so contained it shall be sufficient to state the total amount of the preparation to be supplied.

A prescription shall only be given by a Dentist for the purposes of dental treatment and shall be marked "For local dental treatment only".

A prescription shall only be given by a Veterinary Surgeon for the purposes of treatment of animals and shall be marked "For animal treatment only".

A Medical practitioner, Dentist or Veterinary Surgeon shall not give any prescription for the supply of any of the drugs otherwise than in accordance with the foregoing conditions.

6.—The following conditions shall be observed by persons dispensing prescriptions for any of the drugs :

(a) a prescription for any of the drugs shall only be dispensed if the person dispensing the prescription is acquainted with the signature of the Medical practitioner, Dentist, or Veterinary Surgeon by whom the prescription purports to be given, and has no reason to suppose that the prescription is not genuine, or if he has taken reasonably sufficient steps to satisfy himself that the prescription is genuine ;

(b) the drug shall not be supplied more than once on the same prescription : Provided that if the prescription so directs, the drug may be supplied more than once, but not exceeding three occasions, as directed in the prescription, at intervals to be specified in the prescription ;

(c) the prescription shall be marked with the date on which it is dispensed and shall be retained by the person, firm or body corporate by whom the prescription is dispensed, and shall be kept

on the premises where it is dispensed and shall be available for inspection.

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Possession.

7.—No person shall be in possession or attempt to obtain possession of any of the drugs unless

- (a) he is licensed to import the drug, or
- (b) he is licensed or otherwise authorised to manufacture or supply the drug, or
- (c) he is otherwise licensed in the Island of Guernsey by the Board or in the other Islands of the Bailiwick by the Lieutenant-Governor or authorised by these Regulations to be in possession of these drugs, or
- (d) he proves that the drug was supplied for his use by a duly qualified Medical practitioner or Veterinary Surgeon authorised to practise in the Island where the drug was delivered or on and in accordance with such prescription as aforesaid :

Provided that the last foregoing provision shall not apply to any drug supplied to a person for his use by a Medical practitioner or in accordance with a prescription if that person was at the time of the supply in course of receiving treatment from a Medical practitioner in respect of addiction to the drugs or otherwise, and of being supplied with any of the drugs by or on a prescription given by that last-mentioned practitioner, and did not disclose that fact to the first-mentioned practitioner before the drug was supplied to him.

Marking of Packages or Bottles.

8.—(i) No person shall supply any of the drugs mentioned in Schedule A of this Law unless the package or bottle containing it is plainly marked with the amount of the drug in the package or bottle.

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(ii) No person shall supply any preparation, admixture, extract or other substance containing any of the drugs mentioned in Schedule A of this Law unless the bottle or package is plainly marked :—

- (a) 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 in the powder, solution or ointment ;
- (b) in the case of tablets or other articles with the amount of the drug in each article and the number of articles in the package or bottle.

This Regulation shall not apply to any preparation dispensed by a duly qualified Medical practitioner authorised to practise in the Island where the preparation was dispensed or on the prescription of such Medical practitioner.

Records.

9.—(1) Every person authorised to supply any of the drugs shall comply with the following provisions :

- (a) he shall enter or cause to be entered in a register kept for the sole purpose all supplies of the drugs purchased or otherwise obtained by him and all dealings in the drugs effected by him (including sales or supplies to persons in the other Islands of the Bailiwick) in the form and containing the particulars shown in the Schedule marked I attached to this Law ;
- (b) separate registers or separate parts of the register shall be used for
 - (i) cocaine and ecgonine and substances containing them ;
 - (ii) morphine and substances containing it ;
 - (iii) diacetylmorphine and substances containing it ;
 - (iv) esters of morphine (other than diacetylmorphine) and substances containing them ;

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- (v) di-hydro-morphinone and substances containing it ;
 - (vi) medicinal opium ;
 - (vii) extracts or tinctures of Indian hemp ;
 - (viii) dihydro-oxycodone and substances containing it ;
 - (ix) dihydro-codeinone and substances containing it ;
provided that with the approval of the Board or the Lieutenant-Governor as the case may be, separate registers may be kept for separate departments of a business ;
- (c) he shall make the entry with respect to any of the drugs purchased or otherwise obtained by him on the day on which the drug is received and with respect to any sale or supply by him of the drug on the day on which the transaction is effected ; or where that is not reasonably convenient on the day following the day on which the drug is received or the transaction is effected ;
- (d) when he carries on business at more than one set of premises he shall keep a separate register or registers in respect of each set of premises ;
- (e) he shall keep the register or registers in some part of the premises to which it relates, so that it shall at all times be available for inspection in accordance with the provisions of this Law ;
- (f) he shall not cancel, obliterate, or alter any entry in the register or make therein any entry which is untrue in any particular. Any mistake in an entry may be corrected by a marginal note or footnote giving the correct particulars and dated ;
- (g) he shall furnish to the Board or the Lieutenant-Governor as the case may be, or to any person authorised by any order of the Board or the Lieutenant-Governor or by this Law and

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Regulations for the purpose all information in regard to any purchases by him of the drugs, all stocks held by him of the drugs, and all transactions effected by him in the drugs as may be required by the Board or the Lieutenant-Governor for the purpose of seeing that the provisions of the Law are observed;

- (h) he shall preserve all prescriptions, records, registers or other documents required to be kept under this Law for not less than two years from the date of the prescription or document, or the last entry in the record or register as the case may be.

A duly qualified Medical practitioner who records in a day-book particulars of any of the drugs supplied by him to any patient together with the name and address of the patient and date of the supply may, in lieu of keeping the register required by this Regulation of drugs sold or supplied by him, enter separately for each of the drugs in a book kept for the purpose, references under the appropriate dates to the records in the day-book of any supply of the drug. A person lawfully keeping open shop for the retailing of poisons in accordance with the provisions of the Ordinances relating to Chemists and to the retail of poisons which are now in force or which may hereafter be passed by the Courts of Chief Pleas of Guernsey or Alderney respectively, may, in lieu of keeping the register required by this Regulation of the drugs sold or supplied by him enter separately for each of the drugs in a book to be kept for the purpose, references under the appropriate dates to the entries in the Poison book kept by him in pursuance of the said Ordinances respectively. Provided that all such books shall at all times be available for inspection in accordance with the provisions of the said Ordinances respectively.

- (2) If the Board or the Lieutenant-Governor as the case may be, is of opinion that there is reason to think

that a duly qualified Medical practitioner or a duly qualified Dental practitioner may be supplying, administering or prescribing any of the drugs either to or for himself or to or for other persons otherwise than as required for purposes of medical or dental treatment, the Board or the Lieutenant-Governor may refer the case to a tribunal constituted in the manner described in the Schedule III to this Schedule for examination and consideration, and if the tribunal so recommend, the Board or the Lieutenant-Governor may, by notice in the Guernsey Gazette and in the London or Edinburgh Gazette withdraw the authorisation of such practitioner to be in possession of or to supply the drugs and may direct that the exceptions in Regulation 4 of this Schedule in respect of drugs lawfully dispensed in pursuance of a prescription given by a Medical practitioner or a Dentist authorised by the Law to practise shall not apply in respect of prescriptions given by such practitioner as aforesaid.

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General Authorisations.

10.—Any person lawfully keeping open shop for the retailing of poisons in accordance with the said Ordinances relating to Chemists and the retail of poisons is authorised,

- (a) to manufacture at the shop in the ordinary course of his retail business any preparation, admixture or extract of any of the drugs ;
- (b) to carry on at the shop the business of retailing, dispensing, or compounding the drugs, but subject always to the provisions of these Regulations.

In the event of any such person being convicted of an offence against this Law or against the Regulations the Board or the Lieutenant-Governor as the case may be, may by notice in the Guernsey Gazette and in the London or Edinburgh Gazette withdraw

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the authorisation aforesaid if in the opinion of the Board or the Lieutenant-Governor such person cannot properly be allowed to carry on the business of manufacturing or selling or distributing as the case may be, such drugs : provided always that it shall be lawful for such person to appeal to the Royal Court sitting as a Full Court against the decision of the Board or the Lieutenant-Governor.

11.—Duly qualified Medical practitioners, Dentists and Veterinary Surgeons being persons authorised respectively of the Bailiwick of Guernsey are authorised so far as is necessary for the practice of their professions or employment in such capacity respectively to be in possession of and supply drugs and any person appointed as analyst by the States of Guernsey or the States of Alderney, is authorised so far as is necessary for the practise of his profession or employment in such capacity to be in possession of drugs.

12.—In the event of any person authorised by this Law, by these Regulations or by any authority granted by the Board or the Lieutenant-Governor to manufacture, supply or be in possession of the drugs or any of them, being convicted of any offence against this Law, or against these Regulations the Board or the Lieutenant-Governor as the case may be may by notice in the Guernsey Gazette and in the London or Edinburgh Gazette withdraw the authorisation in respect of such person if in the opinion of the Board or the Lieutenant-Governor, such person cannot properly be allowed to manufacture, supply or be in possession of any such drug ; provided always that it shall be lawful for such person to appeal to the Royal Court sitting as a Full Court against the decision of the Board or the Lieutenant-Governor.

Where such person is a duly qualified Medical practitioner, Dentist or Veterinary Surgeon, the Board or the Lieutenant-Governor as the case may be, may also, by notice given in the like manner,

direct that the exception in Regulation 4 of this Schedule in respect of drugs lawfully dispensed in pursuance of a prescription given by a duly qualified Medical practitioner, Dentist or Veterinary Surgeon shall not apply in respect of prescriptions given by such practitioner, Dentist or Veterinary Surgeon as aforesaid.

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Delivery to Messengers.

13.—No person shall deliver any of the drugs to any person not licensed or otherwise authorised to be in possession of the drugs who purports to be sent by or on behalf of a person so licensed or authorised, unless such person produces an authority in writing signed by the person so licensed or authorised to receive the drug on his behalf, and unless the person supplying the drug is satisfied that the authority is genuine. This Regulation shall not be deemed to apply to the drugs dispensed in pursuance of the foregoing Regulations.

Meaning of Possession.

14.—Any of the drugs in the order or disposition of any person shall be deemed to be in his possession.

15.—(1) In the case of a ship not carrying as part of her complement a duly qualified Medical practitioner, the Master of the ship shall be deemed to be a person authorised to be in possession of the drugs so far as is necessary to comply with the requirements of the Merchant Shipping Act, and it shall be lawful for him, subject to any conditions prescribed by the Board, to administer and supply the drugs to any member of the crew in accordance with instructions prepared or sanctioned by the Board of Trade. The keeping of a record of the use of the drugs in the official log in accordance with the provisions of the Merchant Shipping Act shall be deemed to be in compliance with the requirements of these Regulations as to the keeping of Records.

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(2) If a foreign ship in any port of the Islands of the Bailiwick requires to obtain a supply of any of the drugs in order to complete a necessary equipment of the ship, the Master of the ship is authorised to purchase and be in possession of such quantity of any of the drugs as may be certified by the Medical Officer of Health to be necessary for the purpose, the quantity not to exceed what is required for the use of the ship until it next reaches its home port. The certificate given by the Medical Officer of Health shall be marked by the supplier with the date of the supply and shall be retained by him and kept available for inspection.

Hospitals.

16.—The Board in the Island of Guernsey and the Lieutenant-Governor in the other Islands of the Bailiwick are authorised to exempt from the operation of these Regulations the Hospitals under the administration of the Poor Law Boards or other similar institutions subject to the observance of such conditions as the Board or the Lieutenant-Governor may prescribe.

Limitation.

17.—These Regulations shall not apply in respect of the preparations named in Schedule II to this Schedule nor to any of the drugs de-natured in a manner approved by the Board or by the Lieutenant-Governor.

SCHEDULE I.

(a) Record of	Cocaine, etc. Morphine, etc. Di-hydro-morphinone, etc. Diacetylmorphine, etc. Esters of morphine (other than diacetylmorphine) etc. Medicinal opium. Extracts or tinctures of Indian hemp. Dihydro-oxycodine, etc. Dihydrocodeine, etc.	Purchased or otherwise obtained.
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Date on which supply received.	Name of person, body or firm from whom obtained.	Address of person, body or firm from whom obtained.	Amount obtained.	Form in which obtained.

(b) Record of {
 Cocaine, etc.
 Morphine, etc.
 Di-hydro-morphinone, etc.
 Diacetylmorphine, etc.
 Esters of morphine (other than
 Diacetylmorphine), etc.
 Medicinal Opium.
 Extracts or tinctures of Indian
 Hemp.
 Dihydro-oxycodinone, etc.
 Dihydrocodinone, etc. } Sold or supplied.

Date on which the transaction was effected.	Name of person, body or firm to whom sold or supplied.	Address of person, body or firm to whom sold or supplied.	Authority of person, body or firm to be in possession of the drug.	Amount sold or supplied.	Form in which sold or supplied.	When sale is on a prescription, specify the ingredients of the prescription.

SCHEDULE II.

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- Cereoli Iodoformi et Morphinæ, B.P.C.
 Emp. Opii, B.P., 1898.
 Lin. Opii, B.P.
 „ Opii, Ammon, B.P.C.
 Pasta Arsenicalis, B.P.C.
 Pil Hydrarg. c. Opio, B.P.C.
 „ Ipecac. c. Scilla, B.P.
 „ Plumbi, C. Opio, B.P.
 „ Digitalis et Opii Co., B.P.C.
 „ Hydrarg. c. cret et Opii, B.P.C.
 Pulv. Cretae Aromat. Opio, B.P.
 „ Ipecac. Co., B.P. (Dover's Powder).
 „ Kino Co., B.P.
 Suppos. Plumbi Co., B.P.
 Tablettæ Plumbic. Opio, B.P.C.
 Ung. Gallæ c. Opio, B.P. (Gall and Opium Ointment)
 „ Gallæ Co., B.P.C.

SCHEDULE III.

*Constitution of Tribunal for the purpose of Regulation
 9 (2) of Cédule D.*

1.—The Tribunal shall consist, in the case of a medical practitioner, of three medical practitioners resident in the Island of Guernsey registered by the General Medical Council as duly qualified, and in the case of a dentist of three dentists resident in the Island of Guernsey and authorised by the Royal Court of Guernsey to practise in the Island, together in either case with a legal assessor.

2.—The members of the tribunal and the legal assessor shall be appointed by the Royal Court.

3.—In the case of a medical practitioner, one of the members of the tribunal shall be appointed on the nomination of the British Medical Association and in the case of a dentist, one of the members of the tribunal shall be appointed on the nomination of the

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British Dental Association, or, if the dentist is registered by virtue of the provisions of section three of the Act of Parliament called the Dentists Act, 1921, or section one of the Act of Parliament called the Dentists Act, 1923, of the Incorporated Dental Society, Limited.
