

ORDRE EN CONSEIL

Ratifiant un Projet de Loi intitulé

**Loi ayant rapport à l'Importation, l'Exportation,
la Manufacture, la Vente et l'Emploi d'Opium et
autres Drogues Dangereuses.**

(Enregistré sur les Records de l'Île de Guernesey le
14 juin 1924).



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1924.

VI.
1924.

ORDRE EN CONSEIL.



À LA COUR ROYALE DE L'ÎLE DE GUERNESSEY.

Le 14 juin 1924, pardevant Messire Havilland Walter de Sausmarez, Chevalier, Baillif; présents: George Edward Kinnersty, Adolphus John Hocart, John Leale, Thomas William Mansell de Guérin, William de Prélaz Crousaz, Jean Allés Simon, Jean Ernest Dorey, John Roussel et Osmond Priaulex Gallienne, écuyers, jurés.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 16 avril 1924, ratifiant un Projet de Loi intitulé "Loi ayant rapport à l'Importation, l'Exportation, la Manufacture, la Vente et l'Emploi d'Opium et autres Drogues dangereuses." La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné que le dit Ordre sera enregistré sur les Records de cette île, duquel Ordre la teneur suit :—

At the Court at Windsor Castle,

The 16th day of April, 1924.

Present,

The King's Most Excellent Majesty

LORD COLEBROOKE.
LORD STAMFORDHAM.
LORD SOUTHBOROUGH.
MR. H. P. MACMILLAN.

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 29th day of March, 1924, in the words following, viz. :—

"Your Majesty having been pleased by Your General Order of Reference of the 10th day

LE 14 JUIN 1924.

of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth:—

- (1) That on the expiration of the Defence of the Realm Acts and Regulations on the 1st September, 1921, consequent upon the official termination of the War, the Royal Court, upon representations being made by the Home Department, on the 27th August, 1921, passed an Ordinance dealing with the control of dangerous drugs: (2) That from time to time modifications to the said Ordinance have been duly made in order to conform to the various amending Orders of Your Majesty in Council on the subject: (3) That in view of the heavy penalties imposed by recent Orders of Your Majesty in Council, which penalties cannot be imposed by Ordinance, the Royal Court on the 13th October, 1923, and 2nd February, 1924, adopted a Bill or *Projet de Loi* prepared by the Law Officers of the Crown, consolidating the said Ordinances, and requested the Bailiff to submit the same to the States for their approval: (4) That on the 20th February, 1924, the said Bill or *Projet de Loi* was duly considered by the States of Deliberation, when a resolution was passed approving the same, with slight modifications, and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: (5) That the said Bill or *Projet de Loi* is intituled '*Loi ayant rapport à l'Importation, l'Exportation, la Manufacture, la Vente et l'Emploi d'Opium et autres Drogues Dangereuses,*' and is in the words and figures set forth in the Schedule to the Petition: And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the *Projet de Loi* intituled '*Loi ayant rapport à l'Importation, l'Exportation, la Manufacture, la Vente et l'Emploi d'Opium et autres Drogues Dangereuses,*' and to order and direct that the same shall have the force of Law in the Island of Guernsey.'

“ **The Lords of the Committee**, in obedience 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 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.

PROJET DE LOI INTITULÉ “ LOI AYANT
RAPPORT À L'IMPORTATION, L'EX-
PORTATION, LA MANUFACTURE, LA
VENTE ET L'EMPLOI D'OPIUM ET
AUTRES DROGUES DANGEREUSES.”

Définitions.

Les mots “ Conseil ” et “ The Board ” signifient le Conseil Administratif des Etats de l'Île 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" et "l'opium non préparé" auront la signification qui leur est donnée dans la Cédule B annexée à cette Loi.

ARTICLE I.

L'Opium non Préparé.

Il est défendu d'importer ou d'apporter dans cette Ile et dans les Iles de Serk, Herm et Jethou de l'Opium non préparé

- (a) d'aucun pays à l'exception de la Grande Bretagne,
- (b) de la Grande Bretagne sans licence du Conseil.

ARTICLE II.

(1) Il est défendu d'exporter de l'Opium non préparé de cette Ile ou des Iles de Serk, Herm, et Jethou, excepté aux autres Iles du Bailliage et ce seulement avec l'autorisation du Conseil.

(2) Afin de régler et restreindre la production, la possession, la vente et la distribution de l'Opium non préparé et particulièrement afin de prohiber la production, la possession, la vente ou la distribution de l'Opium non préparé 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.

ARTICLE III.

L'Opium Préparé.

(1) Il est défendu d'importer ou d'apporter dans cette Ile et dans les Iles de Serk, Herm et Jethou 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 dans 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 dans 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 où on fume de l'Opium,

sera coupable d'une contravention et sera passible des peines portées à l'Article VI. de cette Loi.

ARTICLE IV.

Des Drogues.

(1) Il est défendu d'importer ou d'apporter des drogues dans cette Ile et dans les Iles de Serk, Herm et Jethou :—

(a) d'aucun pays excepté de la Grande Bretagne;

(b) de la Grande Bretagne sans licence du Conseil.

(2) Il est défendu d'exporter des drogues de cette Ile et des Iles de Serk, Herm et Jethou excepté aux autres Iles du Bailliage et ce seulement avec l'autorisation du Conseil.

(3) Afin d'empêcher l'usage impropre des drogues, les réglemens 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 réglemens contenus dans la Cédule D ne sera censé autoriser la vente en détail de poisons que par les personnes qui sont dûment autorisées à cet effet à le faire d'après l'Ordonnance de la Cour Royale passée aux Chefs-Plaids d'après Noël remis au 25 Février 1914, et ne dérogeront pas les dits réglemens aux droits accordés aux chimistes et pharmaciens de débiter des poisons en vertu de la dite Ordonnance mais tels chimistes et pharmaciens seront en outre tenus d'observer les conditions imposées par cette Loi et par les réglemens contenus dans les dites Cédules.

(5) Un compte trimestriel des drogues importées dans l'Ile sera transmis par le Conseil au Département dit " Home Office."

ARTICLE V.

(1) L'Inspecteur de la Police Salariée de l'Île ou un membre de la dite Police Salariée agissant sous l'ordre de tel Inspecteur, pourra entrer dans les prémisses d'un individu qui manufacture, vend ou distribue des drogues et pourra exiger la production de ses livres et autres documents ayant rapport aux drogues et pourra inspecter ses livres, documents et ses fonds de drogues.

(2) Si Monsieur le Bailiff ou en son absence le Lieutenant-Bailiff, 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, dans 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 était 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 en dehors de ce Bailliage, était ou serait une offense contre une Loi ou Ordonnance semblable en force dans tel lieu, est dans la possession ou sous le contrôle d'une personne quelconque et dans des prémisses quelconques, il pourra octroyer un mandat de perquisition autorisant un membre quelconque de la Police Salariée 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 dans la possession d'une telle personne, 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.

(3) Toute personne qui mettra empêchement à la visite de tel Inspecteur ou membre de la Police Salariée 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 VI. de cette Loi.

ARTICLE VI.

(I) Celui

- (a) qui agit en contravention à cette loi ou qui néglige de porter à exécution ou qui enfreint les réglemens contenus dans les Cédules de cette loi, ou
- (b) qui agit en contravention 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 fautive 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 cette île ou dans les îles de Serk, d'Herm ou de Jethou assiste, encourage ou procure la commission dans un lieu quelconque en dehors des dites îles 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 la juridiction de la Cour Royale serait une offense contre les dispositions de cette loi,

sera coupable d'une offense et sera passible pour chaque offense

- (a) 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 de telle amende et de telle servitude pénale à la fois, ou
- (b) 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 toujours 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 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* "Chairman") et tout administrateur ou officier engagé dans l'administration de la Société anonyme sera tenu pour coupable de l'offense à moins qu'il prouve que l'acte qui constitue l'offense eut lieu sans sa connaissance ou son consentement.

ARTICLE VII.

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 VIII.

Tous médecins, chimistes, pharmaciens, dentistes et chirurgiens vétérinaires autorisés par la Cour Royale à exercer en cette Ile leurs professions respectives, qui se proposent d'importer ou d'apporter dans cette Ile de l'opium non préparé ou des

drogues, seront tenus lors de l'envoi de la commande de livrer une copie de telle commande au Conseil, sous les peines portées à l'Article VI. de cette Loi.

ARTICLE IX.

Il sera nommé par la Cour Royale un Inspecteur de Drogues lequel est autorisé à entrer en tout temps dans les prémisses d'un individu qui importe, exporte, manufacture, vend ou distribue des Drogues et à exiger la production de ses livres et autres documents ayant rapport aux drogues et à inspecter tant les dits livres et documents que son fonds de drogues. 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 ou documents ayant rapport aux Drogues sera coupable d'une contravention et sera passible des peines portées à l'Article VI. de cette Loi.

ARTICLE X.

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

ARTICLE XI.

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

ARTICLE XII.

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

CÉDULE A.

Morphine, cocaine, ecgonine and diamorphine (commonly known as heroin) and their respective salts, and medicinal opium and any preparation, admixture, extract or other substance containing not less than one-fifth per cent. of morphine or one-tenth per cent. of cocaine, ecgonine or diamorphine.

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 been artificially dried.

CÉDULE C.

REGULATIONS REFERRED TO UNDER SUB-SECTION (3) OF ARTICLE II. OF THIS LAW.

Sale and Distribution.

1. No person shall supply or procure or offer to supply or procure raw opium to or for any person whether in this Island or elsewhere or shall advertise raw opium for sale,

(a) unless he is licensed by the Board or is authorised by this Law and Regulations to supply raw opium, or unless he is licensed by the Board to import raw opium, or (but so far only as regards procuring raw opium) unless he is licensed by the Board to procure raw opium; 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 to or for any person who is not licensed or otherwise authorised to be in possession of raw opium nor to any person so licensed or authorised except in accordance with the terms and conditions of such licence or authority.

Possession.

3. No person shall be in possession or attempt to obtain possession of raw opium unless,

(a) he is licensed to import raw opium; or

(b) he is licensed or otherwise authorised to supply raw opium; or

(c) he is otherwise licensed by the Board or authorised under this Law and Regulations to be in possession of raw opium.

Records.

4. Every person who supplies raw opium 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 raw opium purchased or otherwise obtained by him and all dealings in raw opium 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 entry with respect to any raw opium 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 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 is received or the transaction is effected;
- (c) where he carries on business at more than one set of premises he shall keep a separate register in respect of each set of premises;
- (d) he shall keep the register 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;
- (e) 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;
- (f) he shall preserve the registers for not less than two years from the date of the last entry in the register.

General Authorisations.

5. Any duly qualified Medical Practitioner authorised to practise in the Island by Act of the Royal Court or all persons authorised to practice as chemists by the Royal Court and to retail poisons under the Ordonnance of the Royal Court, or any duly qualified veterinary surgeon, or any person in charge of a laboratory for the purpose of research or instruction attached to the College or other institution approved by the Court for the purpose, or any person appointed by the States 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 and supply raw opium, but subject to the provisions of the foregoing regulation.

6. In the event of any person licensed or authorised under this Law and Regulations to be in possession of or to supply raw opium being convicted of an offence against this Law or against any of the Regulations, the Board may withdraw the licence or authority as the case may be in respect of such person if, in the opinion of the Board, such person cannot properly be allowed to be in possession of or supply raw opium, 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.

Delivery to Messengers.

7. No person shall deliver any raw opium to any person not licensed or otherwise authorised to be in possession of raw opium 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 on his behalf, and unless the person supplying the raw opium is satisfied that the authority is genuine.

Meaning of Possession.

Raw opium 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.****(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.e., powdered or granulated.

(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.e., raw, powdered or granulated.

CÉDULE D.**REGULATIONS REFERRED TO IN SUB-SECTION (2) OF
ARTICLE IV. 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 morphine, cocaine, ecgonine or diamorphine or their respective salts or medicinal opium, unless

- (a) he is authorised by the Board or by these Regulations to do so :
- (b) except on premises licensed for the purpose by the Board :
- (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 this Island or in the Islands of Sark, Herm or Jethou or elsewhere, or shall advertise any of the drugs for sale

- (a) unless he is licensed by the Board or is authorised by these Regulations to supply the drugs, or unless he is licensed by the Board to import 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 ;
- (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 or dentist authorised by the Court to practise in the Island, or by a duly qualified veterinary surgeon, or are supplied by a duly qualified medical practitioner authorised by the Court to practise or by a qualified veterinary surgeon 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 Island or in the Islands of Sark, Herm or Jethou 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 license or authority.

Provided that administration of the drugs by or under the direct personal supervision of a duly qualified medical practitioner authorised to practise in the Island or by or under the direct personal supervision of a dentist authorised to practise in the Island, or by or under the direct personal supervision of a duly qualified veterinary surgeon in the treatment of an animal, 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 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.

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."

The Board may prescribe and issue a form hereinafter referred to as the "official form" for use in giving prescriptions for the drugs, and in that case a prescription for any of the drugs shall only be given on an official form, provided that in a case of emergency when the person giving the prescription has not the official form avail-

able, the prescription may be given without using the official form, but in that case shall be marked with the words "official form not available" or similar words.

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.

A medical practitioner who dispenses any medicines to which these Regulations apply shall enter particulars thereof in his day book or in the register hereinafter specified.

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

- (a) If an official form is prescribed and issued by the Board in pursuance of the foregoing Regulation, a prescription for any of the drugs shall only be dispensed if the prescription is on one of these forms, or in the case of an emergency prescription given under the conditions specified in the foregoing Regulation, 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, or is acquainted with the person for whose use the prescription is given and has no reason to suppose that the prescription is not genuine ;

If an official form is not prescribed, 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 drugs shall not be supplied more than once on the same prescription : Provided that if the prescription so directs, the

drugs 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.

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 by the Board or authorised by the 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 authorised to practise in the Island or by a duly qualified veterinary surgeon, or on and in accordance with such a prescription as aforesaid.

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.

(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 by the Court or on the prescription of such medical practitioner.

Records.

9. Every person who supplies 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 drug purchased or otherwise obtained by him and all dealings in the drug 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

- (a) cocaine and ecgonine and substances containing them;
- (b) morphine and substances containing it;
- (c) diamorphine and substances containing it;
- (d) medicinal opium;

provided that with the approval of the Board 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 to any person authorised by any order of the Board or by this Law and 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 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 a shop for the retailing of poisons in accordance with the provisions of the Ordonnance relating to Chemists and to the retail of poisons passed by the Court of Chief Pleas on the 25th of February, 1914, 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 to be kept for the purpose, references under the appropriate dates to the entries in the Poisons Book kept by him in pursuance of Article 9 of the said

Ordonnance. Provided that all such books shall at all times be available for inspection in accordance with the provisions of the Ordonnance.

General Authorisations.

10.—Any person lawfully keeping open shop for the retailing of poisons in accordance with the said Ordonnance relating to Chemists and the retail of poisons is hereby 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 may withdraw the authorisation aforesaid if in the opinion of the Board 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.

11.—Any duly qualified medical practitioner or dentist being persons authorised by the Royal Court to practise in this Island or any duly qualified veterinary surgeon, or any person in charge of a laboratory for purposes of research or instruction attached to the College or one of the Hospitals, or any person appointed by the States as Analyst, is hereby authorised so far as is necessary for the practise of his profession or employment to be in possession of and supply drugs.

12.—In the event of any person authorised by this Law, by these Regulations or by any authority granted by the Board, 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 may withdraw the authorisation in respect of such person if in the

opinion of the Board 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.

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 medicines 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.

Ships.

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.

(2) If a foreign ship in a port of Guernsey 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 is authorised to exempt from the operation of these Regulations the Hospitals under the administration of the Poor Law Board or other similar institutions subject to the observance of such conditions as the Board may prescribe.

17.—These Regulations shall not apply in respect of the preparations named in Schedule II to these Regulations nor to any of the drugs denatured in a manner approved by the Board.

Schedule I.

(a) Record of {
 Morphine, etc.
 Diamorphine (Heroin), etc. } Purchased or otherwise obtained.
 Cocaine, etc.
 Medicinal Opium.

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.

{ Morphine, etc.
 { Diamorphine (Heroin), etc. } Sold or supplied.
 { Cocaine, etc. }
 { Medicinal Opium. }

(b) Record of

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.

- Cereoli Iodoformi et Morphinae, 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 c. Opio, B.P.
 „ Ipecac. Co., B.P. (Dover's Powder).
 „ Kino Co., B.P.
 Suppos. Plumbi Co., B.P.
 Tablettae Plumbi c. Opio, B.P.C.
 Ung. Gallae c. Opio, B.P. (Gall and
 Opium Ointment).
 „ Gallae Co., B.P.C.

(Extrait des Registres),

QUERTIER LE PELLEY,
 Greffier du Roi.