

British Guiana.

REGULATIONS FOR CONTROLLING AND RESTRICTING THE IMPORTATION, EXPORTATION, POSSESSION, TRANSIT, SALE AND DISTRIBUTION OF RAW OPIUM AND COCA LEAVES.

1. These Regulations may be cited as the Raw Opium and Coca Leaves Regulations, 1939. Short title

2.—(1) In these Regulations unless the context otherwise requires— Interpreta-
tion.

“ Authority ” means

- (a) any licence issued by the Director of Medical Services in accordance with the provisions of section nineteen of the Ordinance ;
 - (b) any authority granted by the Director of Medical Services under that section ;
- and the expression “ authorised ” shall be construed accordingly ;

- No. 10 of 1937. “Drug” means any drug to which Part I of the Ordinance applies ;
- “ The Ordinance ” means the Dangerous Drugs Ordinance, 1937, and references in these Regulations to that Ordinance shall be construed as references to that Ordinance as amended by any subsequent enactment ;
- Cap. 103. “ Chemist and Druggist ” means a person who is duly registered as a chemist and druggist under the provisions of the Pharmacy and Poisons Ordinance ;
- “ Register ” means a bound book and does not include any form of loose leaf register or card index.

Cap. 5. (2) The Interpretation Ordinance applies for the purpose of the construction of these Regulations as it applies for the purpose of the construction of an Ordinance.

Restriction on importation of drugs. 3. A person shall not, unless he is duly authorised so to do or otherwise than in accordance with the terms and conditions of his authority, import or bring into the Colony a drug.

Restriction on exportation of drugs- 4. A person shall not, unless he is duly authorised so to do or otherwise than in accordance with the terms and conditions of his authority, export from the Colony a drug.

Supply, procuring and advertising of drugs. 5.—(1) A person shall not, unless he is duly authorised so to do or otherwise than in accordance with the terms and conditions of his authority, supply or procure, or offer to supply or procure, to or for any person (including himself), whether in the Colony or elsewhere, or advertise for sale, a drug.

(2) A person shall not supply or procure, or offer to supply or procure, a drug to or for any person in the Colony unless that person is authorised to be in possession of the drug and the drug is to be supplied or procured in accordance with the terms and conditions of that person's authority.

Possession of drugs. 6.—(1) A person shall not be in possession of a drug unless he is duly so authorised.

(2) For the purposes of these Regulations, a person shall be deemed to be in possession of a drug if it is in his actual custody or is held by any other person subject to his control or for him or on his behalf.

Restriction on delivery of drugs to messengers. 7.—(1) Where a drug is to be lawfully supplied to any person (hereinafter referred to as “ the recipient ”), the person supplying the drug (hereinafter referred to as “ the supplier ”) shall not deliver it to a person who purports to be sent by or on behalf of the recipient, unless that person either—

- (a) is a person authorised under any Regulations made under the Ordinance to be in possession of that drug ; or
- (b) produces to the supplier a statement in writing signed by the recipient to the effect that he is authorised by the recipient to receive the drug in question on behalf of the recipient and the supplier is reasonably satisfied that the document is a genuine document.

(2) A person to whom a drug is lawfully delivered in the circumstances mentioned in paragraph (1) (b) of this Regulation shall be deemed to be a person authorised to be in possession thereof, but for such a period only as in the circumstances of the case is reasonably sufficient to enable the delivery to the recipient to be effected.

8. If any person, being an authorised person, is convicted of an offence against the Ordinance or of an offence under the enactments relating to the Customs as applied by the Ordinance, the Governor may, if he is of opinion that that person cannot properly be allowed to remain an authorised person, by notice in the *Gazette*, withdraw the authority of that person :

Withdrawal
of authority.

Provided that nothing in this Regulation shall be taken to prejudice any power otherwise vested in the Director of Medical Services of withdrawing any authority granted by him.

9. Every person authorised to supply drugs shall comply with the following provisions—

Keeping of
records.

- (a) he shall, in accordance with the provisions of this Regulation, keep a register in the form set out in the Schedule to these Regulations and enter therein true particulars with respect to every quantity of any drug obtained by him and with respect to every quantity of any drug supplied by him, whether to persons within or to persons outside the Colony :
- (b) a separate register or a separate part of the register shall be used with respect to each of the following drugs—
 - (i) raw opium,
 - (ii) coca leaves :
- (c) the required entry must be made on the day on which the drug is received or on which the transaction with respect to the supply by him of the drug takes place, or, if that is not reasonably practicable, on the day next following the said day :
- (d) a separate register shall be kept in respect of each set of premises at which the authorised person carries on business and, subject to the approval of the Director of Medical Services, an authorised person may, if he thinks fit, keep a separate register for each department of the business carried on by him :

- (e) no cancellation, obliteration or alteration shall be made of an entry in the register and any correction of an entry must be made by way of a marginal note or a footnote which must specify the date on which the correction is made :
- (f) the authorised person shall, on demand by the Director of Medical Services or by any person empowered in that behalf by order in writing by the Director of Medical Services, furnish to the Director of Medical Services or that person, as the case may be, such particulars as the Director of Medical Services or that person may require with respect to the obtaining or supplying by the authorised person of any drug or with respect to any stocks of drugs in the possession of the authorised person ;
- (g) the register shall be kept in some part of the premises to which it relates and so as to be at all times available for inspection ;
- (h) every entry required to be made under this Regulation and every correction of such an entry must be made in ink or otherwise so as to be indelible.

Drugs con-
signed to
places out-
side the
Colony not to
be diverted
to other
destinations.

10.—(1) If any drugs authorised under the law of any country outside the Colony to be exported therefrom to any destination outside the Colony are brought into the Colony, no person shall, without authority in that behalf, from the Director of Medical Services, cause or procure those drugs to be diverted to any other destination.

(2) For the purposes of this Regulation the destination to which any drugs are authorised to be exported shall be taken to be the destination stated in the authority for the export thereof from the country of export.

Preservation
of documents

11. All registers, records, books and other documents which are kept, issued or made in pursuance of the requirements or for the purposes of these Regulations shall be preserved in the case of a register, book or other like record for a period of two years from the date on which the last entry is made therein, and in the case of any other document for a period of two years from the date on which it is issued or made.

Made by Governor in Council in pursuance by section 3 of the Dangerous Drugs Ordinance, 1937, this 20th day of March, 1939.

GEO. C. GREEN,
Clerk to the Executive Council.

FORM OF REGISTER.

PART I.

Entries to be made in case of drugs obtained.

The kind of drug to which the entries relate to be specified at the head of each page in the Register.

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

PART II.

Entries to be made in case of drugs supplied.

The kind of drug to which the entries relate to be specified at the head of each page in the Register.

Date on which the transaction was effected.	Name.	Address.	Authority of person or firm to whom drug supplied to be in possession thereof.	Amount supplied
	of person or firm to whom supplied.			