

The Samoa Dangerous Drugs Order, 1930.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 23rd day of June, 1930.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

1. THIS Order in Council may be cited as "The Samoa Dangerous Drugs Order, 1930," and shall come into force on the 1st day of July, 1930.

2. (1) In this Order, where not inconsistent with the context,—

"Administrator" means the Administrator of Western Samoa :

"Dangerous drug" means any of the drugs, preparations, or substances set out in the First Schedule to this Order :

"Licensee" includes a person deemed to be a licensee under this Order, and "licensed" and "holder of a license" have corresponding meanings :

"Medical practitioner" means a person for the time being legally entitled to practice the profession of medicine or surgery in Samoa :

"Registered chemist" means a person for the time being registered as a pharmaceutical chemist within the meaning of the Samoa Pharmacy Order, 1924 :

"Dentist" means a person for the time being legally entitled to practice the profession of dentistry in Samoa :

"Practitioner" includes medical practitioner and dentist as herein defined :

"Prepared opium" means opium prepared for smoking, and includes dross or any other residues remaining after opium has been smoked, and also includes any other form of opium than raw opium and medical opium.

(2) In calculating for the purposes of this Order the percentage of any drug present in a preparation, the percentage in the case of a liquid preparation shall be calculated on the basis that a preparation containing one part per centum of any substance means a preparation in which one gramme of the substance if a solid or one millilitre of the substance if a liquid is contained in every one hundred millilitres of the preparation, and so in proportion for any greater or less percentage.

(3) In calculating for the purpose of this Order the percentage of morphine present in a preparation it shall be calculated as in respect of anhydrous morphine.

IMPORTATION AND EXPORTATION.

3. (1) No person shall import into or export from Samoa any prepared opium.

(2) No person shall import into or export from Samoa any other dangerous drug except pursuant to a license granted by the Administrator.

(3) No license under the last preceding subclause to import any dangerous drug shall be granted except to a person licensed or otherwise authorized to manufacture, sell, distribute, or deal in dangerous drugs under Part II of this Order.

(4) Licenses granted under this clause shall be in such form, and shall be granted on such terms and subject to such conditions (which shall include the payment of a license fee of £3) as the Administrator shall think fit.

4. (1) If at any time the importation of raw opium into any country is prohibited or restricted by the laws of that country there may, while that prohibition or restriction is in force, be attached to every license then granted or thereafter to be granted by the Administrator authorizing the exportation of raw opium from Samoa such supplementary conditions as appear to him to be necessary for preventing or restricting, as the case may be, the exportation of raw opium from Samoa to that country during such time as the importation of raw opium into that country is so prohibited or restricted.

(2) Any supplementary conditions made under the last preceding subclause shall be deemed to attach to a license already granted immediately a copy thereof has been served upon the licensee by leaving the same at his usual place of business or residence.

5. (1) For the purposes of this Part of this Order a dangerous drug shall be deemed to be imported into Samoa if and so soon as in any manner whatever, whether lawfully or unlawfully, it is brought or comes into Samoa from parts beyond the seas.

(2) Dangerous drugs whose destination is out of Samoa or which are part of ship's stores shall not be deemed to have been so imported unless they are removed in Samoa from the ship in which they arrived there ; but if so removed they shall, for all the purposes of this Order, be deemed to have been imported so soon as they were brought into Samoa as aforesaid.

(3) For the purposes of this clause the term "Samoa" shall be deemed to include not only all bays, gulfs, rivers, and other waters within the territorial limits of Western Samoa, but also the whole of the waters comprised within any port established under the Samoa Customs Consolidation Order, 1923.

6. For the purpose of this Part of this Order the time of the exportation of dangerous drugs shall be deemed to be the time at which the exporting ship leaves the limits of her last port of call in Samoa.

PART II.

MANUFACTURE AND DISPOSAL.

7. (1) No person shall manufacture, sell, distribute, or otherwise deal in prepared opium.