

17. (1) No person shall supply or procure or administer, or offer to supply or procure or administer, any dangerous drug to or for any person who is not a licensee except in the following cases :—

- (a) Where the drug is dispensed pursuant to a prescription signed personally by a practitioner :
- (b) Where the drug is supplied by way of dispensing by a practitioner who dispenses his own medicines :
- (c) Where the drug is administered under the direct personal supervision of a practitioner in the course of his practice :
- (d) Where the drug is supplied to a person in charge of a laboratory maintained for the purpose of research or analysis.

(2) No person other than a licensee shall knowingly be in possession of a dangerous drug unless it was supplied to him in pursuance of and in accordance with the provisions of the last preceding subclause hereof.

18. Notwithstanding anything contained in this Order it shall be lawful for any person (approved of in writing by the Chief Medical Officer of Samoa) for the time being engaged in dispensing medicine at any hospital or institution under the control of the Government of Samoa, to procure and be supplied with any dangerous drug, provided that such person shall keep the register required to be kept by a licensee under clause 13 hereof.

#### PART IV.

##### GENERAL.

19. If a Judge or a Commissioner of the High Court is satisfied by information on oath that there is reasonable ground for suspecting that any dangerous drugs are, in contravention of the provisions of this Order, in possession or under the control of any person in any premises, or that there is in the possession or under the control of any person in any premises any document directly or indirectly relating to or connected with any transaction or dealing which was, or any intended transaction or dealing which would, if carried out, be an offence against this Order, or in the case of a transaction or dealing carried out or intended to be carried out in any place outside Samoa, an offence against the provisions of any law corresponding with or having objects similar to this Order in that place, he may grant a search warrant authorizing the constable named in the warrant or any other constable at any time or times within one month from the date of the warrant, to enter, if need be by force, the premises named in the warrant, and to search the premises and any persons found therein ; and if there is reasonable ground for suspecting that an offence against this Order has been committed in relation to any such drugs which may be found in the premises or in the possession of any such person, or that any document which may be so found is such a document as aforesaid, to seize and detain those drugs or that document, as the case may be :

Provided that in the case of premises being occupied by Chinese and suspected of being used for the preparation of opium for smoking, or for smoking opium, or for the storage or concealment of prepared opium, a constable shall have, and may exercise without a search warrant, all or any of the powers that would be conferred on him by the grant of a search warrant as aforesaid.

20. (1) Any constable, officer of Customs, or any other person authorized by the Administrator shall, for the purposes of the enforcement of the provisions of Part II of this Order, have power to enter the premises of any person carrying on the business of a producer, manufacturer, seller, or distributor of any dangerous drugs, and to demand the production of and to inspect any books or records relating to dealings in any such drugs, and to inspect, weigh, measure, and record the stocks of any such drugs, and to make copies of any entries appearing therein.

(2) If any person wilfully delays or obstructs any constable or other authorized person in the exercise of his powers under this clause, or fails to produce, or conceals or attempts to conceal any such books, documents, or stocks, he shall be guilty of an offence against this Order.

21. (1) If any constable has reasonable cause to believe or suspect, or finds that any person has imported into or exported from Samoa any dangerous drug in contravention of the provisions of this Order, or has been concerned in such importation or exportation, or is engaged in the manufacture, sale, or distribution of any dangerous drug in contravention of such provisions, or is in possession of any dangerous drug or other thing in contravention thereof, he may arrest that person without a warrant and bring him before the High Court as soon as possible thereafter.

(2) Pending the laying of an information against the person so arrested the High Court may either discharge him from custody or adjourn the proceedings for any period not exceeding forty-eight hours, and may, if the proceedings are so adjourned, either remand the accused in custody or release him on recognizance to appear at the time and place to which the proceedings have been so adjourned, in the same manner, so far as may be, as if an information had been laid against the accused by the constable by whom he has been so arrested.

(3) If at the time to which the proceedings have been so adjourned no information for any offence as aforesaid has already been laid in accordance with this Order the accused shall be discharged.

(4) The discharge of any person under the last preceding subclause shall not take away or in any manner affect the right of proceeding against him in respect of any offence under this Order which may have been committed previously to such discharge.