

22 OF 1925.

TO REGULATE THE IMPORTATION, EXPORTATION, MANUFACTURE, SALE AND USE OF OPIUM AND OTHER DANGEROUS DRUGS. A.D. 1925. 22 of 1925.

MALCOLM STEVENSON.]

[December 22, 1925.

BE it enacted:—

1. This Law may be cited as the Dangerous Drugs Law, 1925. Short title.

*Definition Clause added*

PART I.

*Raw Opium, Coca Leaves and Indian Hemp.*

2. It shall not be lawful for any person to import or bring into Cyprus any raw opium or coca leaves except for medicinal and scientific purposes and under license in writing of the Chief Medical Officer and into approved ports. Restriction on importation of raw opium and coca leaves.

3. It shall not be lawful for any person to export from Cyprus any raw opium or coca leaves. Prohibition of exportation of opium and coca leaves.

4. It shall not be lawful for any person to import or bring into or to export from Cyprus Indian hemp. Prohibition of importation and exportation of Indian hemp.

5. Provision may be made by regulations made by the Governor in Council for controlling or restricting the production, possession, sale and distribution of raw opium and coca leaves, and for controlling or restricting or prohibiting the cultivation, production, possession, sale and distribution of the whole or any portion of the plant *Cannabis sativa L.* including the resin thereof, but without prejudice to the generality of the foregoing power for prohibiting the production, possession, sale and distribution of raw opium and coca leaves except by persons licensed or otherwise authorised in that behalf. Power to the Governor in Council to make regulations respecting the production of and dealing in raw opium and coca leaves and respecting the cultivation production, possession, sale and distribution of the plant *Cannabis Sativa L.*

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## PART II.

*Prepared Opium.*

Prohibition of exportation or importation of prepared opium.

Penalty for manufacturing, selling, using, etc., prepared opium.

6. It shall not be lawful for any person to import or bring into, or to export from, Cyprus any prepared opium.

7. If any person—

(a) manufactures, sells or otherwise deals in prepared opium ; or

(b) has in his possession any prepared opium ; or  
(c) being the owner or occupier of any premises permits those premises to be used for the purpose of the preparation of opium for smoking or the sale or smoking of prepared opium ; or

(d) is concerned in the management of any premises used for any such purpose as aforesaid ; or

(e) has in his possession any pipes or other utensils for use in connection with the smoking of opium or any utensils used in connection with the preparation of opium for smoking ; or

(f) smokes or otherwise uses prepared opium, or frequents any place used for the purpose of opium smoking ;

shall be guilty of an offence against this Law.

## PART III.

*Cocaine, Morphine, etc.*

Restriction on importation of cocaine, etc.

8. It shall not be lawful to import or bring into Cyprus any drug to which this Part of this Law applies except for medicinal and scientific purposes and under license in writing of the Chief Medical Officer.

Restriction on exportation of cocaine, etc.

9. It shall not be lawful to export from Cyprus any drug to which this Part of this Law applies except under licence in writing of the Governor.

Power to the Governor in Council to make regulations regarding the issue and grant of licenses and for the control of the manufacture and sale of cocaine, etc.

10.—(1) Licenses for the purposes of this Law may be issued or granted on such terms and subject to such conditions as may be provided by Regulations made by the Governor in Council ; and

(2) Provision may be made by Regulations by the Governor in Council for controlling the manufacture, use, sale, possession and distribution of the drugs to which this Part of this Law applies, and in particular, but without prejudice to the generality of the foregoing power, for—

(a) prohibiting the manufacture of any drug to which this Part of this Law applies except on premises licensed for the purpose and subject to any conditions specified in the license ; and

(b) prohibiting the manufacture, use, sale or distribution of any such drug except by persons licensed or otherwise authorised under the regulations and subject to any conditions specified in the license or authority ; and

(c) regulating the issue by medical practitioners and dental and veterinary surgeons of prescriptions containing any such drug and the dispensing of any such prescriptions ; and

(d) requiring persons engaged in the manufacture, sale or distribution of any such drug to keep such books and furnish such information either in writing or otherwise as may be prescribed.

(3) The regulations under this section shall provide for authorising any person who lawfully keeps open shop for the retailing of poisons in accordance with the provisions of the Pharmacy Law, 1900—

(a) To manufacture at the shop in the ordinary course of his retail business any preparation, admixture, or extract of any drug to which this Part of this Law applies ; or

(b) to carry on at the shop the business of retailing dispensing, or compounding any such drug :  
subject to the power of the Governor to withdraw the authorisation in the case of a person who has been convicted of an offence against this Law or of an offence under the enactments relating to the customs as applied by this Law, and who cannot, in the opinion of the Governor, properly be allowed to carry on the business of manufacturing or selling or distributing, as the case may be, any such drug.

(4) Nothing in any regulations made under this section shall be taken to authorise the sale, or the keeping of an open shop for the retailing, dispensing, or compounding of, poisons by any person who is not qualified in that behalf under, or otherwise than in accordance with, the provisions of the Pharmacy Law, 1900.

11.—(1) The drugs to which this Part of this Law applies are morphine, cocaine (including synthetic cocaine), ecgonine, diacetyl-morphine (commonly known as diamorphine or heroin), and their respective salts, medicinal

Drugs to  
which Part  
III applies

opium, and any extract or tincture of Indian hemp, and any preparation, admixture, extract or other substance containing any proportion of diacetyl-morphine or containing not less than one-fifth per cent. of morphine or one-tenth per cent. of cocaine or ecgonine.

For the purpose of the foregoing provision the expression "ecgonine" means lævo-ecgonine and includes any derivatives of ecgonine from which it may be recovered industrially, and the percentage in the case of morphine shall be calculated as in respect of anhydrous morphine.

(2) If it appears to the Governor that any derivative of Indian hemp, morphine or cocaine or any of the salts of morphine or cocaine or any other alkaloid of opium or any other drug of whatever kind is or is likely to be productive, if improperly used, of ill effects substantially of the same character or nature as or analogous to those produced by Indian hemp, morphine or cocaine, the Governor may by Order in Council declare that this Part of this Law shall apply to that derivative or alkaloid or other drug in the same manner as it applies to the drugs mentioned in sub-section (1) of this section.

*New Part III added.*

#### PART IV.

##### *General.*

Application  
of Customs  
Laws.

No. 22 of  
1899.

No. 24 of  
1879.

12.—(1) Articles prohibited either wholly or on condition to be imported by virtue of this Law shall be deemed to be included among such goods as have been prohibited wholly or on condition by virtue of section 8 of the Customs, Excise, and Revenue Law, 1899, and the provisions of this Law relating to the prohibition of the export of articles shall have effect as though they were included in the Customs and Excise Regulations Law, 1879.

(2) If any goods prohibited either wholly or on condition to be exported by virtue of this Law are exported from Cyprus in contravention thereof, or brought to a quay or other place to be shipped for the purpose of being so exported or of being waterborne to be so exported, the exporter or his agent shall be liable to a penalty not exceeding one hundred pounds, and any drug to which any Part of this Law applies shall be liable to forfeiture.

Powers of  
inspection.

13.—(1) Any Peace Officer or other person authorised in that behalf by any general or special Order of the Governor shall, for the purposes of the execution of this



Law, have power to enter the premises of any person carrying on the business of a producer, manufacturer, seller or distributor of any drugs to which this Law applies, and to demand the production of and to inspect any books or documents relating to dealings in any such drugs and to inspect any stocks of any such drugs.

(2) If a Magistrate is satisfied by information on oath that there is reasonable ground for suspecting that any drugs to which this Law applies are, in contravention of the provisions of this Law or any regulations made thereunder, in the possession or under the control of any person in any premises, or that 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 Law, or in the case of a transaction or dealing carried out or intended to be carried out in any place outside Cyprus, an offence against the provisions of any corresponding law in force in that place, is in the possession or under the control of any person in any premises, he may grant a search warrant authorising any Peace Officer named in the warrant, 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 Law has been committed in relation to any such drugs which may be found in the premises or in the possession of any such persons, 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 ;

(3) If any person wilfully delays or obstructs any person in the exercise of his powers under this section or fails to produce or conceals or attempts to conceal any such books, stocks, drugs, or documents as aforesaid, he shall be guilty of an offence against this Law.

14.—(1) Any person—

(a) who acts in contravention of, or fails to comply with, any regulation made under this Law ; or

Offences and penalties.

(b) who acts in contravention of, or fails to comply with, the conditions of any license issued or authority granted under or in pursuance of this Law ; or

(c) who for the purpose of obtaining, whether for himself or for any other person, the issue, grant or renewal of any such license or authority as aforesaid, makes any declaration or statement which is false in any particular, or knowingly utters, produces or makes use of any such declaration or statement or any document containing the same; or

(d) who in Cyprus aids, abets, counsels or procures the commission in any place outside Cyprus of any offence punishable under the provisions of any corresponding law in force in that place, or does any act preparatory to, or in furtherance of, any act which if committed in Cyprus would constitute an offence against this Law;

shall be guilty of an offence against this Law.

(2) Any person guilty of an offence against this Law shall be liable to a fine not exceeding one hundred pounds or to imprisonment with or without hard labour for a term not exceeding one year or to both such fine and imprisonment, and the Court dealing with the case may, in addition to any other punishment, order the goods in respect of which the offence was committed to be forfeited.

(3) If any person attempts to commit an offence against this Law, or solicits or incites another person to commit such an offence, he shall, without prejudice to any other liability, be liable on conviction to the same punishment and forfeiture as if he had committed an offence under this Law.

(4) Where a person convicted of an offence under this Law is a company, the chairman and every director and every officer concerned in the management of the company shall be guilty of the like offence unless he proves that the act constituting the offence took place without his knowledge or consent.

(5) For the purpose of removing doubts, it is declared—

That in any proceedings against any person for an offence against this Law it is not necessary to negative by evidence any license, authority or other matter of exception or defence, and that the burden of proving any such matter lies on the person seeking to avail himself thereof.

15. Any Peace Officer may arrest without warrant any person who has committed, or attempted to commit, or is reasonably suspected by a Peace Officer of having committed or attempted to commit, an offence against this Law, if he has reasonable ground for believing that that person will abscond unless arrested, or if the name and address of that person are unknown to and cannot be ascertained by him.

Power of  
arrest.

16.—(1) In this Law, unless the context otherwise requires—

Interpreta-  
tion.

The expression “Raw Opium” means the spontaneously coagulated juice obtained from the capsules of the *Papaver somniferum L.*, which has only been submitted to the necessary manipulations for packing and transport, whatever its content of morphine ;

The expression “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 in powder form or granulated or otherwise or mixed with neutral materials ;

The expression “Prepared Opium” means opium prepared for smoking and includes dross and any other residues remaining after opium has been smoked ;

The expression “Coca-leaves” means the leaves of any plant of the genus of the *erythroxyllaceæ* from which cocaine can be extracted either directly or by chemical transformation.

The expression “Indian Hemp” means the dried flowering or fruiting tops of the pistillate plant *Cannabis sativa L.* and includes the resin obtained from the growing plant *Cannabis sativa L.*, under whatever name they may be designated in commerce.

The expression “approved ports” means ports approved by the Chief Collector of Customs for the importation of raw opium and coca leaves.

The expression “for medicinal and scientific purposes” means for use as medicine and for dental and veterinary requirements and for the purposes of scientific research.

The expression “corresponding law” means any law stated in a certificate purporting to be issued by or on behalf of any country outside Cyprus to be a law providing for the control and regulation in that country of the manufacture, sale, use, export and import of drugs in

accordance with the provisions of the International Opium Convention signed at the Hague on the twenty-third day of January, nineteen hundred and twelve and the International Opium Convention signed at Geneva on the nineteenth day of February, nineteen hundred and twenty-five or either of them and any statement in any such certificate as to the effect of the law mentioned in the certificate, or any statement in any such certificate that any facts constitute an offence against that law, shall be enclusive.

(2) For the purposes of this Law, any article shall be deemed to be imported under license or exported under license if the importer or exporter, as the case may be is the holder of a license issued under this Law authorising the importation or exportation, as the case may be, of the article and complies with the conditions, if any, of the license, but not otherwise.

Repeal of  
Law 24 of  
1879, Sec. 34.

**17.** The Customs and Excise Regulation Law, 1879, section 34, is hereby repealed.

Date of  
coming into  
operation.

**18.** This Law shall come into operation on a date to be fixed by notice by the Governor in the *Cyprus Gazette*.

*This Law was published in the Cyprus Gazette No. 1741  
of the 24th December, 1925.*