



ANNO QUARTO

## ELIZABETHAE II REGINAE

A.D. 1955

\*\*\*\*\*

## No. 31 of 1955

An Act to amend the Dangerous Drugs Act, 1934.

[Assented to 1st December, 1955.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

Short titles.

1. (1) This Act may be cited as the " Dangerous Drugs Act Amendment Act, 1955 ".

(2) The Dangerous Drugs Act, 1934, as amended by this Act, may be cited as the " Dangerous Drugs Act, 1934-1955 ".

(3) The Dangerous Drugs Act, 1934, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of  
principal Act,  
s. 4—  
Drugs to which  
Act applies.

3. (1) Section 4 of the principal Act is amended—

(a) by striking out subsection (3) thereof and inserting the following subsection in its place :—

(3) If it appears to the Governor that—

(a) any derivative of morphine or cocaine or of any salts of morphine or cocaine ; or

(b) any other alkaloid of opium ; or

(c) any other drug or substance of whatever kind,

to which this Act does not apply, is or is likely to be productive, if improperly used, or is capable

of being converted into a substance which is, or is likely to be, productive, if improperly used, of ill-effects substantially of the same character or nature as or analagous to those produced by morphine, cocaine or Indian hemp, the Governor may by proclamation declare that this Act shall apply to that derivative, alkaloid, or other drug or substance—

- (i) in the same manner as it applies to the drugs mentioned in subsection (1) of this section ; or
- (ii) with such modifications as may be specified in the proclamation.

(b) by striking out subsection (5) thereof.

(2) Any proclamation made pursuant to subsection (3) or subsection (5) of section 4 of the principal Act before the commencement of this Act shall be deemed to have been made under subsection (3) of section 4 of the principal Act as enacted by subsection (1) of this section.

4. Section 5 of the principal Act is amended—

- (a) by inserting after the word “supplied” in the first line of paragraph (c) of subsection (2) thereof the words “in compliance with the regulations” ;
- (b) by inserting at the end of paragraph (c) of subsection (2) thereof the words “and was obtained by him in compliance with the regulations” ;
- (c) by striking out subsection (3) thereof and inserting in its place the following subsection :—

(3) Any person who grows or cultivates

(a) the opium poppy (*papaver somniferum* L.); or

(b) any plant of any genus of the erythroxyllaceae, from the leaves of which cocaine can be extracted either directly or by chemical transformation ; or

(c) the pistillate plant known as *cannabis sativa* L.,

shall be guilty of an offence against this Act :  
Provided that this subsection shall not apply to any plant grown or cultivated or caused to be grown or cultivated by The Governors of the Botanic Garden.

Amendment of  
principal Act,  
s. 5—  
Penalties.

Enactment of  
s. 6a of  
principal Act—

**5.** The following section is enacted and inserted in the principal Act after section 6 thereof :—

Prohibition of  
drugs.

6a (1) The Governor may by proclamation declare any drug to which this Act applies to be a prohibited drug.

(2) Notwithstanding any other provision of this Act, a person who sells, trades in, manufactures, conveys in any manner, or has in his possession any prohibited drug except in compliance with such conditions (if any) as are mentioned in the proclamation declaring the drug to be a prohibited drug shall be guilty of an offence against this Act.

Amendment of  
principal Act,  
s. 7—  
Regulations.

**6.** Section 7 of the principal Act is amended by inserting after the word "board" at the end of the fourth paragraph in subsection (2) thereof the words "and may provide that any licence or authority so withdrawn may be re-issued or re-granted by the Minister on the recommendation of the board".

Amendment of  
principal Act,  
s. 10—  
Obtaining  
drugs by false  
pretences.

**7.** Section 10 of the principal Act is amended by inserting after the word "any" in the second line thereof the words "legally qualified medical practitioner, veterinary surgeon qualified in accordance with the regulations".

Amendment of  
principal Act,  
s. 12—  
Power to enter.

**8.** Section 12 of the principal Act is amended by adding at the end thereof the following subsection (the preceding portion of section 12 being read as subsection (1) thereof) :—

(2) The member of the police force or the person employed in the public service may do any one or more of the following things :—

- (a) seize and carry away any such books or documents or stocks ;
- (b) seize and carry away any substance found on the premises which he has reasonable cause to believe to be or to contain any drug to which this Act applies ;
- (c) take and carry away samples of any such substance.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

R. A. GEORGE, Governor.