

TRINIDAD AND TOBAGO.

No. 58.—1912.

11th December.

AN ORDINANCE to give effect to the measures decided upon in the International Opium Convention signed at The Hague on the 23rd day of January, 1912, and to regulate the importation into and the storage and disposal of Opium, Morphine, Cocaine and similar drugs.

Commence 1-1-20

[L.S.]

GEORGE R. LE HUNTE,

GOVERNOR.

31st December, 1912.

WHEREAS the Government of this Colony hath agreed to be bound by the International Opium Convention signed at The Hague on the 23rd of January, 1912:

And whereas it is expedient to regulate the importation and the storage and disposal of Opium, Morphine, Cocaine and similar drugs;

Be it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:

1. This Ordinance may be cited as the Opium Short Title. Ordinance, 1912.

Interpreta-
tion.

2. In this Ordinance the term:—

“Raw opium” means the spontaneously coagulated juice obtained from capsules of the *papaver somniferum* which has only been submitted to the necessary manipulations for packing and transport.

“Prepared Opium” means the product of raw opium, obtained by a series of special operations, especially by dissolving, boiling, roasting, and fermentation, designed to transform it into an extract suitable for consumption; and includes dross and all other residues remaining when opium has been smoked.

“Medicinal Opium” means raw opium which has been heated to 60° centigrade and contains not less than 10 per cent. of morphine, whether or not it be powdered or granulated or mixed with indifferent materials.

“Morphine” means the principal alkaloid of opium, having the chemical formula $C_{17}H_{19}NO_3$.

“Heroin” means the diacetyl morphine, having the formula $C_{21}H_{23}NO_5$.

“Cocaine” means the principal alkaloid of the leaves of the Erythroxyton Coca, having the formula $C_{17}H_{21}NO_4$.

“Similar drugs” include—

- (a.) all preparations whether officinal or non-officinal as well as the so-called anti-opium remedies, which contain more than 0.2 per cent. of morphine, or more than 0.1 per cent. of cocaine.
- (b.) heroine, its salts and preparations containing more than 0.1 per cent. of heroine.
- (c.) all new derivatives of morphine, of cocaine, or of their respective salts, and every other alkaloid of opium which has been demonstrated by scientific research to be liable to similar abuse and in its abuse productive of like ill-effects.

“Opium” when used without any qualifying epithet, shall be taken to include “Raw opium,” “Medicinal opium,” “Morphine,” “Heroin,” “Cocaine,” and “Similar drugs.”

“Store” means any place appointed by the Governor for the storage of opium on its arrival at any port in the Colony.

3. ~~It shall not be lawful to import into the Colony any prepared opium.~~

Importation of prepared opium unlawful.

Repealed by sec: 2 of Ord 9 of 1921.

4. All opium imported into the Colony shall be deposited, at the cost, risk, and peril of the person or persons importing the same, in such store as shall be appointed by the Governor for that purpose.

Opium to be deposited in store.

5. No opium shall be delivered or withdrawn from a store except on the written authority of the Surgeon-General or Medical Officer authorised by him as hereinafter provided.

Authority for delivery from Store.

6. The Surgeon-General may authorise in writing any Government Medical Officer at any port in the Colony to sign the authority required by this Ordinance for the withdrawal of opium.

Surgeon-General may delegate authority.

7. It shall not be lawful to authorise any withdrawal of opium from a store except to registered Medical Practitioners, Dentists and Druggists.

To whom Opium may be delivered.

8. Where any opium imported into the Colony is, without the proper authority, found in the possession of any person or kept in a place other than a store, such person or the occupier of such place, unless he can prove that the same was deposited there without his knowledge or consent, and also the owner of, or other person guilty of keeping the opium, shall be guilty of an offence.

Opium not to be kept in a place other than a store without authority.

9. Any person contravening the provisions of any of the preceding sections shall, on summary conviction before a Magistrate be liable to a penalty not exceeding one hundred pounds or to imprisonment, with or without hard labour, for any period not exceeding twelve months, and the Magistrate may order any prepared opium, or opium unlawfully imported or withdrawn from the store, to be forfeited to His Majesty.

Penalty for contravention

Search
Warrant.

10. It shall be lawful for a Magistrate, if satisfied by information on oath that any opium or prepared opium is being unlawfully kept, conveyed, landed or sold in contravention of this Ordinance at any place, whether a building or not, or in any vehicle, to grant a warrant to enter at any time, and if needs be by force, on Sundays as well as on any other days, the place or vehicle named in such warrant, and every part thereof, and to examine the same, and to search for any opium or prepared opium unlawfully kept therein, and to demand from the owner or occupier thereof the production of the authority for being in possession of the same.

Seizure of
prepared
opium or
opium.

When the officer or other person executing such warrant has reasonable cause to believe that any prepared opium or opium found by him in any such place or vehicle, is being kept, conveyed, landed or sold in contravention of this Ordinance, he may seize and detain the same until the Magistrate has decided whether the same is liable to be forfeited or not.

Proceedings in a Magistrate's Court shall be commenced as soon as possible after the seizure.

Protection of
Officers from
actions.

11. Any person acting under the aforementioned warrant shall not be liable to any suit for seizing or detaining any prepared opium or opium.

Accomplices.

12. Whoever attempts to commit or aids or abets in the commission of any offence against this Ordinance may be dealt with in the same way, and shall be liable in the same penalty, as if he were charged with the actual offence.

The opium
poppy not to
be grown.

13. Whoever shall in this Colony plant, grow or cultivate the opium poppy (*papaver somniferum*) or knowingly permit the same to be planted, grown or cultivated on land in his occupation shall be guilty of an offence against this Ordinance and on conviction thereof shall forfeit and pay a penalty not exceeding Two hundred pounds, and in default of payment shall be imprisoned either with or without hard labour for any term not exceeding six months.

Governor in
Council may
make rules.

14. It shall be lawful for the Governor in Executive Council to make such rules as he may consider expedient

for the regulation of the importation, landing, storage, withdrawal, or conveyance of any opium imported into this Colony.

15. All penalties incurred under this Ordinance may be recovered before a Magistrate, for which purpose every Magistrate shall have jurisdiction to the extent of the said penalties. ^{Recovery of penalties.}

16. So much of the Ordinance No. 280 as relates to opium as defined by this Ordinance is hereby repealed. ^{Repeal.}

17. This Ordinance shall commence and come into operation on such day as may be fixed by the Governor in Executive Council. ^{Commencement.}

*Proc. 24 of 1919
as from 1.1.20*

Passed in Council this Eleventh day of December, in the year of Our Lord one thousand nine hundred and twelve.

HARRY L. KNAGGS,
Clerk of the Council.