

POISONS AND DANGEROUS DRUGS

No. 32 of 1967

An Ordinance to amend the *Poisons and Dangerous Drugs Ordinance 1933-1966*.

1.—(1.) This Ordinance may be cited as the *Poisons and Dangerous Drugs Ordinance 1967*.^{*} Short title and citation.

(2.) The *Poisons and Dangerous Drugs Ordinance 1933-1966*† is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Poisons and Dangerous Drugs Ordinance 1933-1967*.

2. Section 4 of the Principal Ordinance is amended by inserting after the words— Parts.

“ Part VII.—Biological Preparations and Restricted Substances ”—

the words—

“ Part VIIA.—Hallucinogenic Substances.”.

3. Section 5 of the Principal Ordinance is amended— Interpretation.

(a) by inserting, after the definition of “ the Board ”, the following definition:—

“ ‘ the Director ’ means the person for the time being occupying, or performing the duties of, the office of Commonwealth Director of Health for the Territory;” and

(b) by adding at the end thereof the following sub-section:—

“ (3.) A reference in this Ordinance to a substance specified in the Schedule to this Ordinance shall be read as a reference to goods that consist in whole or in part of, or contain, a substance specified in that Schedule.”.

4. Section 7 of the Principal Ordinance is amended by inserting, after the word “ Ordinance ”, the words “, other than Part VIIA. of this Ordinance,”. Non-application of Ordinance to Canberra Community Hospital, &c.

5. Section 10 of the Principal Ordinance is amended by omitting the words “ or biological preparations ” and inserting in their stead the words “, biological preparations or substances specified in the Schedule to this Ordinance ”. Powers of inspection.

^{*} Made on 28 September 1967; notified in the *Commonwealth Gazette* and commenced on 29 September 1967.

[†] Ordinance No. 37, 1933, as amended by No. 24, 1936; No. 35, 1938; No. 13, 1954; No. 1, 1963; and No. 19, 1966.

6. After Part VII. of the Principal Ordinance the following Part is inserted:—

“ PART VIIA.—HALLUCINOGENIC SUBSTANCES.

Prohibition of manufacture, etc., of hallucinogenic substances.

“ 40D.—(1.) A person who, without lawful authority, prepares, manufactures, sells, supplies, uses, takes, consumes, administers to another person or has in his possession a substance specified in the Schedule to this Ordinance is guilty of an offence against this Ordinance.

“(2.) For the purposes of this section, a person has lawful authority to prepare, to manufacture, to sell, to supply, to use, to take, to consume, to administer to another person or to have in his possession a substance specified in the Schedule to this Ordinance if and only if the preparation, manufacture, sale, supply, use, taking, consuming, administration or possession, as the case requires, of the substance is in accordance with an authority in writing given by the Director.

Authorities.

“ 40E.—(1.) The Director shall give an authority in writing to prepare, manufacture, sell, supply, use, take, consume, administer or have in possession a substance specified in the Schedule to the Ordinance only if he is satisfied that it is necessary to do so for scientific or medical purposes.

“(2.) An authority under the last preceding sub-section may be given subject to such conditions and restrictions as the Director specifies in the authority.

“(3.) Where an authority under sub-section (1.) of this section is given subject to conditions and restrictions, a person who fails to comply with a condition or restriction that is applicable to him is guilty of an offence against this section and on conviction is liable to a penalty not exceeding Five hundred dollars.”.

Penalties for offences in relation to narcotic drugs and hallucinogenic substances.

7. Section 46 of the Principal Ordinance is amended by inserting in sub-section (1.), after the word “drugs,” the words “or in relation to a substance specified in the Schedule to this Ordinance.”.

Offences by companies.

8. Section 47 of the Principal Ordinance is amended by inserting, after the word “drugs”, the words “or a substance specified in the Schedule to this Ordinance”.

Penalty for offences for which no penalty prescribed.

9. Section 53 of the Principal Ordinance is amended by inserting, after the words “narcotic drugs”, the words “or in relation to a substance specified in the Schedule to this Ordinance”.

10. The Principal Ordinance is amended by adding at the end thereof the following Schedule:—

THE SCHEDULE

Section 5(3.) and 40b.

HALLUCINOGENIC SUBSTANCES

Item No.	Substance
1	Lysergic acid
2	Lysergic acid diethylamide
3	Bufotenine
4	Dimethyltryptamine
5	Diethyltryptamine
6	Mescaline
7	4-methyl 2,5 dimethoxy α methylphenethylamine
8	Psilocin
9	Psilocybin