

No. 37 of 1975

AN ORDINANCE

To amend the *Public Health (Prohibited Drugs) Ordinance 1957-1966*, as amended by the *Ordinances Revision (Health Commission) Ordinance 1975*.

I, THE GOVERNOR-GENERAL of Australia, acting with the advice of the Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1973*.

Dated this twenty-third day of October 1975.

JOHN R. KERR
Governor-General.

By His Excellency's Command,

D. EVERINGHAM
Minister of State for Health.

PUBLIC HEALTH (PROHIBITED DRUGS) ORDINANCE 1975

1. (1) This Ordinance may be cited as the *Public Health (Prohibited Drugs) Ordinance 1975*.*

Short title
and citation.

(2) The *Public Health (Prohibited Drugs) Ordinance 1957-1966*,[†] as amended by the *Ordinances Revision (Health Commission) Ordinance 1975*,[‡] is in this Ordinance referred to as the Principal Ordinance.

(3) Schedule 2 to the *Ordinances Revision (Health Commission) Ordinance 1975* is amended by omitting the words and figures—

"*Public Health (Prohibited Drugs) 1957-1966* | *Public Health (Prohibited Drugs) 1957-1975*".

(4) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Public Health (Prohibited Drugs) Ordinance 1957-1975*.

Definitions.

2. Section 2 of the Principal Ordinance is amended—

(a) by inserting before the definition of "Commissioner" the following definitions:—

"'cannabis' means a cannabis plant, whether living or dead, and includes, in any form, any flowering or fruiting tops, leaves, seeds, stalks or any other part of a cannabis plant or cannabis plants and any mixture of parts of a cannabis plant or cannabis plants, but does not include cannabis resin or cannabis fibre;

'cannabis fibre' means goods that consist wholly or substantially of fibre obtained from a cannabis plant or cannabis plants but do not contain any other substance or thing obtained from a cannabis plant;

* Notified in the *Australian Government Gazette* on 24 October 1975.

[†] Ordinance No. 9, 1957, as amended by No. 19, 1966.

[‡] Ordinance No. 17, 1975.

'cannabis plant' means a plant of the genus *Cannabis*;
'cannabis resin' means a substance that consists wholly or substantially of resin (whether crude, purified or in any other form) obtained from a cannabis plant or cannabis plants;"; and

(b) by omitting the definition of "prohibited drug" and substituting the following definition:—

" 'prohibited drug' means—

- (a) a substance the name of which is specified in the Schedule;
- (b) a substance of a kind specified in the Schedule; or
- (c) goods that consist in part of a substance the name of which is specified in the Schedule or a substance of a kind specified in the Schedule;".

Repeal.

3. Section 3 of the Principal Ordinance is repealed.

Manufacture, use, possession, &c., of prohibited drugs.

4. Section 4 of the Principal Ordinance is amended by omitting sub-section (2) and substituting the following sub-section:—

" (2) Notwithstanding sub-section (1), the only penalty that may be imposed on a person convicted of an offence against sub-section (1)—

- (a) of having used cannabis; or
- (b) of having had in his possession a quantity of cannabis of less than 25 grams,

is a fine not exceeding \$100."

Schedule.

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

SCHEDULE

Section 2.

SUBSTANCES THAT ARE PROHIBITED DRUGS

Allylisopropylacetylurea
Amidopyrine
Derivatives of amidopyrine
Buclosamide
Buniodyl sodium
Cannabis
Cannabis resin
Desomorphine
Salts of desomorphine
Diacetylmorphine
Salts of diacetylmorphine
Ketobemidone
Salts of ketobemidone
Methyl cinchophen
Tetrahydrocannabinol, being—

- (a) a substance having the structural designation 1-hydroxy-3-pentyl-6a, 7, 8, 10a-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo [b,d] pyran or 2'-hydroxy-4'-pentyl-3, 4, 5, 6-tetrahydro-1, 8, 8-trimethyl-8H dibenzo [b,d] pyran; or
- (b) a 3- or 4'-alkyl homologue within one of those structural designations

Thalidomide
Triparanol