

NORFOLK



ISLAND

Dangerous Drugs Act 1927

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DANGEROUS DRUGS ACT 1927

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Dangerous Drugs Act 1927

An Act relating to dangerous drugs

Short title

1. This Act may be cited as the *Dangerous Drugs Act 1927*.

Repeal

2. The *Importation of Opium, Morphine, Cocaine and Heroin Act 1922* is repealed.

Definitions

3. (1) In this Act, unless the contrary intention appears —
 - “authorised officer” means:
 - (a) an officer authorised by the Commonwealth Minister to seize goods liable to forfeiture; or
 - (b) a person who is a member of the police force for the purposes of the *Police Act 1931*.
 - “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, 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 does not contain any other substance or thing obtained from a cannabis plant;
 - “cannabis plant” means any 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;
 - “coca leaf” means the leaf of the *Erythroxylon Coca Larmarck* and the *Erythroxylon novo-granatense (Morris) Hieronymus* and their varieties, belonging to the family of *Erythroxylaceae* and the leaf of other species of this genus from which it may be found possible to extract cocaine either directly or by chemical transformation;
 - “cocaine” means methyl-benzoyl laevo-ecgonine ($[\alpha]_{D20} = -16.4$ in 20% solution of chloro-form), of which the formula is $C_{17}H_{21}NO_4$;
 - “controlled hallucinogenic substance” means goods that consist in whole or in part of, or contain, a substance the name of which is specified or is to be deemed to be specified in column 2 of Schedule 4;
 - “crude cocaine” means any extract of coca leaf which can be used directly or indirectly for the manufacture of cocaine;
 - “dangerous drugs” includes —
 - (a) medicinal opium, crude cocaine, ecgonine, morphine, diacetylmorphine, cocaine and their respective salts;
 - (b) all preparations officinal and non-officinal (including the so-called anti-opium remedies) containing more than 0.2% of morphine or more than 0.1% of cocaine;
 - (c) all preparations containing diacetylmorphine;
 - (d) galenical preparations (extracts and tincture) of cannabis;

- (e) goods that consist in whole or in part of, or contain, a substance the name of which is specified in column 2 of Schedule 4;
- (f) goods that consist of a narcotic substance the name of which is specified in column 1 of Part I of Schedule 5;
- (g) any other goods that consist in whole or in part of, or contain, a substance the name of which is declared by the regulations to be deemed to be specified in Schedule 4; and
- (h) goods that consist of a narcotic substance the name of which is declared by the regulations to be deemed to be specified in Part I of Schedule 5; and
- (j) goods that consist of a psychotropic substance the name of which is specified in Part 2 of Schedule 5;

“diacetylmorphine” means diacetylmorphine (diamorphine heroin) having the chemical formula $C_{21}H_{23}NO_5$;

“ecgonine” means laevo-ecgonine ($[\alpha]D_{20}^0 = -45.6$ in 5% solution of water), of which the formula is $C_9H_{15}NO_3H_2O$, and all the derivatives of laevo-ecgonine which might serve industrially for its recovery;

“legally qualified dentist” means a registered health practitioner (within the meaning of the *Health Practitioners Act 1983*) who is registered in the dental health profession.

“legally qualified medical practitioner” means a person who is entitled under the law in force in a State or Territory, or in New Zealand, to practise medicine in that State or Territory, or in New Zealand, as the case may be;

“liable to forfeiture” means liable to forfeiture to the Administration of Norfolk Island under section 9;

“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 Pharmacopoeia, whether in powder form or granulated or otherwise or mixed with neutral materials;

“morphine” means the principal alkaloid of opium having the chemical formula $C_{17}H_{19}NO_2$;

“narcotic goods” means goods that consist of a narcotic substance;

“narcotic substance” means a substance or thing the name of which is specified, or is to be deemed to be specified, in column 1 of Part I of Schedule 5;

“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;

“prescribed plant” means a plant of any of the following kinds, whether living or dead, or a part of, or seeds of, any such plant, namely:

- (a) *Papaver somniferum L*;
- (b) *Cannabis sativa*;
- (c) a plant from which coca leaf may be obtained; and
- (d) a plant from which a substance the name of which is specified or to be deemed to be specified in Schedule 4 may be produced, whether directly or indirectly and whether wholly or in part;

“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;

“sell” includes —

- (a) barter or exchange;
- (b) offer or expose for sale or supply;
- (c) receive, have in possession, expose, send or deliver for sale or supply; or
- (d) cause or permit to be sold or supplied or offered or exposed for sale or supply,

and “sale” has a corresponding meaning;

“the Territory” means Norfolk Island;

“trafficable quantity”, in relation to a narcotic substance, means —

- (a) where the name of the substance is specified in column 1 of Schedule 5 - the quantity that is specified in column 2 of that Schedule opposite to the name of the substance; and
- (b) where the name of the substance is declared by the regulations to be deemed to be specified in column 1 of Part I of Schedule 5 - the quantity that is prescribed by the regulations in relation to that substance.

(2) For the purposes of this Act, goods (including goods in the form of a preparation, mixture or solution) that do not consist of a narcotic substance but from which a narcotic substance can be obtained shall be deemed to consist of that substance, and shall be deemed to consist of a quantity of that substance equal to the quantity of the substance that can be obtained from the goods.

Prohibition regarding raw opium and prepared opium

4. The —

- (a) importation into the Territory;
- (b) exportation from the Territory;
- (c) making; or
- (d) sale —

of raw opium or of prepared opium is prohibited.

Dangerous drugs not to be made or exported

5. Subject to section 7A, the making in, or exportation from the Territory of any dangerous drug is prohibited.

.....

Importation of dangerous drugs without licence prohibited

6. The importation into the Territory of any dangerous drug is prohibited unless imported by a person licensed in accordance with section 7 or subsection 7A(1) or the drug is imported by a person who has possession of the drug in accordance with a prescription issued by a medical practitioner and the drug is for the use of that person.

Issue of licence

7. (1) The Administrator may grant a licence to a person to import dangerous drugs, or one or more particular forms of dangerous drugs, specified in the licence.

(1A) A licence to import dangerous drugs may only be issued to —

- (a) a legally qualified medical practitioner; or
- (b) a person who proves to the satisfaction of the Administrator that he or she is a fit and proper person to be allowed to import those dangerous drugs.

(1B) A licence to import dangerous drugs under subsection 7(1) is subject to such conditions as the Administrator thinks appropriate.

(1C) Subsection 7(1) does not apply to the following substances:

- (a) ephedrine;
- (b) ergometrine;
- (c) ergotamine;
- (d) lysergic acid;
- (e) 1-phenyl-2-propanone;
- (f) pseudoephedrine;
- (g) acetic anhydride;
- (h) acetone;
- (i) anthranilic acid;
- (j) ethyl ether;
- (k) phenylacetic acid;
- (l) piperidine;
- (m) the salts of any of the substances referred to in paragraphs 7(1C)(a) – 7(1C)(l), whenever the existence of such salts is possible.

(2) A licence issued under this section shall be for a period of one year and may be renewed from time to time for a like period and shall be in accordance with the form set out in Schedule 1, unless the licence is limited to a particular form or forms of dangerous drugs, in which case it shall be in accordance with the form set out in Schedule 2.

(3) Before a licence is granted the applicant shall —

- (a) give security to the satisfaction of the Administrator that —
 - (i) all importations made by him pursuant to the licence or of any renewal thereof will be disposed of for medicinal purposes only; and
 - (ii) he will record in a book kept by him for the purpose particulars of the quantities imported and of how and to whom they have been disposed of, and will at all reasonable times produce to the Administrator, or an officer thereto authorised by the Administrator, the book so kept and the balance of the importations on hand at the time when the book is produced; and
- (b) give an undertaking in writing that he will be responsible for the making of reasonable enquiries as to the purpose and destination of dangerous drugs imported under the licence and subsequently sold, with a view to assuring himself that the drugs are intended for medicinal purposes only.

Licence to import, etc, cannabis

7A. (1) The Minister may, in writing, grant a licence to a person to —

- (a) import cannabis into Norfolk Island; and
- (b) export cannabis from Norfolk Island; and
- (c) plant, cultivate, tend or harvest cannabis; and
- (d) sell cannabis; and
- (e) have cannabis in his or her possession.

(2) A licence granted under subsection 7A(1) may be subject to such conditions as the Minister thinks appropriate.

(3) A condition to which a licence granted under subsection 7A(1) is subject may be varied by the Minister.

(4) Without limiting the generality of subsection 7A(2), conditions that can be attached to a licence granted under subsection 7A(1) include conditions relating to —

- (a) the period of the licence; and

- (b) the area where the cannabis can be grown; and
- (c) the cultivars of cannabis that can be grown; and
- (d) security measures required to be taken to prevent unauthorised persons having access to the cannabis; and
- (e) inspection of the cannabis by officers of the Administration and the police; and
- (f) the persons who are authorised to plant, cultivate, tend or harvest the cannabis; and
- (g) records to be kept by the licensee.

(5) A person shall not contravene or fail to comply with a condition of a licence granted under subsection 7A(1).

Penalty: 20 penalty units or imprisonment for 2 years or both.

Revocation of licence

7B. In addition to prosecution for an offence under subsection 7A(5), the Minister may revoke a licence granted under subsection 7A(1) or impose additional conditions or alter the conditions of the licence, where a person has contravened or failed to comply with a condition attached to a licence granted under subsection 7A(1).

Import authorisation

8. (1) Every holder of a licence granted under section 7 to import dangerous drugs shall advise the Administrator of his intention to import dangerous drugs, and shall state —

- (a) the exact description and quantity of the drugs to be imported; and
- (b) the name and address of the firm in the exporting country from which the drugs are to be obtained.

(2) The Administrator may issue a certificate to the importer in accordance with the form set out in Schedule 3 specifying the period within which the importation must be effected.

Forfeiture

9. The following goods are liable to be forfeited to the Administration of Norfolk Island:

- (a) raw opium, prepared opium or dangerous drugs imported in contravention of this Act;
- (b) dangerous drugs imported in contravention of a licence in force under section 7 or 7A;
- (c) a prescribed plant in Norfolk Island other than a prescribed plant covered by a licence in force under section 7A.

Seizure of forfeitable goods

9A. (1) An authorised officer may seize any goods that are liable to forfeiture, or that he has reasonable grounds to believe are liable to forfeiture, under this Act.

(2) Where an authorised officer seizes any goods under subsection 9A(1), the officer shall —

- (a) subject to subsection 9A(3), deliver to the person appearing to the officer to have had custody of the goods a notice in accordance with the form in Schedule 6;
- (b) cause the goods to be taken to a place of security approved by the Administrator; and
- (c) furnish notice of the seizure to the Clerk of the Court of Petty Sessions.

(3) Where an authorised officer seizes goods in such circumstances that it is

uncertain who had the custody of the goods before they were seized, subsection 9A(2) does not require the officer to deliver a notice under paragraph 9A(2)(a) of that subsection, but the officer shall, in the notice of seizure furnished to the Clerk of the Court of Petty Sessions, state that a notice was not delivered to any person under that paragraph and set out the circumstances by reason of which it is uncertain who had the custody of the goods before they were seized.

(4) Where notice of the seizure of goods is furnished to the Clerk of the Court of Petty Sessions under subsection 9A(2), the court shall enquire whether the goods are liable to forfeiture under this Act and —

- (a) if the court is satisfied that the goods are liable to forfeiture - shall order that the goods be condemned as forfeited to the Administration of Norfolk Island; or
- (b) if the court is not so satisfied - shall order that the goods be delivered to such person as the court is satisfied is entitled to the goods.

(5) The Court of Petty Sessions may, before inquiring, under subsection 9A(4), whether goods are liable to forfeiture, require notice of the enquiry to be given to such persons as the court thinks fit.

(6) Where a prosecution is pending in relation to goods seized under subsection 9A(1), an order for the condemnation or the delivery to any person of the goods shall not be made until the prosecution is determined.

(7) Where goods are condemned as forfeited, the goods shall be dealt with as the Administrator directs.

Prohibition of prepared, etc, controlled hallucinogenic substances

9B. (1) A person shall not, without lawful authority, prepare, sell, use, take, consume, administer to another person or have in his possession a controlled hallucinogenic substance.

(2) For the purposes of this section, a person has lawful authority to prepare, to sell, to use, to take, to consume or to administer to another person a controlled hallucinogenic substance if the preparation, sale, use, taking, consuming or administration, as the case requires, of the substance is in accordance with an authority in writing given by the Administrator, but not otherwise.

(3) For the purposes of this section, a person has lawful authority to have in his possession a controlled hallucinogenic substance —

- (a) if he is the importer of the substance and the importation of the substance into the Territory was in accordance with a licence granted to that person under section 7; or
- (b) if his possession of the substance is in accordance with an authority in writing given by the Administrator,

but not otherwise.

Authority to have possession of substance

9C. (1) The Administrator may give a person an authority in writing to prepare, sell, use, take, consume, administer or have in his possession a controlled hallucinogenic substance if it is necessary for the person to do so for medicinal purposes, but not otherwise.

(2) An authority under subsection 9C(1) may be given subject to such conditions imposing requirements or prohibitions on the person to whom the authority is given with respect to the custody, use, disposal or destruction of the substance, or with respect to accounting for the substance, as the Administrator thinks necessary to ensure that the substance is not used otherwise than for the purpose for which he grants the authority.

(3) Where an authority under subsection 9C(1) is given subject to conditions,

the person to whom the authority is given commits an offence against this section if he fails to comply with a condition of the authority.

Offences

- 10. (1)** Any person who —
- (a) without reasonable excuse (proof whereof shall lie upon him) has in his possession on board any ship any prohibited imports to which this section applies;
 - (b) imports into the Territory any prohibited imports to which this section applies;
 - (c) without reasonable excuse (proof whereof shall lie upon him) has in his possession any prohibited imports to which this section applies which have been imported into the Territory in contravention of this Act or of any licence granted in pursuance of this Act;
 - (d) aids, abets, counsels or procures, or is in any way knowingly concerned in the importation into the Territory of any prohibited imports to which this section applies; or
 - (e) fails to disclose to the Administrator or an officer thereto authorised by the Administrator on demand any knowledge in his possession or power concerning the importation or intended importation into the Territory of any prohibited imports to which this section applies —

shall be guilty of an offence.

(2) This section applies to raw opium, prepared opium, dangerous drugs and prescribed plants, the importation of which is prohibited by this Act.

(3) This section does not apply to cannabis imported into Norfolk Island or grown on Norfolk Island in accordance with a licence in force under section 7A.

Penalty for exporting, etc, raw or prepared opium

11. Any person who exports from the Territory, makes or sells raw opium or prepared opium shall be guilty of an offence.

Penalty for exporting, etc, dangerous drugs

- 12. (1)** A person shall not —
- (a) export from the Territory a dangerous drug; or
 - (b) make a dangerous drug.
- (2)** A person shall not —
- (a) sell a dangerous drug; or
 - (b) possess a dangerous drug; or
 - (c) purchase a dangerous drug.

(3) Subsection 12(2) does not apply to the sale, possession or purchase of dangerous drugs in accordance with the conditions of a licence issued under section 7 or in accordance with a prescription issued by a medical practitioner.

(4) This section does not apply to cannabis imported into Norfolk Island or grown on Norfolk Island in accordance with a licence in force under section 7A.

Penalty for exporting, etc, prohibited plants

- 12A. (1)** A person shall not —
- (a) plant, cultivate, tend or harvest a prescribed plant, whether on land owned or occupied by him or on any other land;
 - (b) import a prescribed plant into the Territory;
 - (c) export a prescribed plant from the Territory;

- (d) sell a prescribed plant; or
- (e) have a prescribed plant in his possession.

Penalty: 20 penalty units or imprisonment for 2 years, or both.

(2) This section does not apply to cannabis imported into Norfolk Island or grown on Norfolk Island in accordance with a licence in force under section 7A.

Defences

12B. (1) Where a person is charged with the offence of using, taking, or consuming a controlled hallucinogenic substance, it is a defence to the charge if the person proves that, at the time of the alleged offence, he believed, and had reasonable grounds for believing, that he was using, taking or consuming, as the case may be, the substance in accordance with the directions contained in a prescription given in writing by a legally qualified medical practitioner in respect of the person or with the directions of a legally qualified dentist.

(2) Where a person is charged with the offence of administering a controlled hallucinogenic substance to another person, it is a defence to the charge if the person charged with the alleged offence proves that, at the time of the alleged offence, he believed, and had reasonable grounds for believing —

- (a) that a legally qualified medical practitioner had, in a prescription given in writing in respect of that other person, directed the use of the substance by that other person and that he was administering the substance to that other person in accordance with those directions; or
- (b) that he was administering the substance to that person in accordance with the directions of a legally qualified dentist.

(3) Where a person is charged with the offence of having a controlled hallucinogenic substance in his possession, it is a defence to the charge if the person proves that, at the time of the alleged offence, he believed, and had reasonable grounds for believing, that a legally qualified medical practitioner had, in a prescription given in writing in respect of a particular person, directed the using, taking or consuming of the substance by or the administration of the substance to that particular person and the person charged with the offence had the substance in his possession for the purpose of its use, taking or consumption by or its administration to that particular person as directed in that prescription, and not otherwise.

Prosecution of offences

12C. (1) An offence against this Act may be prosecuted summarily or upon indictment, but an offender is not liable to be punished more than once in respect of the same offence.

(2) Where proceedings for an offence against this Act are brought in a court of summary jurisdiction, the court may commit the defendant for trial or, with the consent of the defendant and of the prosecutor, determine the proceedings.

(3) Where proceedings for an offence under this Act are brought in a court of summary jurisdiction the court shall not impose a fine exceeding 20 penalty units or sentence the defendant to imprisonment for a period exceeding 2 years, but may impose both a fine and a period of imprisonment in respect of the offence.

Penalties

12D. (1) Subject to subsection 12D(2), where a person is convicted of an offence against section 9B, 9C, 10, 11 or 12, the penalty applicable to the offence is, subject to section 12C —

- (a) if the offence was committed in relation to goods that are narcotic goods and the court is satisfied that the narcotic goods in relation to which the offence

was committed consist of a quantity of a narcotic substance (being the narcotic substance specified in the information or indictment as the narcotic substance of which the goods consist) that is not less than the trafficable quantity applicable to the substance - a fine not exceeding 40 penalty units or imprisonment for a period not exceeding 10 years, or both a fine not exceeding that amount and imprisonment for a period not exceeding that period; or

- (ab) where the offence relates to the sale or supply of a dangerous drug to a person who has not attained the age of 18 years - a fine not exceeding 40 penalty units or imprisonment for a period not exceeding 10 years, or both a fine not exceeding that amount and imprisonment for a period not exceeding that period; or
 - (b) in any other case - a fine not exceeding 20 penalty units or imprisonment for a period not exceeding 2 years, or both a fine not exceeding that amount and imprisonment for a period not exceeding that period.
- (2) Paragraph 12D(1)(a) or 12D(1)(ab) does not apply to a conviction for —
- (a) using, taking or consuming a substance that is narcotic goods or administering a substance that is narcotic goods to another person, without lawful authority in contravention of section 9B;
 - (b) failing to comply with a condition of an authority given under section 9C, being an authority to use, take, consume or administer to another person a substance that is narcotic goods; or
 - (c) any other offence in relation to which that paragraph applies if the court is satisfied that the offence was not committed by the person charged for any purpose related to a commercial dealing in, the narcotic goods in relation to which the offence was committed.

(3) In determining the sentence to be imposed on a person, the matters to which a court shall have regard to in determining how serious the offence is, include, but are not limited to, such of the following matters as are relevant and known to the court:

- (a) the involvement in the offence of an organised criminal group to which the offender belongs;
- (b) the involvement of the offender in other international organised criminal activities;
- (c) the involvement of the offender in other illegal activities facilitated by commission of the offence;
- (d) the use of violence or arms by the offender;
- (e) the fact that the offender holds a public office and the offence is connected with the office in question;
- (f) the victimisation or use of minors;
- (g) the fact that the offence is committed in an educational institution or the immediate vicinity or in other places to which school children and students resort for educational, sports and social activities;
- (h) prior conviction, particularly for similar offences.

Certificate evidence

12E. (1) In proceedings in respect of an offence under this Act, a certificate signed, or purporting to be signed, by an analyst certifying—

- (a) that the person signing the certificate is an analyst referred to in subsection 12E(2); and
- (b) the person's qualifications or experience as an analyst; and

- (c) the person from whom a sample was received and the date on which it was received; and
- (d) the description of the container in which the sample was contained and the manner in which the container was labelled or otherwise identified; and
- (e) the manner in which the sample was labelled or otherwise identified; and
- (f) the description and weight of the sample; and
- (g) the method by which the sample was analysed; and
- (h) the result of the analysis of the sample,

is admissible and is evidence of those matters and of the facts on which they are based.

(2) In this section —

“analyst” means —

- (a) any person appointed as an analyst for the purposes of the *Customs Act 1901* of the Commonwealth; or
- (b) any person appointed as an analyst for the purposes of the *Drugs of Dependence Act 1989* of the Australian Capital Territory; or
- (c) a person prescribed for the purposes of this subsection.

Cancellation of licences

13. The Administrator may at any time cancel any licence granted under the provisions of this Act.

Returns

14. The Administrator shall furnish to the Commonwealth Minister —

- (a) during the month of January in each year a return setting out —
 - (i) the stocks of dangerous drugs held by importers in the Territory;
 - (ii) the imports of dangerous drugs into, and the consumption of dangerous drugs in, the Territory during the preceding year; and
 - (iii) the amounts of raw opium, prepared opium and dangerous drugs confiscated during the preceding year, the reasons for confiscation and the manner of disposal of the confiscated substances;
- (b) a quarterly return setting out the imports of dangerous drugs during the preceding 3 months.

Regulations

15. The Administrator may make regulations, not inconsistent with this Act, prescribing all matters and things which, by this Act, are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Act and in particular —

- (aa) for imposing fees for licences to import dangerous drugs;
- (ab) for imposing fees in relation to a licence under subsection 7A(1); and
- (ac) in relation to the form of an application for a licence under subsection 7A(1) and the information to be supplied with such an application;
- (a) for requiring persons to furnish such returns in relation to dangerous drugs as are necessary for the purposes of carrying out this Act; and
- (b) for prescribing penalties not exceeding 10 penalty units for any breach of the regulations.

SCHEDULE 1

Section 7

NORFOLK ISLAND

DANGEROUS DRUGS ACT 1927

LICENCE

In pursuance of section 7 of the *Dangerous Drugs Act 1927*, I, the Administrator of Norfolk Island, hereby grant this licence to _____ authorising him to import any dangerous drugs into Norfolk Island for medicinal purposes only. This licence shall, unless sooner cancelled, continue in force for a period of one year from the date of this licence and, if it is, by endorsement or endorsements on this licence, renewed for a further period or for further successive periods, for each successive period for which it is so renewed.

This licence does not entitle the holder to import raw opium or prepared opium.

Dated _____ 20 .

Administrator

SCHEDULE 2

Section 7

NORFOLK ISLAND

DANGEROUS DRUGS ACT 1927

LICENCE

In pursuance of section 7 of the *Dangerous Drugs Act 1927*, I, the Administrator of Norfolk Island, hereby grant this licence to _____ authorising him to import into Norfolk Island, for medicinal purposes only, dangerous drugs of a kind specified in the first column of the Schedule to this licence in a form specified in the second column of that Schedule in relation to that kind of dangerous drug in the first column.

This licence shall, unless sooner cancelled, continue in force for a period of one year from the date of this licence and, if it is, by endorsement or endorsements on this licence, renewed for a further period or for further successive periods, for each successive period for which it is so renewed.

This licence does not entitle the holder —

- (a) to import any dangerous drug that is not of a kind specified in the first column of the Schedule to this licence; or
- (b) to import any dangerous drug of a kind specified in the first column of the Schedule to this licence in a form other than the form specified in the second column of that Schedule in relation to that kind of dangerous drug in the first column.

This licence does not entitle the holder to import raw opium or prepared opium.

SCHEDULE

Dangerous Drugs

Kinds of dangerous drugs	Form in which the dangerous drugs may be imported

Dated _____ 20 .

Administrator

SCHEDULE 3
NORFOLK ISLAND
DANGEROUS DRUGS ACT 1927

No.

CERTIFICATE OF OFFICIAL APPROVAL OF IMPORT

I, the Administrator of the Territory of Norfolk Island, acting under the provisions of section 8 of the *Dangerous Drugs Act 1927*, do hereby certify that I have approved the importation by

(name, address and business of importer)

of (exact description and amount of drug to be imported)

from (name and address of firm in exporting country from which the drug is to be obtained)

subject to the following conditions:

(state any special conditions to be observed, eg, not to be imported through the post)

and am satisfied that the consignment proposed to be imported is required solely for medicinal or scientific purposes.

Date

Administrator

SCHEDULE 4
HALLUCINOGENIC SUBSTANCES

Section 3

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

SCHEDULE 5

Sections 3 and 12

PART 1 - NARCOTIC SUBSTANCE

Column 1 Name of Substance	Column 2 Trafficable quantity (grams)
Acetorphine	2.00
Acetyl-a-methylfentanyl	0.005
Acetyldihydrocodeine, except when compounded with one or more other medicaments: (a) in divided preparations containing not more than 100mg of acetyldihydrocodeine per dosage unit; or (b) in undivided preparations with a concentration of not more than 2.5% of acetyldihydrocodeine	2.00
Acetylmethadol	2.00
Alfentanil	0.005
Allylprodine	2.00
Alphacetylmethadol	10.00
Alphameprodine	0.20
Alphamethadol	0.20
Alpha Methylfentanyl	0.005
Alphaprodine	25.00
Anileridine	25.00
Benzethidine	10.00
Benzylmorphine	5.00
Betacetylmethadol	5.00
Betameprodine	5.00
Betamethadol	5.00
Betaprodine	5.00
Bezitramide	5.00
Cannabis	100.00
Cannabis Oil	2.00
Cannabis Resin	20.00
Clonitazene	5.00
Cocaine	2.00
Coca Leaf	250.00
Codeine, except when compounded with one or more other medicaments: (a) in divided preparations containing 30mg or less of codeine per dosage unit; or (b) in undivided preparations containing 1% or less of codeine	10.00
Codeine-N-Oxide	10.00
Codoxime	10.00
Concentrate of Poppy Straw (the material arising when poppy straw has entered into a process for concentration of its alkaloids)	250.00

Column 1 Name of Substance	Column 2 Trafficable quantity (grams)
Desomorphine	2.00
Dextromoramide	2.00
Dextropropoxyphene, except when: (a) in divided preparations containing 135mg or less of dextropropoxyphene per dosage unit; or (b) in liquid preparations containing 2.5% or less of dextropropoxyphene	27.00
Diampromide	5.00
Diethylthiambutene	5.00
Difenoxin, except in preparations containing, per dosage unit, 0.5mg or less of difenoxin and a quantity of atropine sulphate equivalent to at least 5% of the dose of difenoxin	2.00
Dihydrocodeine, except when compounded with one or more other medicaments: (a) in divided preparations containing not more than 100mg of dihydrocodeine per dosage unit; or (b) in undivided preparations with a concentration of not more than 2.5% of dihydrocodeine	10.00
Dihydromorphine	10.00
Dimenoxadol	10.00
Dimepheptanol	10.00
Dimethylthiambutene	20.00
Dioxaphetyl Butyrate	2.00
Diphenoxylate, except in preparations containing per dosage unit, 2.5mg or less of diphenoxylate and a quantity of atropine sulphate equivalent to at least 1% of the dose of diphenoxylate	2.00
Dipipanone	10.00
Drotebanol	2.00
Ecgonine	10.00
Ethylmethylthiambutene	10.00
Ethylmorphine, except when compounded with one or more other medicaments: (a) in divided preparations containing not more than 100mg of ethylmorphine per dosage unit; or (b) in undivided preparations with a concentration of not more than 2.5% of ethylmorphine	2.00
Etonitazene	5.00
Etorphine	5.00
Etoxadine	5.00
Fentanyl	0.005
Furethidine	1.00
Heroin	2.00
Hydrocodone	2.00
Hydromorphanol	2.00

Column 1 Name of Substance	Column 2 Trafficable quantity (grams)
Hydromorphone	2.00
Hydroxypethidine	5.00
Isomethadone	2.00
Ketobemidone	2.00
Levomethorphan	2.00
Levomoramide	2.00
Levophenacymorphan	2.00
Levorphanol	1.00
Metazocine	7.00
Methadone	2.00
Methadone intermediate (4-Cyano-2-dimethylamino-4, 4-diphenylbutane)	2.00
Methylamphetamine	3.00
Methyldesorphine	2.00
Methyldihydromorphone	2.00
3-Methylfentanyl	0.005
Metopon	2.00
Moramide intermediate (2-Methyl-3-morpholino-1, 1-diphenyl-propane Carboxylic Acid)	8.00
Morpheridine	2.00
Morphine	2.00
Morphine Methobromide	2.00
Morphine-N-oxide	2.00
MPPP (1-Methyl-4-phenyl-4-propionoxypiperidine)	2.00
Myrophine	20.00
Nicocodine, except when compounded with one or more other medicaments: (a) in divided preparations containing not more than 100mg of nicocodine per dosage unit; or (b) in undivided preparations with a concentration of not more than 2.5% of nicocodine	2.00
Nicodicodine, except when compounded with one or more other medicaments: (a) in divided preparations containing not more than 100mg of nicodicodine per dosage unit; or (b) in undivided preparations with a concentration of not more than 2.5% of nicodicodine	2.00

Column 1 Name of Substance	Column 2 Trafficable quantity (grams)
Nicomorphine	2.00
Noracymethadol	2.00
Norcodeine, except when compounded with one or more other medicaments: (a) in divided preparations containing not more than 100mg of norcodeine per dosage unit; or (b) in undivided preparations with a concentration of not more than 2.5% of norcodeine	2.00
Norlevorphanol	2.00
Normethadone	5.00
Normorphine	20.00
Norpipanone	10.00
Opium in any form, except the alkaloids noscapine and papaverine	20.00
Oxycodone	5.00
Oxymorphone	2.00
PEPAP (1-Phenylethyl-4-phenyl-4-acetoxypiperidine)	2.00
Pethidine	10.00
Pethidine intermediate A (4-Cyano-1-methyl-4-phenylpiperidine)	10.00
Pethidine intermediate B (4-Phenylpiperidine-4-carboxylic Acid Ethyl Ester)	10.00
Pethidine intermediate C (1-Methyl-4-phenylpiperidine-4-carboxylic Acid)	10.00
Phenadoxone	10.00
Phenampromide	10.00
Phenazocine	1.00
Phenomorphan	5.00
Phenoperidine	1.00
Pholcodine, except when compounded with one or more other medicaments: (a) in divided preparations containing not more than 100mg of pholcodine per dosage unit; or (b) in undivided preparations with a concentration of not more than 2.5% of pholcodine	5.00
Piminodine	10.00
Piritramide	1.00
Proheptazine	1.00

Column 1 Name of Substance	Column 2 Trafficable quantity (grams)
Properidine	25.00
Propiram	10.00
Racemethorphan	2.00
Racemoramide	2.00
Racemorphan	2.00
Sufentanil	0.005
Thebacon	2.00
Thebaine	2.00
Tilidine	20.00
Trimeperidine	10.00

PART 2 — PSYCHOTROPIC SUBSTANCES

Allobarbital	Fenetylline
Alprazolam	Fenproporex
Amfepramone	Fludiazepam
Amphetamine	Flunitrazepam
Amobarbital	Flurazepam
Barbital	Glutethimide
Benzphetamine	Halazepam
Bromazepam	Haloxazolam
Butalbital	Ketazolam
Butobarbital	Lefetamine SPA
Camazepam	Levamphetamine
Cathine	Levomethamphetamine
Cathinone	Levomethorphan
Chlordiazepoxide	Loprazolam
Clobazam	Lorazepam
Clonazepam	Lormetazepam
Clorazepate	Lysergide (LSD, LSD-25)
Clotiazepam	Mazindol
Cloxacolam	MDA (3, 4-Methylenedioxyamphetamine)
Cyclobarbital	MDMA (3, 4-Methylenedioxy-N, a- dimethylphenylethylamine)
Delorazepam	Mecloqualone
DET (N, N-Diethyltryptamine)	Medazepam
Dexamphetamine	Mefenorex
Diazepam	Meprobamate
DMA (2, 5-Dimethoxy-a- methylphenylethylamine)	Mescaline (3, 4, 5-Trimethoxyphenethylamine)
DMHP (3-(1, 2-Dimethylheptyl)-1-hydroxy- 7,8,9,10-tetrahydro-6,6,9-trimethyl-6H- dibenzo[b,d]pyran)	Methamphetamine
DMT (N, N-Dimethyltryptamine)	Methaqualone
DOB (2, 5-Dimethoxy-4-bromoamphetamine)	Methylphenidate
DOET (2, 5-Dimethoxy-4-ethyl-a- methylphenylethylamine)	Methylphenobarbital
Estazolam	Methypylon
Ethchlorvynol	MMDA (5-Methoxy-3, 4-methylenedioxy-a- methylphenylethylamine)
Ethinamate	Nimetazepam
Ethyl Loflazepate	Nitrazepam
Etilamfetamine	Nordazepam
Fencamfamin	Oxazepam
	Oxazolam

Parahexyl (3-Hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo[b,d]pyran)
PCE (Eticyclidine)
Pentazocine
Pentobarbital
Phencyclidine (PCP)
Phendimetrazine
Phenmetrazine
Phenobarbital
Phentermine
PHP PCPY (Rolicyclidine)
Pinazepam
Pipradrol
PMA (4-Methoxy-a-methylphenylethylamine)
Prazepam
Propylhexedrine
Psilocine (Psilottin)
Psilocybine
Pyrovalerone
Secbutabarbital
Secbutobarbitone
Secobarbital
(2-Amino-1-(2, 5-dimethoxy-4-methyl)phenylpropane (STP, DOM)
Temazepam
(Tenocyclidine) TPC
Tetrahydrocannabinols (THC) and their alkyl homologues, except where separately specified in this Schedule
3,4, 5-Trimethoxy-a-methylphenylethylamine (TMA)
Tetrazepam
Triazolam
Vinylbital

SCHEDULE 6
NORFOLK ISLAND
DANGEROUS DRUGS ACT 1927
NOTICE OF SEIZURE OF GOODS

Section 9B

To:

Take notice that I, _____, [an officer authorised by the Commonwealth Minister / a member of the police force permitted] to seize goods that are liable to forfeiture under section 9 of the *Dangerous Drugs Act 1927*, have seized goods the description of which is set out in the first column of the Schedule to this notice as liable, for the reasons set out in the second column of that Schedule in relation to the description in the first column, to forfeiture to the Administration of Norfolk Island under section 9 of that Act.

And further take notice that the Court of Petty Sessions will inquire whether the goods are liable to forfeiture. Any person wishing to oppose the making of an order condemning the goods as forfeited to the Administration of Norfolk Island should forthwith notify the Clerk of the Court of Petty Sessions accordingly.

Dated _____ 20 .

Officer

SCHEDULE

 Description of goods seized

 Reason for seizure

NOTES

The *Dangerous Drugs Act 1927* as shown in this consolidation comprises Act No. 1 of 1927 and amendments as indicated in the Tables below.

Enactment	Number and year	Date of commencement	Application saving or transitional provision
<i>Dangerous Drugs Act 1927</i>	1, 1927	11.10.27	
<i>Amendments Incorporation Act 1963</i>	2, 1963	28.3.63	
<i>Ordinances Revision Act 1964</i>	6, 1964	30.6.64	6
<i>Dangerous Drugs Act 1973</i>	7, 1973	20.12.73	
<i>Ordinances Citation Act 1976</i>	11, 1976	25.11.76	
<i>Dangerous Drugs (Amendment) Act 1978</i>	4, 1978	27.4.78	
<i>Ordinances Revision (Decimal Currency) Act 1980</i>	31, 1980	15.1.81	
<i>Dangerous Drugs (Amendment) Act 1984</i>	16, 1984	1.11.84	
<i>Statute Law Revision (Penalties and Fees) Act 1984</i>	9, 1985	13.5.85	4
<i>[Previously reprinted as at 20 May 1985]</i>			
<i>Statute Law (Miscellaneous Provisions) (No. 3) Act 1986</i>	35, 1986	4.12.86	
<i>Dangerous Drugs Amendment Act 1995</i>	17, 1995	23.11.95	
<i>Dangerous Drugs Amendment Act 1997</i>	3, 1998	23.4.98	
<i>Dangerous Drugs Amendment Act 1998</i>	14, 1998	9.7.98	
<i>[Previously consolidated as at 26 March 2002]</i>			
<i>Interpretation (Amendment) Act 2012</i> <i>[to substitute throughout —Commonwealth Minister for Minister; and to substitute Minister for executive member]</i>	14, 2012	28.12.12	
<i>[Previously consolidated as at 31 December 2012]</i>			

Ordinance	Registration	Commencement	Application, saving and transitional provisions
Norfolk Island Continued Laws Amendment Ordinance 2015 (No. 2, 2015) (now cited as Norfolk Island Continued Laws Ordinance 2015 (see F2015L01491))	17 June 2015 (F2015L00835)	18 June 2015 (s 2(1) item 1)	Sch 1 (items 344, 345, 419)
as amended by			
Norfolk Island Continued Laws Amendment (2016 Measures No. 2) Ordinance 2016 (No. 5, 2016)	10 May 2016 (F2016L00751)	Sch 4 (item 18): 1 July 2016 (s 2(1) item 4)	—
Norfolk Island Legislation Amendment (Criminal and Civil Matters) Ordinance 2021	9 July 2021 (F2021L00975)	Sch 1 (items 13, 14): 10 July 2021 (s 2(1) item 1)	—

Note: The amendment history in the Table of Amendments below reflects the amendment of this title by the *Norfolk Island Continued Laws Ordinance 2015* (Ord No 2, 2015) incorporating all amendments to the *Norfolk Island Continued Laws Ordinance 2015* up to the compilation date. The as amended by information is not referenced in the Table of Amendments but can be seen in the legislation history above.

Table of Amendments

Provisions affected	How affected
1	am 7, 1973; 11, 1976
3	am 7, 1973; 16, 1984; 35, 1986; 17, 1995; Ord No 2, 2015
5	am 3, 1998
5A	ad 7, 1973 rep 3, 1998
6	am 17, 1995; 3, 1998
7	am 17, 1995
7A, 7B	ad 3, 1998
8	am 3, 1998
9	rs 7, 1973 am 3, 1998
9A	ad 7, 1973
9B	ad 7, 1973 am 16, 1984
9C	ad 7, 1973 am 16, 1984
10	am 7, 1973; 3, 1998
11	am 7, 1973
12	rs 7, 1973 am 17, 1995; 3, 1998

ad = added or inserted	am = amended	rep = repealed	rs = repealed and substituted
Provisions affected	How affected		
12A	ad	7, 1973	
	am	9, 1985; 3, 1998	
12B	ad	7, 1973	
12C	ad	7, 1973	
	am	9, 1985	
12D	ad	7, 1973	
	am	16, 1984; 9, 1985; 35, 1986; 17, 1995	
12E	ad	14, 1998	
15	am	4, 1978; 31, 1980; 16, 1984; 9, 1985; 3, 1998; 14, 1998	
Schedule 1	rs	7, 1973	
	am	11, 1976	
Schedule 2	rs	7, 1973	
	am	11, 1976	
Schedule 4	ad	7, 1973	
Schedule 5	ad	7, 1973	
	rs	17, 1995	
	am	Ord No 2, 2015	
Schedule 6	ad	7, 1973	
	am	11, 1976; Ord No 2, 2015	