Dangerous Drugs Act 1965

1965 CHAPTER 15

An Act to consolidate the Dangerous Drugs Acts 1951 and 1964. [2nd June 1965]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

RAW OPIUM, COCA LEAVES, POPPY-STRAW, CANNABIS, &C.

Drugs to which Part I applies.

1. The drugs to which this Part of this Act applies are raw opium, coca leaves, poppy-straw, cannabis, cannabis resin and all preparations of which cannabis resin forms the base.

Restriction of importation of drugs to which Part I applies.

2. It shall not be lawful for a person to import into the United Kingdom a drug to which this Part of this Act applies except under a licence granted by a Secretary of State.

Restriction of exportation of drugs to which Part I applies.

3.—(1) It shall not be lawful for a person to export from the United Kingdom a drug to which this Part of this Act applies except under a licence granted by a Secretary of State.

(2) If at any time the importation into a foreign country of a drug to which this Part of this Act applies is prohibited or restricted by the laws of that country, there shall, while that prohibition or restriction is in force, be attached to every licence which is issued by a Secretary of State under this Act authorising the export of that drug from the United Kingdom such conditions as appear to him necessary for preventing or restricting, as the case may be, the exportation of that drug from the United Kingdom to that country during such time

as the importation of that drug into that country is so prohibited or restricted, and any such licence issued before the prohibition or restriction came into force shall, if a Secretary of State by order so directs, be deemed to be subject to the like conditions.

Power to control production, sale, &c., of drugs to which Part I applies.

4.—(1) A Secretary of State may by regulations provide for controlling or restricting the production, possession, sale and distribution of drugs to which this Part of this Act applies, and in particular, but without prejudice to the generality of the foregoing power, for prohibiting the production, possession, sale or distribution of any such drug except by persons licensed or otherwise authorised in that behalf by a Secretary of State.

(2) This section shall, in its application to Northern Ireland, have effect with the substitution, for references to a Secretary of State, of references to the Ministry of Home Affairs for Northern Ireland.

Penalization of permitting premises to be used for smoking cannabis, &c.

5. If a person—

(*a*) being the occupier of any premises, permits those premises to be used for the purpose of smoking cannabis or cannabis resin or of dealing in cannabis or cannabis resin (whether by sale or otherwise); or

(*b*) is concerned in the management of any premises used for any such purpose as aforesaid;

he shall be guilty of an offence against this Act.

Penalization of intentional cultivation of cannabis plant.

6.—(1) A person who, except under a licence granted by a Secretary of State, knowingly cultivates any plant of the genus cannabis shall be guilty of an offence against this Act.

(2) This section shall, in its application to Northern Ireland, have effect with the substitution, for the reference to a Secretary of State, of a reference to the Ministry of Home Affairs for Northern Ireland.

PART II

PREPARED OPIUM

Prohibition of importation and exportation of prepared opium.

7. It shall not be lawful for a person to import into, or to export from, the United Kingdom, any prepared opium.

Penalization of manufacture, sale, use, &c., of prepared opium

8. If a person—

(*a*) manufactures, sells or otherwise deals in prepared opium; or

(*b*) has in his possession any prepared opium; or

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(*c*) being the occupier of any premises, permits those premises to be used for the purpose of the preparation of opium for smoking or the sale or smoking of prepared opium; or

(*d*) is concerned in the management of any premises used for any such purpose as aforesaid; or

(*e*) has in his possession any pipes or other utensils for use in connection with the smoking of opium or any utensils used in connection with the preparation of opium for smoking; or

(*f*) smokes or otherwise uses prepared opium or frequents a place used for the purpose of opium smoking;

he shall be guilty of an offence against this Act.

Meaning of "prepared opium".

9. In this Part of this Act the expression "prepared opium" means opium prepared for smoking and includes dross and any other residues remaining after opium has been smoked.

PART III

OTHER DRUGS, AND INTERMEDIATE PRODUCTS OF SYNTHESIS THEREOF

Restriction of importation and exportation of substances specified in Part I, but not falling within Part II, of Schedule.

10. It shall not, except under a licence granted by a Secretary of State, be lawful for a person to import into, or to export from, the United Kingdom a substance for the time being specified in Part I of the Schedule to this Act, other than a preparation or other substance for the time being falling within Part II of that Schedule.

Power to control manufacture, sale, &c., of substances specified in Part I of Schedule.

11.—(1) For the purpose of preventing the improper use of the substances for the time being specified in Part I of the Schedule to this Act, a Secretary of State may by regulations provide for controlling the manufacture, sale, possession and distribution of those substances, and in particular, but without prejudice to the generality of the foregoing power, for—

(*a*) prohibiting the manufacture of a substance for the time being so specified except on premises licensed for the purpose by a Secretary of State and subject to any conditions specified in the licence;

(*b*) prohibiting the manufacture, sale or distribution of a substance for the time being so specified except by persons licensed or otherwise authorised under the regulations by a Secretary of State and subject to any conditions specified in the licence or authority;

(*c*) regulating the issue by medical practitioners of prescriptions containing a substance for the time being so specified and the dispensing of any such prescriptions; and PART III

(*d*) requiring persons engaged in the manufacture, sale or distribution of a substance for the time being so specified to keep such books and furnish such information either in writing or otherwise as may be prescribed by the regulations.

(2) The regulations under this section shall provide for authorising a person lawfully carrying on business in accordance with the provisions of the Pharmacy and Poisons Act 1933 as an authorised seller of poisons— 1933 c. 25.

(*a*) in the ordinary course of his retail business to manufacture, at any premises duly registered under Part I of that Act, any preparation, admixture or extract of a substance for the time being specified in Part I of the Schedule to this Act; or

(*b*) to carry on at any such premises as aforesaid the business of retailing, dispensing or compounding any such substance;

subject to the power of the Secretary of State to withdraw the authorisation in the case of a person who has been convicted of an offence against this Act or either of the former Acts relating to dangerous drugs or of an offence under the Customs and Excise Act 1952 or the enactments repealed thereby, being an offence in relation to a drug or other substance whose importation or exportation was prohibited or restricted by this Act or either of the said former Acts, and who cannot, in the opinion of the Secretary of State, properly be allowed to carry on the business of manufacturing or selling or distributing, as the case may be, any such substance as aforesaid; but the Secretary of State shall, before withdrawing the authorisation in the case of any such person, consult the Council of the Pharmaceutical Society of Great Britain. 1952 c. 44.

(3) Nothing in any regulations made under this section shall be taken to authorise the sale by retail of poisons by a person who is not qualified in that behalf under, or otherwise than in accordance with, the provisions of the Pharmacy and Poisons Act 1933 and the Pharmacy and Medicines Act 1941 or to be in derogation of the provisions of those Acts for prohibiting, restricting or regulating the sale of poisons. 1941 c. 42.

(4) This section shall, in its application to Northern Ireland, have effect with the substitution, in subsection (1) thereof, for references to a Secretary of State, of references to the Ministry

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of Home Affairs for Northern Ireland and with the substitution, for subsections (2) and (3) thereof, of the following subsections:—

"(2) The regulations under this section shall provide for authorising a person who lawfully keeps open shop for the retailing of poisons in accordance with the provisions of the Pharmacy and Poisons Acts (Northern Ireland) 1925 to 1955—

(*a*) to manufacture at the shop in the ordinary course of his retail business any preparation, admixture or extract of a substance for the time being specified in Part I of the Schedule to this Act; or

(*b*) to carry on at the shop the business of retailing, dispensing or compounding any such substance;

subject to the power of the Ministry of Home Affairs for Northern Ireland to withdraw the authorisation in the case of a person who has been convicted of an offence against this Act or either of the former Acts relating to dangerous drugs or of an offence under the Customs and Excise Act 1952 or the enactments repealed thereby, being an offence in relation to a drug or other substance whose importation or exportation was prohibited or restricted by this Act or either of the said former Acts and who cannot, in the opinion of that Ministry, properly be allowed to carry on the business of manufacturing or selling or distributing, as the case may be, any such substance; but the said Ministry shall, before withdrawing the authorisation in the case of any such person, consult the Council of the Pharmaceutical Society of Northern Ireland.

1952 c. 44.

(3) Nothing in any regulations made under this section shall be taken to authorise the sale, or the keeping of an open shop for the retailing, dispensing or compounding, of poisons by a person who is not qualified in that behalf under, or otherwise than in accordance with, the provisions of the Pharmacy and Poisons Acts (Northern Ireland) 1925 to 1955, or to be in derogation of the provisions of those Acts for prohibiting, restricting or regulating the sale of poisons".

Power of Her Majesty in Council to amend Schedule.

12. If—

(*a*) it appears to Her Majesty that a decision of the Commission or of the Organisation to alter any of the Schedules to the Single Convention or to apply to a substance measures of control applicable under that Convention to substances specified in Schedule 1 thereto, requires the addition of a substance to, or the removal of a substance from, Part I or II of the Schedule to this Act or both the removal of a substance

from Part I of that Schedule and the removal of a substance from Part II thereof; or

(*b*) it appears to Her probable that there will be taken such a decision as aforesaid of the Commission or of the Organisation as will require the addition of a substance to Part I of the Schedule to this Act and that, in the circumstances of the case, it is expedient to anticipate the decision;

She may by Order in Council make the requisite modifications in the said Schedule.

PART IV

GENERAL

Miscellaneous Offences

Miscellaneous offences.

13. A person—

(*a*) who acts in contravention of, or fails to comply with, a regulation made under this Act; or

(*b*) who acts in contravention of, or fails to comply with, the conditions of a licence issued or authority granted under, or in pursuance of, this Act; or

(*c*) who for the purpose of obtaining, whether for himself or for any other person, the issue, grant or renewal of any such licence or authority as aforesaid, makes a declaration or statement which is false in any particular, or knowingly utters, produces or makes use of any such declaration or statement or a document containing the same; or

(*d*) who in the United Kingdom aids, abets, counsels or procures the commission in a place outside the United Kingdom of an offence punishable under the provisions of a corresponding law in force in that place, or does an act preparatory to, or in furtherance of, an act which if committed in the United Kingdom would constitute an offence against this Act;

shall be guilty of an offence against this Act.

Powers of Search and Arrest

Entry and search of premises, &c., to obtain evidence of offences.

14.—(1) A constable or other person authorised in that behalf by a general or special order of a Secretary of State (or in Northern Ireland either of a Secretary of State or of the Ministry of Home Affairs for Northern Ireland) shall, for the purposes of the execution of Parts I, II and III of this Act, have power to enter the premises of a person carrying on the business of a producer, manufacturer, seller or distributor

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of any drugs to which Part I or II of this Act applies or any substances for the time being specified in Part I of the Schedule to this Act, and to demand the production of, and to inspect, any books or documents relating to dealings in any such drugs or substances and to inspect any stocks of any such drugs or substances.

(2) If a justice of the peace (or in Scotland either a justice of the peace or a sheriff) is satisfied by information on oath that there is reasonable ground for suspecting—

(*a*) that any drugs to which Part I or II of this Act applies or any substances for the time being specified in Part I of the Schedule to this Act are, in contravention of the provisions of this Act or any regulations made thereunder, in the possession or under the control of a person in any premises; or

(*b*) that a document directly or indirectly relating to, or connected with, a transaction or dealing which was, or an intended transaction or dealing which would if carried out be, an offence against this Act, or in the case of a transaction or dealing carried out or intended to be carried out in a place outside the United Kingdom, an offence against the provisions of a corresponding law in force in that place, is in the possession or under the control of a person in any premises,

he may grant a search warrant authorising any constable named in the warrant, at any time or times within one month from the date of the warrant, to enter, if need be by force, the premises named in the warrant, and to search the premises and any persons found therein and, if there is reasonable ground for suspecting that an offence against this Act has been committed in relation to any such drugs or substances as aforesaid which may be found in the premises or in the possession of any such persons, or that a document which may be so found is such a document as is mentioned in paragraph (*b*) of this subsection, to seize and detain those drugs or substances or that document, as the case may be.

(3) If a person wilfully delays or obstructs a person in the exercise of his powers under this section or fails to produce, or conceals or attempts to conceal, any such books, stocks, drugs, substances or documents as aforesaid, he shall be guilty of an offence against this Act.

Power of arrest.

15. A constable may arrest without warrant a person who has committed, or attempted to commit, or is reasonably suspected by the constable of having committed or attempted to commit

an offence against this Act, if he has reasonable ground for believing that that person will abscond unless arrested, or if the name and address of that person are unknown to, and cannot be ascertained by, him. PART IV

Penalties, &c.

Penalties.

16.—(1) Every person guilty of an offence against this Act shall, in respect of each offence, be liable (subject to the next following subsection)—

(*a*) on conviction on indictment, to a fine not exceeding £1,000 or to imprisonment for a period not exceeding ten years, or to both; or

(*b*) on summary conviction, to a fine not exceeding £250 or to imprisonment for a term not exceeding twelve months, or to both.

(2) No person shall, on conviction for an offence against this Act consisting in a contravention of, or failure to comply with, a regulation under this Act relating to the keeping of books or the issuing or dispensing of prescriptions containing drugs to which Part I or II of this Act applies or substances for the time being specified in Part I of the Schedule to this Act, be sentenced to imprisonment without the option of a fine or to pay a fine exceeding £50, if the court dealing with the case is satisfied that the offence was committed through inadvertence and was not preparatory to, or committed in the course of, or in connection with, the commission or intended commission of any other offence against this Act.

Forfeiture and disposal of articles in respect of which offences are committed.

17. A person convicted of an offence against this Act shall forfeit to Her Majesty all articles in respect of which the offence was committed, and the court before which he is convicted may order those articles to be destroyed or otherwise disposed of as the court thinks fit.

Attempts, &c., to commit offences.

18. If a person attempts to commit an offence against this Act, or solicits or incites another person to commit such an offence, he shall, without prejudice to any other liability, be liable on summary conviction to the same punishment and forfeiture as if he had committed an offence against this Act.

Offences by companies.

19. Where a person convicted of an offence against this Act is a company, the chairman and every director and every officer concerned in the management of the company shall be guilty of the like offence unless he proves that the act constituting the offence took place without his knowledge or consent.

PART IV

Legal proceedings.

20.—(1) No person shall—

(*a*) in England or Wales, be proceeded against by indictment for an offence against this Act unless the proceedings are instituted by, or with the consent of, the Attorney General or by the Director of Public Prosecutions;

(*b*) in Northern Ireland, be proceeded against as aforesaid unless the proceedings are instituted by, or with the consent of, the Attorney General for Northern Ireland:

Provided that paragraph (*a*) of this subsection shall not apply where the person charged claims, in pursuance of section 25 of the Magistrates' Courts Act 1952, to be tried by a jury.

1952 c. 55.

(2) Any proceedings before a court of summary jurisdiction for an offence against this Act or for attempting to commit or soliciting or inciting another person to commit such an offence may, notwithstanding any enactment prescribing the time within which proceedings may be brought, be brought either within the time so prescribed or within three months from the date on which evidence sufficient in the opinion of a Secretary of State to justify a prosecution for the offence comes to his knowledge, whichever is the longer; and for the purposes of this subsection a certificate purporting to be signed by a Secretary of State as to the date on which such evidence as aforesaid comes to his knowledge shall be conclusive evidence thereof.

In the application of this subsection to Scotland references to the Lord Advocate, and in the application of this subsection to Northern Ireland references to the Attorney General for Northern Ireland, shall be substituted for the references to a Secretary of State.

(3) For the avoidance of doubt it is hereby declared that in any proceedings against a person for an offence against this Act it is not necessary to negative by evidence a licence, authority or other matter of exception or defence, and that the burden of proving any such matter lies on the person seeking to avail himself thereof.

Supplementary

Licences and authorities.

21. A licence or authority issued or granted for the purposes of this Act by a Secretary of State or the Ministry of Home Affairs for Northern Ireland may be issued or granted on such terms and subject to such conditions (including, in the case of a licence, the payment of a fee) as the Secretary of State or the said Ministry, as the case may be, thinks proper.

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Parliamentary control of regulation-making powers.

22.—(1) Any power to make regulations conferred by this Act on a Secretary of State shall be exercisable by statutory instrument, and a statutory instrument made in exercise of any such power shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(2) Every regulation made under this Act by the Ministry of Home Affairs for Northern Ireland shall be laid forthwith before each House of the Parliament of Northern Ireland, and if an Address is presented to the Governor of Northern Ireland within the period hereinafter mentioned praying that the regulation may be annulled, the Governor of Northern Ireland in Council may annul the regulation and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

The period referred to in the foregoing provisions of this subsection is, in relation to either House of the Parliament of Northern Ireland, a period beginning with the day following that on which the regulation is laid before it and comprising ten days at least on which that House has sat, but not being in any case shorter in duration than twenty days; and days comprised in more than one Session of the Parliament of Northern Ireland may be reckoned for the purposes of this provision.

Meaning of "corresponding law".

23.—(1) In this Act the expression "corresponding law" means a law stated in a certificate purporting to be issued by or on behalf of the government of a country outside the United Kingdom to be a law providing for the control and regulation in that country of the manufacture, sale, use, export and import of drugs and other substances in accordance with the provisions of the Single Convention or a law providing for the control and regulation in that country of the manufacture, sale, use, export and import of drugs in accordance with the provisions of the Hague Convention, the Geneva Convention (No. 1) and the Geneva Convention (No. 2) as respectively amended by the Protocol.

(2) A statement in any such certificate as aforesaid as to the effect of the law mentioned in the certificate or a statement in any such certificate that any facts constitute an offence against that law shall be conclusive.

General interpretation.

24.—(1) In this Act the following expressions have the meanings hereby assigned to them respectively, that is to say:—

"cannabis" (except where used in the expression 'cannabis resin') means the flowering or fruiting tops of any plant of the genus cannabis from which the resin has not been extracted, by whatever name they may be designated;

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" cannabis resin " means the separated resin, whether crude or purified, obtained from any plant of the genus cannabis;

" coca leaves " means the leaves of any plant of the genus of the erythroxylaceæ from which cocaine can be extracted, either directly or by chemical transformation;

" the Commission " means the Commission on Narcotic Drugs of the Economic and Social Council of the United Nations;

" former Acts relating to dangerous drugs " means the Dangerous Drugs Act 1920 and the Dangerous Drugs Act 1951;

1920 c. 46.
1951 c. 48.

" the Geneva Convention (No. 1) " means the International Opium Convention signed at Geneva on 19th February 1925;

" the Geneva Convention (No. 2) " means the Convention signed at Geneva on 13th July 1931, being the Convention for the purpose of supplementing the Geneva Convention (No. 1) and the Hague Convention;

" the Hague Convention " means the International Opium Convention signed at the Hague on 23rd January 1912;

" 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 Pharmacopœia, whether it is in the form of powder or is granulated or is in any other form, and whether it is or is not mixed with neutral substances;

" opium poppy " means the plant of the species *Papaver somniferum L;*

" the Organisation " means the World Health Organisation;

" poppy-straw " means all parts except the seeds of the opium poppy, after mowing;

" the Protocol " means the Protocol on Narcotic Drugs signed at Lake Success, New York, on 11th December 1946;

" raw opium " includes powdered or granulated opium, but does not include medicinal opium;

" the Single Convention " means the Single Convention on Narcotic Drugs signed at New York on 30th March 1961.

(2) The specification in paragraph 1 of the Schedule to this Act of a substance shall, if the existence of isomers of that substance is possible within the specific chemical designation thereof, be taken to comprehend the specification of any isomer of that substance whose existence is possible as aforesaid; and

references in paragraphs 2, 3, 8, 13 and 14 of that Schedule to a substance for the time being specified in the said paragraph 1 shall be construed accordingly. PART IV

(3) For the purposes of this Act, an article shall be deemed to be imported under licence or exported under licence if the importer or exporter, as the case may be, is the holder of a licence issued under this Act authorising the importation or exportation, as the case may be, of the article and complies with the conditions, if any, of the licence, but not otherwise.

Saving for powers of Parliament of Northern Ireland. 1920 c. 67.

25. For the purposes of section 6 of the Government of Ireland Act 1920 (which relates to the powers of the Parliament of Northern Ireland to make laws) this Act shall be deemed to have been passed before the day appointed for the purposes of that section.

Consequential amendment of Customs and Excise Act 1952. 1952 c. 44. 1951 c. 48.

26. For the purposes of any proceedings under section 45, 56 or 304 of the Customs and Excise Act 1952 for an offence in connection with the importation or exportation of drugs or other substances in contravention of this Act, section 16 of this Act shall not be taken expressly to provide a penalty for that offence; and for the purposes of any such proceedings in connection with the importation or exportation of drugs or other substances in contravention of the Dangerous Drugs Act 1951, section 15 of that Act shall not be taken expressly to have provided a penalty for that offence.

Repeal and savings. 1964 c. 36.

27.—(1) The Dangerous Drugs Act 1951, section 320(3) of the Customs and Excise Act 1952 and the Dangerous Drugs Act 1964 are hereby repealed.

(2) In so far as any order or regulation made, licence issued, authority or warrant granted or other thing done under an enactment repealed by this Act (except section 2 of the Dangerous Drugs Act 1964) could have been made, issued, granted or done under a corresponding provision of this Act, it shall not be invalidated by the repeal effected by the foregoing subsection, but shall have effect as if it had been made, granted, issued or done under that corresponding provision. 1964 c. 36.

(3) Any document referring to an enactment repealed by this Act shall, so far as may be necessary for preserving the effect thereof, be construed as referring, or as including a reference, to the corresponding enactment in this Act.

(4) The mention of particular matters in this section shall not be taken to affect the general application of section 38 of the Interpretation Act 1889 with regard to the effect of repeals. 1889 c. 63.

Short title.

28. This Act may be cited as the Dangerous Drugs Act 1965.

SCHEDULE

Sections 10, 11, 12, 13, 16, 24.

SUBSTANCES DEALINGS IN WHICH ARE SUBJECT TO CONTROL UNDER PART III

PART I

SUBSTANCES DEALINGS IN WHICH ARE SUBJECT TO CONTROL EXCEPT, IN THE CASE OF ANY SPECIFIED IN PART II BELOW, AS REGARDS IMPORTATION AND EXPORTATION

1. The following substances, namely:—

Acetyldihydrocodeine.
Allylprodine.
Alphacetylmethadol.
Alphameprodine.
Alphamethadol.
Alphaprodine.
Anileridine.
Benzethidine.
Benzylmorphine (3-benzylmorphine).
Betacetylmethadol.
Betameprodine.
Betamethadol.
Betaprodine.
Clonitazene.
Cocaine.
Codeine.
Desomorphine.
Dextromoramide.
Dextropropoxyphene.
Diamorphine.
Diampromide (N-[2-(N-methylphenethylamino) propyl] propionanilide).
Diethylthiambutene.
Dihydrocodeine.
Dihydromorphine.
Dimenoxadole.
Dimepheptanol.
Dimethylthiambutene.
Dioxaphetyl butyrate.
Diphenoxylate.
Dipipanone.
Ecgonine.
Ethylmethylthiambutene.
Ethylmorphine (3-ethylmorphine).
Etonitazene.
Etoxeridine.
Fentanyl.
Furethidine.
Hydrocodone (dihydrocodeinone).
Hydromorphinol.
Hydromorphone.
Hydroxypethidine.
Isomethadone.
Ketobemidone.
Levomethorphan.
Levomoramide.
Levophenacylmorphan.
Levorphanol.
Metazocine.
Methadone.
Methadyl acetate.
Methyldesorphine.
Methyldihydromorphine (6-methyldihydromorphine).
Metopon.
Morpheridine.
Morphine.
Morphine methobromide, morphine-N-oxide and other pentavalent nitrogen morphine derivatives.
Myrophine.
Nicocodine.
Nicomorphine (3,6-dinicotinoylmorphine).
Noracymethadol.
Norcodeine.
Norlevorphanol.
Normethadone.
Normorphine.
Norpipanone.
Oxycodone.
Oxymorphone.
Pethidine.
Phenadoxone.
Phenampromide.
Phenazocine.
Phenomorphan.
Phenoperidine.
Pholcodine.

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Piminodine.
Proheptazine.
Properidine (1-methyl-4-phenylpiperidine-4-carboxylic acid isopropyl ester).
Racemethorphan.
Racemoramide.
Racemorphan.
Thebacon.
Thebaine.
Trimeperidine.
4-Cyano-2-dimethylamino-4, 4-diphenylbutane.
4-Cyano-1-methyl-4-phenylpiperidine.
1-Methyl-4-phenylpiperidine-4-carboxylic acid.
2-Methyl-3-morpholino-1, 1-diphenylpropanecarboxylic acid.
4-Phenylpiperidine-4-carboxylic acid ethyl ester.

2. Any ester (other than one expressly mentioned in paragraph 1 above) or ether (other than one so mentioned) of a substance for the time being specified in that paragraph.

3. Any salt of a substance for the time being specified in paragraph 1 or 2 above.

4. Any derivative of ecgonine which is convertible to ecgonine or to cocaine.

5. Concentrate of poppy-straw (that is to say, the material arising when poppy-straw has entered into a process for the concentration of its alkaloids).

6. Medicinal opium.

7. Any extract or tincture of cannabis.

8. Any preparation, admixture, extract or other substance containing any proportion of a substance for the time being specified in paragraph 1 above or in any of paragraphs 2 to 7 above.

PART II

PREPARATIONS AND OTHER SUBSTANCES FALLING WITHIN PART I WHOSE IMPORTATION AND EXPORTATION IS EXCEPTED FROM CONTROL

9.—(1) A preparation of not more than one of the substances to which this paragraph applies, when—

(*a*) compounded with one or more other ingredients in such a way that the preparation has no, or a negligible, risk of abuse, and that the substance cannot be recovered by readily applicable means or in a yield which would constitute a risk to health; and

(*b*) containing not more than 100 milligrammes of the substance per dosage unit and with a concentration of not more than 2·5 per cent. in undivided preparations.

(2) The substances to which this paragraph applies are acetyldihydrocodeine, codeine, dextropropoxyphene, dihydrocodeine, ethylmorphine (3-ethylmorphine), norcodeine, pholcodine and their respective salts.

10. A preparation of cocaine containing not more than 0·1 per cent. of cocaine calculated as cocaine base, being a preparation compounded with one or more other ingredients in such a way that the preparation

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has no, or a negligible, risk of abuse and that the cocaine cannot be recovered by readily applicable means or in a yield which would constitute a risk to health.

11. A preparation of medicinal opium or of morphine containing (in either case) not more than 0·2 per cent. of morphine calculated as anhydrous morphine base, being a preparation compounded with one or more other ingredients in such a way that the preparation has no, or a negligible, risk of abuse and that the opium or, as the case may be, the morphine, cannot be recovered by readily applicable means or in a yield which would constitute a risk to health.

12. Solid dose preparations of diphenoxylate containing, per dosage unit, not more than 2·5 milligrammes of diphenoxylate calculated as base and not less than 25 microgrammes of atropine sulphate.

13. Pulvis Ipecacuanhae et Opii Compositus:—

10 per cent. opium, in powder,
10 per cent. Ipecacuanha root, in powder,

well mixed with

80 per cent. of any other powdered ingredient containing neither a drug to which Part I or II of this Act applies nor a substance for the time being specified in paragraph 1 of this Schedule or in any of paragraphs 2 to 8 thereof.

14. Mixtures containing not more than one of the preparations specified in paragraphs 9 to 13 above, being mixtures whereof none of the other ingredients is either a drug to which Part I or II of this Act applies or a substance for the time being specified in paragraph 1 of this Schedule or in any of paragraphs 2 to 8 thereof.