

Hon. Mr. T. Mackenzie.

OPIUM AMENDMENT.

ANALYSIS.

- |  |   |
|--|---|
| Title.   |   |
| 1. Short Title.                                  | 4. Onus of proof in certain cases.            |
| 2. Opium which may be made suitable for smoking. | 5. Convicted persons not to sell, &c., opium. |
| 3. Section 4 of principal Act amended.           | 6. General penalty for breach of Act.         |
|  | 7. Repeal.                                    |

A BILL INTITULED

AN ACT to amend the Opium Act, 1908.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Opium Amendment Act, 1910, and shall form part of and be read together with the Opium Act, 1908 (hereinafter referred to as the principal Act).

Short Title.

2. The Governor may from time to time, by Order in Council gazetted, declare any article or preparation containing opium to be opium which, though not suitable for smoking, may yet be made suitable, and the provisions of sections three, four, and five of the principal Act shall apply to any such article or preparation accordingly.

Opium which may be made suitable for smoking.

3. (1.) Section four of the principal Act is hereby amended by inserting after subsection two the following subsections:—

Section 4 of principal Act amended.

“(2A.) It shall not be lawful for any person to sell any preparation of opium which may be made suitable for smoking in any larger quantity than is prescribed by regulations.

“(2B.) It shall not be lawful for any person to sell to any person of the Chinese race any preparation of opium which may be made suitable for smoking, except on the order in writing of a medical practitioner or such other person as may be authorized by the Minister of Customs.”

(2.) Subsection one of the said section four is hereby amended by omitting paragraph (b), and substituting the following:—

“(b.) Such particulars as are prescribed by regulations.”

4. (1.) In any proceedings under the principal Act against any person in which it is proved that he had in his possession opium or any preparation of opium which is or may be made suitable for smoking, the onus of proof that he came into possession thereof in a manner not prohibited by the principal Act shall lie on the defendant.

Onus of proof in certain cases.

(2.) In any such proceedings it shall not be necessary to prove that the opium or preparation thereof was imported into New Zealand since the coming into operation of the principal Act or of the Opium Prohibition Act, 1901.

Convicted persons  
not to sell, &c.,  
opium.

5. It shall not be lawful for any person who has been convicted of an offence against the principal Act to sell or otherwise dispose of opium or any preparation of opium which is or may be made suitable for smoking, and if such person is the holder of a permit under section three of the principal Act his permit shall *ipso facto* be cancelled: 5 10

Provided that the Minister of Customs may, on the recommendation of the convicting Court, renew the permit in the case of the conviction of the holder of a permit, or remove the disability in the case of the conviction of any other person, for an offence against section four of the principal Act, and in that case it shall be lawful for the holder of such renewed permit or other person to sell or otherwise dispose of opium or any preparation thereof in accordance with the principal Act. 15

General penalty for  
breach of Act.

6. Every person who commits a breach of any of the provisions of the principal Act or this Act, or of any regulations thereunder, is liable, if no other penalty is prescribed, to a fine not exceeding *ten* pounds. 20

Repeal.

7. Section ten of the principal Act is hereby repealed.