



SAINT VINCENT AND THE GRENADINES

ACT NO. 4 OF 2008

I ASSENT

[L.S.]

DR. FREDERICK BALLANTYNE  
Governor-General  
17th June, 2008

AN ACT to amend the Drugs (Prevention of Misuse) Act (Cap. 219).

[ By Proclamation ]

**BE IT ENACTED** by the Queen's Most Excellent Majesty, by and with the advice and consent of the House of Assembly of Saint Vincent and the Grenadines and by the authority of the same, as follows:

1. This Act may be cited as the Drugs (Prevention of Misuse) (Amendment) Act 2008 and shall be read and construed as one with the Drugs (Prevention of Misuse) Act (the principal Act) and shall come into force on a day as the Governor General may appoint by proclamation published in the *Gazette*.

Short title and  
commencement

Cap. 219

2. The Fourth Schedule to the principal Act is repealed and replaced by the following Schedule:

Fourth Schedule  
repealed and  
replaced

**FOURTH SCHEDULE**  
**PROSECUTION AND PUNISHMENT OF OFFENCE**

Section creating offence	General nature of offence	Mode of prosecution	Class A drug involved	Punishment		General
				Class B drug involved	Class C drug involved	
Section 5(1)	Importation or exportation of a controlled drug.	(a) Summary	7 years and \$500,000.00	7 years and \$500,000.00	6 years and \$400,000.00	
		(b) On indictment	25 years and \$1,500,000.00	25 years and \$1,500,000.00	20 years and \$1,000,000.00	
Section 6 (2)	Production or being concerned in the production of a controlled drug.	(a) Summary	7 years and \$500,000.00	7 years and \$500,000.00	6 years and \$400,000.00	
		(b) On indictment	25 years and \$1,500,000.00	25 years and \$1,500,000.00	20 years and \$1,000,000.00	
Section 6(3)	Supplying or offering to supply a controlled drug or being concerned in the doing of either activity by another.	(a) Summary	7 years and \$500,000.00	7 years and \$500,000.00	6 years and \$400,000.00	
		(b) On indictment	25 years and \$1,500,000.00	25 years and \$1,500,000.00	20 years and \$1,000,000.00	
Section 7 (2)	Having possession of a controlled drug.	(a) Summary	7 years and \$500,000.00	7 years and \$500,000.00	6 years and \$400,000.00	
		(b) On indictment	25 years and \$1,500,000.00	25 years and \$1,500,000.00	20 years and \$1,000,000.00	
Section 7 (3)	Having possession of a controlled drug with intent to supply it to another.	(a) Summary	7 years and \$500,000.00	7 years and \$500,000.00	6 years and \$400,000.00	
		(b) On indictment	25 years and \$5,000,000.00	25 years and \$5,000,000.00	20 years and \$2,500,000.00	
Section 8 (2)	Cultivation of cannabis plant.	(a) Summary				6 years and \$400,000.00
		(b) On indictment				25 years and \$1,500,000.00

Section creating offence	General nature of offence	Mode of prosecution	Punishment			General involved
			Class A drug involved	Class B drug involved	Class C drug involved	
Section 10	Being the occupier or concerned in the management of premises and permitting or suffering certain activities to take place there.	(a) Summary	7 years and \$500,000.00	7 years and \$500,000.00	6 years and \$400,000.00	
		(b) On indictment	25 years and \$1,500,000.00	25 years and \$1,500,000.00	20 years and \$1,000,000.00	
Section 11	Offences relating to opium.	(a) Summary				6 years and \$400,000.00
		(b) On indictment				14 years and \$500,000.00
Section 13 (2)	Contravention of direction relating to safe custody of controlled drugs.	(a) Summary				7 years and \$500,000.00
		(b) On indictment				20 years and \$1,000,000.00
Section 14 (6)	Contravention of direction prohibiting practitioner, etc. from possession, supplying, etc., controlled drugs.	(a) Summary	7 years and \$500,000.00	7 years and \$500,000.00	6 years and \$400,000.00	
		(b) On indictment	25 years and \$1,500,000.00	25 years and \$1,500,000.00	20 years and \$1,000,000.00	
Section 15 (3)	Contravention of direction prohibiting practitioner, etc., from prescribing, supplying etc., controlled drugs.	(a) Summary	7 years and \$500,000.00	7 years and \$500,000.00	6 years and \$400,000.00	
		(b) On indictment	25 years and \$1,500,000.00	25 years and \$1,500,000.00	20 years and \$1,000,000.00	

Section creating offence	General nature of offence	Mode of prosecution	Punishment			General
			Class A drug involved	Class B drug involved	Class C drug involved	
Section 18 (3)	Failure to comply with notice requiring information relating to prescribing supply etc., of drugs.	Summary				6 years and \$400,000.00
Section 18 (4)	Giving false information in purported compliance with notice requiring information relating to prescribing, supplying, etc., of drugs.	(a) Summary				7 years and \$500,000.00
		(b) On indictment				20 years and \$1,000,000.00
Section 19 (1)	Contravention of regulations (other than regulations relating to addicts).	(a) Summary				7 years and \$500,000.00
		(b) On indictment				20 years and \$1,000,000.00
Section 19 (2)	Contravention of terms of licence or authority	(a) Summary				7 years and \$500,000.00
		(b) On indictment				20 years and \$1,000,000.00
Section 19 (3)	Giving false information on compliance with obligation to give information imposed under or by virtue of regulations.	(a) Summary				7 years and \$500,000.00
		(b) On indictment				20 years and \$1,000,000.00

Section creating offence	General nature of offence	Mode of prosecution	Punishment			General
			Class A drug involved	Class B drug involved	Class C drug involved	
Section 19 (4)	Giving false information or producing document etc., containing false statement, etc., for purposes of obtaining issue or renewal of a licence or other authority.	(a) Summary				7 years and \$500,000.00
		(b) On indictment				20 years and \$100,000.00
Section 21	Assisting in or inducing commission outside Saint Vincent and the Grenadines of an offence punishable under a corresponding law.	(a) Summary				7 years and \$500,000.00
		(b) On indictment				25 years and \$1,500,000.00
Section 24 (5)	Obstructing exercise of powers of search etc., failing to stop, preventing the person in charge from stopping, leaving a stopped vehicle, etc., or concealing books, drugs, etc.	(a) Summary				7 years and \$500,000.00
		(b) On indictment				25 years and \$1,500,000.00

Passed in the House of Assembly this 29th day of April, 2008.

NICOLE HERBERT  
Clerk of the House of Assembly.

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