



Narcotics Amendment Regulations 2024

Sir Tom J. Marsters, KBE


King's Representative

Order in Executive Council

At Avarua, Rarotonga this 02nd day of July, 2024

Present:

His Excellency the King's Representative in Executive Council

Pursuant to section 41 of the Narcotics and Misuse of Drugs Act 2004, His Excellency the King's Representative, acting on the advice and with the consent of the Executive Council, makes the following regulations—

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Regulations

- 1 **Title**
These regulations are the Narcotics Amendment Regulations 2024.
- 2 **Commencement**
These regulations come into force on 02 July 2024.
- 3 **Principal regulations**
These regulations amend the Narcotics Regulations 1966.
- 4 **Regulation 2 amended (Interpretation)**
 - (1) In regulation 2(1), insert in their appropriate alphabetical order:

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“**Chief Medical Officer** means the person appointed to the position of Chief Medical Officer by the Ministry

“**Ministry** has the meaning given by section 2 of the Narcotics and Misuse of Drugs Act 2004

“**narcotic** means **controlled drug** as defined in section 2 of the Narcotics and Misuse of Drugs Act 2004”

- (2) In regulation 2(1), replace the definition of **Director-General** with:

“**Director-General** means the **Secretary** as defined in section 2 of the Narcotics and Misuse of Drugs Act 2004”

5 Regulation 4 amended (Application for and issue of licences)

- (1) Replace regulation 4(1) with:

“(1) For the purposes of section 14(1) of the Narcotics and Misuse of Drugs Act 2004, an application for a licence must be made—

“(a) to the Director-General; and

“(b) in the form approved by the Director-General.

- (2) Replace regulation 4(3) with:

“(3) The Director-General, on the advice of the Chief Medical Officer, may grant a licence if satisfied that,—

“(a) for an individual, the individual is a fit and proper person to hold the licence; or

“(b) for a government agency or a corporate entity, the agency or entity is not engaged in activity that might compromise its capacity to comply with the licence.

“(3A) The fee for a licence is \$150.

“(3B) However, the Director-General may waive or refund all or part of the fee if the Director-General considers that it would be inappropriate in the circumstances to require the fee, or the full fee, to be paid.

“(3C) A licence is subject to the conditions set out in these regulations and to any further conditions the Director-General considers appropriate.”

- (3) Replace regulation 4(7) with:

“(7) Each contravention of any of regulations 23 to 47 is a separate offence.”

6 Regulation 8 amended (Import and export licences)

- (1) Revoke regulation 8(1).

- (2) In regulation 8(2), delete “cannabis.”

- (3) In regulation 8(5), delete “the name of the narcotic which is the subject of the licence, the quantity of the narcotic which is permitted to be imported or exported.”

- (4) Replace regulation 8(8) with:

“(8) A licence to import or export narcotics is issued for 1 year.”

7 Transitional permission for existing importers

- (1) The following are permitted to import controlled drugs without a licence until the end of 31 October 2024:

(a) the Ministry;

(b) the Cook Islands Trading Corporation Limited;

(c) Te Are Manu (Cook Islands) Inc.

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- (2) A permission under subclause (1) is subject to any conditions that the Director-General considers appropriate.


Clerk of the Executive Council

These regulations are administered by the Ministry of Health.
These regulations were made on the 02 day of July 2024.