

No. 13] *Drugs (Prevention of Misuse) (Amendment) Act* [2021

SAINT LUCIA

No. 13 of 2021

ARRANGEMENT OF SECTIONS

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I Assent

[L.S.]

ERROL CHARLES,
Deputy to the Governor-General.

September 23, 2021.

SAINT LUCIA

No. 13 of 2021

AN ACT to amend the Drugs (Prevention of Misuse) Act, Cap. 3.02.

[27th September, 2021]

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

Short title

1. This Act may be cited as the Drugs (Prevention of Misuse) (Amendment) Act, 2021.

Interpretation

2. In this Act, “principal Act” means the Drugs (Prevention of Misuse) Act, Cap. 3.02.

Amendment of section 8

3. Section 8(4) of the principal Act is amended, in paragraph (e), by deleting the word “15” and substituting the word “thirty”.

Insertion of new section 8A

4. The principal Act is amended by inserting immediately after section 8 the following new section 8A —

“Exemption from criminal liability

8A. Notwithstanding section 8 —

- (a) a person who is in possession of thirty grammes or less of cannabis or cannabis resin is not guilty of an offence;
- (b) prosecution and punishment capable of being imposed under section 37 does not apply where the controlled drug is cannabis or cannabis resin of a quantity of thirty grammes or less.”.

Insertion of new section 14A

5. The principal Act is amended by inserting immediately after section 14 the following new section 14A —

“Treatment and programmes for a child or young persons

14A. Where a child or a young person is found in possession of cannabis or cannabis resin, he or she shall be required to participate in a drug counselling programme approved by the Minister and the child, young person or his or her parent or guardian may be required to make such financial contribution to the programme as the Minister determines.”.

Insertion of new section 27A

6. The principal Act is amended by inserting immediately after section 27 the following new section 27A —

“Restriction on smoking cannabis in a public place

27A.—(1) A person shall not —

- (a) smoke any part of the plant genus cannabis in a public place;
- (b) being the owner, occupier or concerned with the management of premises in a public place knowingly permit another to smoke cannabis or cannabis resin.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding one thousand five hundred dollars.

(3) A penalty imposed under subsection (2) does not form part of the criminal record of the person.

(4) In this section, “public place” —

(a) means any —

- (i) structure,
- (ii) facility,
- (iii) space used for gathering by individuals,
- (iv) other place,

for the use of, or open to, the public, or any other similar space accessible to the public;

(b) includes —

- (i) a bar, restaurant and club;
- (ii) an establishment, except for such area forming part of the establishment as may be specifically designated by the management of the establishment as an area where smoking is permitted,

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- (iii) a Government office, and
- (iv) other places or buildings accessible to the public;
- (c) does not include a privately occupied residence not used for a commercial purpose.”.

Passed in the House of Assembly this 14th day of September, 2021.

CLAUDIUS J. FRANCIS,
Speaker of the House of Assembly.

Passed in the Senate this 16th day of September, 2021.

STANLEY FELIX,
President of the Senate.