

**FIRST SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 2,509 of 10th August, 1989.



I ASSENT,
PETER TERRY,
GOVERNOR.

10th August, 1989.



GIBRALTAR

No. 27 of 1989.

AN ACT to amend the Drugs (Misuse) Act.

Title.

1. This Act may be cited as the Drugs (Misuse) (Amendment) Act, 1989.

New Section.

2. The Drugs (Misuse) Act is amended by inserting after section 7A the following new section –

"Presumption concerning possession of controlled drug for purposes of supplying.

- 7B.(1) Any person who is proved to have had in his possession a commercial quantity of a controlled drug of a kind specified in subsection (3) below shall, until the contrary is proved, be

presumed to have had such controlled drug in his possession for the purpose of supplying it to another.

(2) The presumption provided for in this section shall not be rebutted by proof that the Defendant never had physical possession of the controlled drug.

(3) In this section "commercial quantity" in relation to a controlled drug specified in the table set out at the end of this subsection means the weight specified in that table opposite that drug.

1. Name of Drug	Weight in grams
Amphetamine	2.00
Cannabinol (except where contained in Cannabis or Cannabis Resin)	2.00
Cannabinol derivatives	2.00
Cannabis or Cannabis Resin	20.00
Cocaine	2.00
Diamorphine	2.00
Lysergic Acid Diethylamide	0.002

2. The weights specified in paragraph 1 above include the weight of the substance either alone or contained in a preparation mixture, extract or other material.

3. The substances specified in paragraph 1 above include-

(a) any stereoisomeric form of a substance for the time being specified in any paragraph 1 of Parts I, II and III of Schedule 1;

(b) any ester or either of a substance for the time being specified in paragraph 1 or 2 of Part I of Schedule 1;

(c) any salt of a substance for the time being specified in any of paragraphs 1 to 3 of Parts I, II and III of Schedule 1;

(d) any preparation or other product containing a substance or product for the time being specified in any of paragraphs 1 to 4 of Parts I, II and III of Schedule 1;

(e) any preparation designed for administration by injection which includes a substance or product for the time being specified in paragraph 6 of Part I of Schedule 1."

Passed by the Gibraltar House of Assembly on the 1st day of August, 1989.

C. M. COOM,

Clerk to the Assembly.