GRENADA

ACT NO. 1 OF 2002

I assent,

DANIEL CHARLES WILLIAMS
Governor-General.

15th January, 2002

An Act to amend the Drug Abuse (Prevention and Control) Act.

[ 18th January, 2002 ]

ENACTED by the Parliament of Grenada—

1. — (1) This Act may be cited as the

DRUG ABUSE (PREVENTION AND CONTROL)
(AMENDMENT) ACT, 2002.


2. The principal Act is amended in section 2—

(a) by deleting the definition “Committee” and substituting—
"“Committee” means the Executive Committee of the Council;”;

(b) by inserting after the definition "corresponding law" the following new definition—

"“Council” means the National Council on Drug Control established by section 3A;”;

(c) in the definition of “Minister” by deleting “Health” and substituting “national security, except in sections 26 to 30 inclusive and paragraph (b) of section 34 where it means the Minister responsible for health”.

3. Section 3 of the principal Act is amended—

(a) by inserting after subsection (2) the following new subsection—

“(2A) The Minister may by order amend any of the other Schedules.”;

(b) by repealing subsection (4).

4. Section 3A of the principal Act is amended—

(a) by repealing subsection (1) and the marginal note and substituting—

"National Council on Drug Control"

3A. (1) There shall be constituted in accordance with the Third Schedule a National Council on Drug Control and the provisions of that Schedule have effect in relation to the council.";
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(b) in subsection (2) –

(i) by deleting “Committee” wherever it appears and substituting “Council”;

(ii) by deleting “Minister” and substituting “Minister responsible for national security or Minister responsible for health, as the case may be”;

(c) by deleting subsection (3) and substituting –

“(3) The Council must consider any matter relating to drug dependence or the misuse or abuse of drugs or the illegal supply of drugs referred to it by the Minister responsible for national security or the Minister responsible for health and advise the respective Minister thereon”.

5. The principal Act is amended by inserting after section 3A the following new section –

“Drug Control Officer 3B. (1) There must be appointed in the Ministry of the Minister a Drug Control Officer.

(2) The functions of the Drug Control Officer are as set out in the Fourth Schedule.”.

6. The Third Schedule to the principal Act is repealed and replaced by the following –
"THIRD SCHEDULE" (Section 3A)

Composition and functions of the National Council on Drug Control (NCODC)

1. National Council:

The National Council on Drug Control consists of an Executive Committee, 5 Technical Workgroups, and a Special Interests Workgroup.

2. Executive Committee:

(a) The Executive Committee consists of a Chairman and Deputy Chairman appointed by the Minister, the Drug Control Officer, the Chief Medical Officer, the Chairmen of the five Technical Workgroups and of the Special Interests Workgroup, the Director of Public Prosecutions and the Chairman of the Grenada International Financial Services Authority.

(b) The Chairman and Deputy Chairman are appointed for 2 years in the first instance but the appointment may be revoked or renewed at the discretion of the Minister.

(c) A quorum for meetings of the Executive Committee is 6 members including the Chairman or Deputy Chairman but otherwise the Executive Committee may regulate its own procedure.

(d) The Executive committee is responsible for –

A. THE NATIONAL DRUG CONTROL POLICY

(i) Legislative framework and mandate

(ii) Organizational structure

(iii) Budget

(iv) Measures to counter the legalization of marijuana

(v) Measures to deny safe havens to criminals

(vi) Measures to control the movement of illegal drugs and precursor chemicals.
B. THE NATIONAL DRUG CONTROL STRATEGY

(i) Formulation and design
(ii) Contents and budget
(iii) Implementation and monitoring.

3. Areas of Responsibility of Technical Workgroups:

A. LEGAL AFFAIRS

(i) Adherence to international conventions
(ii) Review of domestic legislation
(iii) Legal cooperation and harmonization
(iv) Adequate investigatory powers
(v) Strengthening judicial process, network of magistrates, material assistance
(vi) Alternatives to imprisonment.

B. FINANCIAL AFFAIRS

(i) Adherence to Caribbean Financial Action Task Force (CFATF) principles
(ii) Domestic anti-money laundering legislation
(iii) Project funding
(iv) Monitor the offshore finance and economic citizenship programmes
(v) Wealth assessment
(vi) Cyber crime awareness.
C. LAW ENFORCEMENT

(i) Sharing of information and intelligence
(ii) Law enforcement training enhancement
(iii) Intelligence gathering
(iv) Monitoring and control of precursors and essential chemicals
(v) Forensic science facilities
(vi) Witness protection
(vii) Firearms control.

D. AIR AND MARITIME COOPERATION

(i) Drug interdiction at air- and seaports
(ii) Ship movement and registration
(iii) Maritime agreements with foreign agencies.

E. DEMAND REDUCTION

(i) Integrated demand reduction
(ii) Health and family life education
(iii) Substance abuse in the workplace
(iv) Public awareness
(v) Networking: training and data
(vi) Treatment and rehabilitation
(vii) In-prison programmes
(viii) National surveys
(ix) Evaluation.
4. Special Interests Workgroup:

The workgroup is responsible for informing the National Council on Drug Control, through the Executive Committee, on matters pertaining to drug control and substance abuse prevention.

5. Composition of Technical Workgroups:

(i) **LEGAL AFFAIRS**

   - Ministry of Legal Affairs
   - Permanent Secretary
     (Chairman)
   - Ministry of Legal Affairs
   - Legal Draftsman or Legal Officer
   - Royal Grenada Police Force
   - Assistant Commissioner of Police
   - Grenada Bar Association
   - Representative
   - Judiciary/Magistracy
   - Representative
   - Ministry of Foreign Affairs
   - Representative
   
   and other persons appointed by the Minister from time to time.

(ii) **FINANCIAL AFFAIRS**

   - Ministry of Finance
   - Permanent Secretary
     (Chairman)
   - Budget Analyst
   - Ministry of Finance
   - Representative
   - Grenada International Financial Services Authority
   - Representative
   - Banking Sector
   - Representative
   - Grenada Chamber of Industry and Commerce
   - Representative
   - Ministry of Legal Affairs
   - Legal Officer
   - Inland Revenue Department
   - Comptroller of Inland Revenue
   - Customs and Excise Department
   - Representative
   - Royal Grenada Police Force
   - Financial Intelligence Unit
   
   and other persons appointed by the Minister from time to time.
(iii) LAW ENFORCEMENT

Royal Grenada Police Force
Royal Grenada Police Force
Royal Grenada Police Force
Ministry of Agriculture
Ministry of Legal Affairs
Customs and Excise Department
Ministry of Health
Grenada Postal Corporation
and other persons appointed by the Minister from time to time.

Commissioner of Police
(Chairman)
Head, Drug Squad
Coast Guard Representative
Chief Analytical Chemist
Director of Public Prosecutions
Supervisor, Customs Enforcement
Chief Pharmacist
Director of Posts

(iv) AIR AND MARITIME COOPERATION

Customs and Excise Department
Royal Grenada Police Force
Airport Authority
Grenada Ports Authority
Maritime Affairs Committee
Ministry of Fisheries
Grenada Board of Tourism
and other persons appointed by the Minister from time to time.

Comptroller of Customs
(Chairman)
Commander, Coast Guard
Manager
Manager
Representative
Chief Fisheries Officer
Director of Tourism

(v) DEMAND REDUCTION

Ministry of Education
Drug Control Secretariat
Ministry of Health
Ministry of Health
Royal Grenada Police Force
Ministry of Finance
T.A. Marryshow Community College
Her Majesty’s Prisons
and other persons appointed by the Minister from time to time.

Chief Education Officer
(Chairman)
Representative
Consultant Psychiatrist
Epidemiologist
Head of Public Relations Department
Chief Statistician
Sociologist
Commissioner of Prisons
6. Composition of Special Interests Workgroup:

Ministry of Health  National HIV/AIDS Counsellor  
                  (Chairman)  
Ministry of Youth  Co-ordinator, Youth and Sports  
                  (Deputy Chairman)  
Government Information Service  Chief Information Officer  
          (Secretary)  
Conference of Churches Grenada  Chairman  
UNESCO (Grenada)  Secretary-General  
School of Continuing Studies  Resident Tutor  
Grenada Trade Union Council  Secretary  
National Parent-Teachers Association  President  
National Student Council  Representative  
St. George's University  Representative  
Carlton House  Representative  
Church Forum for Social Action  Representative  
Political Parties  Representative (each)  
Agency for Rural Transformation  Representative  
National Coalition on the Rights of the Child  Representative  
Inter-Agency Group of Development Organizations  Co-ordinator  
and other persons appointed by the Minister from time to time.

7. Schedule added.

The principal Act is amended by adding at the end the following new schedule:

"FOURTH SCHEDULE  

Functions of the Drug Control Officer  

(a) to supervise the administrative functions of the Drug Control Secretariat in the Ministry;"
(b) to formulate and implement drug control and substance abuse prevention programmes in keeping with the overall policies and objectives of the Government;

(c) to coordinate and provide secretarial services for the activities of the Council and its work groups;

(d) to submit regular reports to the Permanent Secretary in the Ministry, and other officials, on various aspects of the drug control and substance abuse prevention programmes;

(e) to develop and manage budgets to facilitate the implementation of drug control and substance abuse prevention programmes and the functioning of the Drug Control Secretariat;

(f) to collect, collate and analyse and disseminate data and other information for programmes and projects undertaken by the Drug Control Secretariat;

(g) to enlist the support of local personnel, agencies and organisations in implementing drug control and substance abuse prevention programmes;

(h) to liaise with various local, regional and international organisations and agencies in implementation of drug control and substance abuse prevention programmes and the exchange of relevant information;

(i) to establish mechanisms for conducting research into the problem of drugs misuse and substance abuse and related matters, and evaluation of programmes implemented;

(j) any other functions related to the above and allocated from time to time to the Drug Control Officer by the Minister.

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Passed by the House of Representatives the 27th day of November, 2001.

ABEL NEWTON
Clerk to the House of Representatives.

Passed by the Senate the 19th day of December, 2001.

ABEL NEWTON
Clerk to the Senate.