

CAYMAN ISLANDS



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**THE MISUSE OF DRUGS (PENALTIES) LAW, 1992
(LAW 3 OF 1992)**

(Price \$1.60)

A LAW TO AMEND THE MISUSE OF DRUGS LAW (SECOND REVISION)

ENACTED by the Legislature of the Cayman Islands.

Short title.

1. This Law may be cited as the Misuse of Drugs (Penalties) Law, 1992.

Interpretation.

2. In this Law "the principal Law" means the Misuse of Drugs Law (Second Revision).

Section 13 amended.

3. Section 13 of the principal Law is amended as follows –

(a) by inserting after subsection (3) the following subsection –

"(3A) Notwithstanding the provisions of subsection (1), where a person, on summary conviction, is found guilty of an offence that –

(a) is contrary to subsection (1) of section 3; and

(b) is in relation to a controlled drug that –

(i) is a hard drug; and

(ii) is less than 2 ounces in weight; and

(c) consists of buying, consuming, possessing or

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attempting to buy, consume or possess any such drug,

that person shall be liable –

- (d) in the case of a first conviction for such an offence –
to a fine not exceeding ten thousand dollars or to a
term of imprisonment not exceeding seven years or
to both such fine and imprisonment; or
- (e) in the case of a second or subsequent conviction for
such an offence –
to a fine not exceeding twenty thousand dollars or to
a term of imprisonment not exceeding fifteen years
or to both such fine and imprisonment.";

(b) by omitting subsection (5) and substituting the following
subsection –

"(5) Where a person who has attained the age of 17 years is
convicted of an offence punishable under subsection (1), (2), (3)
or (3A), the court before whom he is convicted may, with the
consent of the person convicted and subject to sections 19 to
22, in addition to or instead of dealing with him in any other way
make a community service order.";

(c) by omitting subsection (6) and substituting the following
subsection –

"(6) Where a person is convicted of an offence punishable
under subsection (1), (2), (3), or (3A), the court before whom he
is convicted may in addition to or instead of dealing with him in
any other way make an attendance order in accordance with
the provisions of sections 23 to 25.".

Section 26 amended.

4. Section 26 of the principal Law is amended by omitting "provisions of
Part B" and substituting "provisions of section 13(3A) or Part B".

Second Schedule
amended.

5. The Second Schedule to the principal Law is amended by omitting
the first item in Part B.

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Passed by the Legislative Assembly this 11th day of March, 1992.

Sybil McLaughlin
Speaker.

Georgette Myrie
Clerk of Legislative Assembly.