
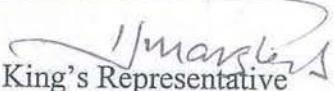


Examined and certified by:

  
Clerk of the Parliament

In the name and on behalf of His Majesty King Charles III, I hereby assent to this Act  
this 18<sup>th</sup> day of December, 2023



  
King's Representative

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**An Act to amend the Narcotics and Misuse of Drugs Act 2004 to enable controlled drugs to be imported if they have been or are to be prescribed.**

**The Parliament of the Cook Islands enacts as follows—**

**1 Title**

This Act is the Narcotics and Misuse of Drugs Amendment Act 2023.

**2 Commencement**

This Act comes into force on a date appointed by the King's Representative by Order in Executive Council.

**3 Principal Act amended**

This Act amends the Narcotics and Misuse of Drugs Act 2004.

**4 Section 8 amended (Exemptions from sections 6 and 7)**

(1) In section 8(2)(j), replace “.” with “.”.

(2) After section 8(2)(j), insert:

“(k) any person who is prescribed a controlled drug by an overseas medical practitioner may import and possess the drug, and administer it to themselves, provided they comply with subsection (2A):

“(l) any person having the care of a patient by whom a controlled drug is imported under paragraph (k) may administer the drug to the patient in accordance with the patient's prescription for the drug.”

(3) After section 8(2), insert:

- “(2A) A person referred to in subsection (2)(k)—
- “(a) must keep with the controlled drug evidence that it is prescribed by an overseas medical practitioner; and
  - “(b) must—
    - “(i) keep the controlled drug in the packaging in which it was dispensed; and
    - “(ii) ensure that the label on that packaging remains intact and legible; and
  - “(c) must administer the drug to themselves only in accordance with the prescription; and
  - “(d) must not import or have possession of an amount of the controlled drug that is more than—
    - “(i) is reasonably necessary for personal use in accordance with the prescription; and
    - “(ii) in any case, would be used in 1 month when using the drug in accordance with the prescription.
- “(2B) The evidence referred to in subsection (2A)(a) must include—
- “(a) the name of the person to whom the controlled drug has been prescribed; and
  - “(b) the name of the product that contains the controlled drug that has been prescribed; and
  - “(c) the total prescribed amount of that product; and
  - “(d) the prescribed dose of that product; and
  - “(e) the name of the overseas medical practitioner who prescribed the controlled drug and their registration number.”

(4) After section 8(3), insert:

- “(4) In this section, **overseas medical practitioner** means a person registered as a medical practitioner by the competent authority of a foreign country.”

## 5 Section 14 amended (Licences)

After section 14(3), insert:

- “(3A) To avoid doubt, subsection (3) does not prevent a licence granted under this Act from authorising the importation of a controlled drug for the purpose of it being supplied in accordance with section 8(2).”

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This Act is administered by the Ministry of Health.

Printed under the authority of the Cook Islands Parliament—2023.

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