

I assent.

(L.S.)

GEORGE VELLA
President

28th February, 2020

ACT No. IV of 2020

AN ACT to amend the Dangerous Drugs Ordinance, Cap. 101, and to make provision in respect of cultivation for the exclusive use of the offender.

BE IT ENACTED by the President, by and with the advice of the House of Representatives, in this present Parliament assembled, and by the authority of the same as follows:-

Short title.

Cap. 101.

1. The short title of this Act is the Dangerous Drugs Ordinance (Amendment) Act, 2020, and this Act shall be read and construed as one with the Dangerous Drugs Ordinance, hereinafter referred to as "the principal Ordinance".

2. Article 22 of the principal Ordinance shall be amended as follows: Amendment of article 22 of the principal Ordinance.

(a) sub-article (1B) thereof shall be amended as follows:

(i) immediately after the word "cultivation" there shall be added the words "in such circumstances that the court is satisfied that such cultivation was not for the exclusive use of the offender"; and

(ii) the proviso thereof shall be substituted by the following:

"Provided that in the case of cultivation or importation in such circumstances that the Court is satisfied that such cultivation or importation was for the exclusive use of the offender, the provisions of the Probation Act and of article 21 of the Criminal Code shall not apply.";

Cap. 446.
Cap. 9.

(b) sub-article (2) thereof shall be amended as follows:

(i) in paragraph (a) thereof, immediately after the words "or under article 8(c)" there shall be added the words "except in such circumstances that the Court is satisfied that such cultivation was for the exclusive use of the offender,"; and

(ii) in sub-paragraph (i) of paragraph (b) thereof, immediately after the words "or under article 8(c)" there shall be added the words "except in such circumstances that the Court is satisfied that such cultivation was for the exclusive use of the offender,".

3. Article 7 of the Drug Dependence (Treatment not Imprisonment) Act is hereby repealed. Consequential amendment.
Cap. 537.

4. The provisions of this Act shall also apply to trials pending before any court of criminal jurisdiction, whether at first instance or at appeal stage, at the time of the coming into force of this Act. Transitory provision.

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Passed by the House of Representatives at Sitting No. 302 of the
26th February, 2020.

CLAUDETTE BUTTIGIEG
Deputy Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives