



**REPUBLIC OF NAURU
GOVERNMENT GAZETTE
PUBLISHED BY AUTHORITY
EXTRAORDINARY**

No. 134

27th August, 2021

Nauru

G.N.No. 596/2021

ILLICIT DRUGS CONTROL (DRUG TESTING KIT) REGULATIONS 2021

SL No. 26 of 2021

Notified: [27th August, 2021]

Table of Provisions

1	Citation.....	2
2	Commencement	2
3	Report by seizing officer.....	2
4	Persons qualified in the analysis of illicit drugs	2
5	Drug testing kit	2
6	Illicit drugs test certificate	2
7	Identification of cannabis.....	2
8	Identification of other illicit drugs	3
9	Transitional	3
10	Repeal	3
	SCHEDULE 1	4
	SCHEDULE 2	7
	SCHEDULE 3	8

G.N.No. 596/2021 (Cont'd)

The Cabinet makes the following Regulations under Section 52 of the *Illicit Drugs Control Act 2004*:

1 Citation

These Regulations may be cited as the *Illicit Drugs Control (Drug Testing Kit) Regulations 2021*.

2 Commencement

These Regulations commence on the day they are notified in the Gazette.

3 Report by seizing officer

For the purposes of Section 39(4) of the Act, the form of a report to be prepared by a seizing officer is in Schedule 1.

4 Persons qualified in the analysis of illicit drugs

- (1) The Commissioner of Police shall appoint police officers or such other persons to conduct illicit drug tests under these Regulations.
- (2) A police officer or other person who is appointed under subregulation (1) shall have his or her name published in the Gazette.
- (3) A police officer or other person appointed under subregulation (1) is deemed to be a qualified officer or person to conduct and provide reports for illicit drug tests.

5 Drug testing kit

- (1) A drug testing kit described in Schedule 2 shall be used for testing illicit drugs.
- (2) The Commissioner of Police shall, by order in the Gazette, publish the serial numbers or such other details for the purposes of the identification of a drug testing kit.

6 Illicit Drugs Test Certificate

- (1) A police officer or other person appointed under Regulation 4, who conducts a test under these Regulations, shall prepare an Illicit Drugs Test Certificate in Schedule 3.
- (2) A certificate prepared under subregulation (1), shall be accepted by a court as proof as to the truth and accuracy of the statements therein unless shown to be false in a material aspect.

7 Identification of cannabis

Where a fruit, plant, seed, leaf or oil seized by a police officer has:

- (a) no colour change after breaking the first ampoule, turns dark blue or violet colour after breaking the second ampoule and a grey upper layer over a violet layer upon breaking the third ampoule when tested in the Narcotics Identification Kit using *Duquenois-Levine Reagent*, such fruit, plant, seed, leaf or oil is deemed to be cannabis; or

G.N.No. 596/2021 (Cont'd)

- (b) no colour change after breaking the first ampoule and an orange or reddish brown colour after breaking the second ampoule when tested in the Narcotics Identification Kit using *KN Reagent*, such fruit, plant, seed, leaf or oil is deemed to be cannabis.

8 Identification of other illicit drugs

The Minister may, by order in the Gazette, publish the identification criteria for other illicit drugs by using a drug testing kit, which includes:

- (a) the use of specific reagents;
- (b) the procedure for the tests;
- (c) the expected results for the suspected illicit drugs; and
- (d) where available, such scientific studies, source or authentication of such expected result.

9 Transitional

Where proceedings have been commenced under the *Illicit Drugs (Analysis) Regulations 2016*, such proceedings shall continue and be completed under those Regulations.

10 Repeal

The *Illicit Drugs (Analysis) Regulations 2016* are repealed.

G.N.No. 596/2021 (Cont'd)

SCHEDULE 1



REPUBLIC OF NAURU

ILLICIT DRUGS CONTROL ACT 2004

[Regulation 3]

REPORT BY SEIZING OFFICER

RSO No: ... / 20...

PART 1: DETAILS OF SUSPECT	
(a) Full name	
(b) Residential address	
(c) Telephone number	
PART 2: SEIZURE OF ALLEGED ILLICIT DRUG	
(a) Place where alleged illicit drugs seized	
(b) Time when alleged illicit drugs seized	
(c) Date when alleged illicit drugs seized	
(d) Additional comments
PART 3: DETAILS OF OFFICER WHO SEIZED ALLEGED ILLICIT DRUG	
(a) Full name of seizing officer	
(b) Rank of seizing officer	
(c) Full name(s) of other person(s) present	
(d) Rank(s) / occupation(s) of other person(s) present	
PART 4: DESCRIPTION OF [VEHICLE / CRAFT / PLACE / PERSON]* SEARCHED	
(a) Describe the <i>[vehicle / craft / place / person]*</i> searched <i>[*delete whichever is not applicable]</i>	
(b) Location where the alleged illicit drug was found	

G.N.No. 596/2021 (Cont'd)

PART 5: DESCRIPTION OF ALLEGED ILLICIT DRUG SEIZED	
Describe the alleged illicit drug found <i>[For example: cannabis]</i>	
PART 6: DESCRIPTION OF THE PACKAGING, SEALS AND OTHER IDENTIFYING FEATURES	
(a) Describe the packaging <i>(if applicable)</i>	
(b) Describe the seal <i>(if applicable)</i>	
(c) Describe any other identifying features	
PART 7: DESCRIPTION OF QUANTITY, VOLUME AND UNITS AND THE MEASUREMENT METHOD EMPLOYED	
(a) Describe the quantity <i>[For example: 9 grams / 9 kilograms]</i>	
(b) Describe the volume <i>[For example: litres – for drugs that are in liquid form]</i>	
(c) Describe the units <i>[For example: grams]</i>	
(d) Describe the measurement method employed <i>[For example: metric]</i>	
PART 8: SUBSEQUENT MOVEMENTS OF THE ALLEGED ILLICIT DRUG	
(a) Time and date when alleged illicit drug moved	
(b) Place where alleged illicit drug taken	
(c) Place where alleged illicit drug was kept	
(d) Name of police officer who received the alleged illicit drug to be exhibited	
(e) Time and date when police officer under (d) received the alleged illicit drugs to be exhibited	
(f) Police officer who exhibited the alleged illicit drug	
(g) Place where alleged illicit drug kept after being issued an exhibit number	
PART 9: DETAILS OF ALLEGED ILLICIT DRUG AFTER TESTING	
(a) Quantity / volume / unit of alleged illicit drug before testing	
(b) Quantity / volume / unit of alleged illicit drug after testing	

G.N.No. 596/2021 (Cont'd)

PART 10: OFFICIAL PURPOSES	
(a) Full name of seizing officer	
(b) Rank <i>[For example: Constable, Sergeant, etc.]</i>	
(c) Signature	
(d) Time	
(e) Date	
PART 11: DETAILS OF SAMPLE TESTED	
(a) Quantity / volume / unit of sample tested	
(b) Place where sample tested	
(c) Time when sample tested	
(d) Date when sample tested	
(e) Full name of officer or appointed person who conducted test	
(f) Rank <i>[For example: Constable, Sergeant, etc.]</i>	
(g) Signature	

SCHEDULE 2

[Regulation 5]

List of drug testing kit:

1. Narcotics Identification Kit (NIK)

G.N.No. 596/2021 (Cont'd)

SCHEDULE 3



REPUBLIC OF NAURU

ILLCIT DRUGS CONTROL ACT 2004

[Regulation 6]

ILLCIT DRUGS TEST CERTIFICATE

IDTC No: ... / 20...

1. I certify that a sample purporting to be a sample of *[For example: cannabis, etc.]* that was received on *[dd/mm]yy* with a Report by Seizing Officer RSO No:... / 20... dated *[dd/mm/yy]* has been tested and the result of the test is stated below.

2. Details of the results of the test:

- (a) Sample No:
- (b) Quantity / volume / unit of sample tested:
- (c) Time sample tested:
- (d) Date sample tested:
- (e) Drug testing kit used:
- (f) The sample is identified as *[For example: cannabis, and include photograph or video of the results and attach any available document, etc.]*

.....
[Full name of police officer]
[Signature of police officer]
[Rank of police officer]