UNITED NATIONS

E/NL. 1963/31
20 August 1963
ENGLISH ONLY

LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF THE CONVENTION OF 13 JULY 1931 FOR LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS, AS AMENDED BY THE PROTOCOL OF 11 DECEMBER 1946

RYUKYU ISLANDS

Communicated by the Government of the United States of America

NOTE BY THE SECRETARY-GENERAL -- In accordance with Article 21 of the Convention of 13 July 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, as amended by the Protocol of 11 December 1946, the Secretary-General has the honour to communicate the following legislative text.

ACT No. 32

Promulgated: 13 June 1961
Effective: 13 June 1961

Be it enacted by the Legislature
of the Government of the Ryukyu Islands

ACT FOR PARTIAL AMENDMENT TO ACT CONCERNING NARCOTIC CONTROL

Act concerning Narcotic Control (Act No. 63 of 1955)[1/] shall be amended as follows:

In article 1, "other than medical treatment" shall be amended as "other than medical treatment and scientific investigation".

In article 2, items (3) and (4), "a narcotic practitioner and a narcotic administrator" shall be amended as "a narcotic practitioner, a narcotic administrator and a narcotic investigator"; in item (5) of the same article, "a narcotic retail dealer or an establisher of a narcotic medical facility" shall be amended as "a narcotic retail dealer, an establisher of a narcotic medical facility or an institutor of a narcotic investigative facility"; amend: item (10) as item (11), item (9) as item (10) in the same article; the following one (1) item shall be added next to item (8):

(9) A narcotic investigator: A person who is licensed by the Chief Executive to use the narcotics for scientific investigation.

In article 2, item (9), "or his investigation of dealing in narcotics" shall be added next to "his profession"; "and investigative facility" shall be added next to "dispensary and medical facility for domestic animals (including the residence of a veterinarian who engages in medical treatment for domestic animals only by means of visiting; hereinafter the same)"; the proviso of the same item in the same article shall be amended as follows:

however, in case a narcotic practitioner or a narcotic investigator engages in medical treatment or investigation concurrently at two (2) or more hospitals, dispensaries, medical facilities for domestic animals or investigative facilities, the hospital, dispensary, medical facilities for domestic animals or investigative facilities where he mainly engages in his business shall be regarded as his business office.

The following one (1) item shall be added next to item (11) of article 2:

1/ Note by the Secretariat: E/NL.1957/3.

(12) A narcotic investigative facility: A facility where a narcotic investigator engages in his investigation.

The following one (1) item shall be added next to item (4) of article 3, paragraph 2:

(5) As for the license of a narcotic investigator, a physician, dentist, veterinarian or pharmacist who use the narcotic investigation.

In article 7, paragraph 1, "or investigation" shall be added next to "business".

In article 11, item 1, "500 yen" shall be amended as "$4.10"; in item 2 of the same article, "100 yen" shall be amended as "$0.83"; in item 3 of the same article, "50 yen" shall be amended as "$0.42"; in the same article, amend: item 3 as item 4; the following one (1) item shall be added next to item 2 of the same article:

(3) A person who applies for the license of narcotic investigator: $0.40.

The following proviso shall be added in that portion [i.e. article 12][2/] except in the items specified in article 12:

however, this shall not apply in a case where the institutor of a narcotic investigative facility sells, purchases, or abandons and a narcotic investigator prepares, dispenses or possesses for investigation, after obtaining the permission of the Chief Executive.

In article 13, paragraph 2, "a narcotic retail dealer and an establisher of a narcotic medical facility" shall be amended as "a narcotic retail dealer, an establisher of a narcotic medical facility and an institutor of a narcotic investigative facility".

In article 15, paragraphs 1 and 2, "a narcotic operator or an establisher of a narcotic medical facility" shall be amended as "a narcotic operator, an establisher of a narcotic medical facility or an institutor of a narcotic investigative facility".

The following one (1) item shall be added next to article 16, paragraph 1, item 2:

(3) In case a narcotic investigator prepares for investigation.

In article 17, "a narcotic dealer or an establisher of a narcotic medical facility" shall be amended as "a narcotic dealer, an establisher of a narcotic medical facility or an institutor of a narcotic investigative facility".

In title of article 22, "and narcotic investigative facility" shall be added next to "narcotic medical facility"; paragraph 2 of the same article shall be amended as follows:

2. A narcotic administrator (if there is no narcotic administrator in the narcotic medical facility, a narcotic practitioner; hereinafter the same in this Chapter and next Chapter) or a narcotic investigator shall administer narcotics which are dispensed or which are delivered for dispensation or which are used for investigation in the narcotic medical facility concerned or narcotic investigative facility concerned.

Article 25, paragraph 1, shall be amended as follows:

2/ Note by the Secretariat: The words in square brackets have been inserted by the Secretariat.

Article 25. A narcotic operator, an establisher of a narcotic medical facility or an institutor of a narcotic investigative facility shall, when the license of a narcotic operator is invalidated or when the narcotic medical facility or narcotic investigative facility is no longer a narcotic medical facility or a narcotic investigative facility (except in the cases where the license of a narcotic operator was invalidated and the same operator has become continuously a narcotic operator), notify the Chief Executive of the name and quantity of the narcotics which he actually possesses, within 15 days.

In article 25, paragraph 2, "a narcotic operator or an establisher of a narcotic medical facility" shall be amended as "a narcotic operator, an establisher of a narcotic medical facility or an institutor of a narcotic investigative facility (only an institutor of a narcotic investigative facility in cases where narcotics under the same article are provided for in article 12)"; "article 17, paragraph 1" shall be amended as "article 17"; "article 12" shall be added next to "to such sale and purchase"; "article 12" shall be added next to "only for the said period".

In article 25, paragraph 4, "a narcotic operator or an establisher of a narcotic medical facility" shall be amended as "a narcotic operator, an establisher of a narcotic medical facility or an institutor of a narcotic investigative facility".

The following one (1) article shall be added next to article 28:

Article 28-2. A narcotic investigator shall prepare a book for his narcotic investigative facility and enter in it matters enumerated below:

(1) The name, quantity and date of narcotics newly purchased or abandoned;

(2) The name, quantity and date of narcotics prepared or used for investigation;

(3) The name and quantity of narcotics notified in accordance with the provision of article 24.

2. A narcotic investigator shall, in cases where he has closed the book mentioned in the preceding paragraph, deliver it to the institutor of the narcotic investigative facility without delay.

3. An institutor of a narcotic investigative facility shall, in cases where the book has been delivered in accordance with the provision of the preceding paragraph, keep it for a period of two years from the day of the final entry.

The following one (1) article shall be added next to article 32:

(Notification of Narcotic Investigator)
Article 32-2. A narcotic investigator shall notify the Chief Executive of the following matters by 30 November of every year;

(1) The name and quantity of narcotics administered on 16 October of the preceding year;

(2) The name and quantity of narcotics newly administered during the term from 16 October of the preceding year to 15 October of the year and prepared or used for investigation during the same term;

(3) The name and quantity of narcotics administered on 15 October of the year.

In article 34, "or investigation" shall be added next to "business".

The following one (1) article shall be added next to article 34:

(Hearing)
Article 34-2. The Chief Executive shall, in cases where he cancels the license or orders the suspension of business in accordance with the provision of preceding article, hold in advance the hearing in public after obtaining the appearance of the narcotic dealer concerned or his deputy.

2. In the preceding paragraph, the Chief Executive shall report to the narcotic dealer concerned the disposal reason, date and place of the hearing a week in advance and he shall announce in public the date and place of the hearing.

3. At the hearing, the narcotic dealer concerned or his deputy may explain and furnish proof on their own behalf.

4. The Chief Executive may act in accordance with the provision of the preceding article without holding the hearing in case the narcotic dealer concerned or his deputy does not appear, without proper reason.

In article 44, paragraph 1, "33,000 yen" shall be amended as "$280".

In article 45 and article 46, paragraph 2, "170,000 yen" shall be amended as "$1,400".

In that portion /i.e. article 48/ except in the items specified in article 48, "17,000 yen" shall be amended as "$140"; in item 2 of the same article, "or investigation" shall be added next to "business".

In that portion /i.e. article 49/, except in the items specified in article 49, "10,000 yen" shall be amended as "$85"; in item 10 of the same article, "article 27, paragraph 1 or article 28, paragraph 1" shall be amended as "article 27, paragraph 1, article 28, paragraph 1 or article 28-2, paragraph 1"; in item 11 of the same article, "article 27, paragraph 2 or article 28, paragraph 3" shall be amended as "article 27, paragraph 2, article 28, paragraph 3 or article 28-2, paragraph 3."

In article 50, "article 28-2, paragraph 2" shall be added next to "article 28, paragraph 2".

In that portion /i.e. article 51/, except each item specified in article 51, "17,000 yen" shall be amended as "$140"; in item 1 of the same article, "article 32" shall be amended as "article 32-2".

In article 50, article 52 and article 54, "3,300 yen" shall be amended as "$30".

Supplementary provisions

This Act shall come into force as from the day of its promulgation.