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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

ADEN

Communicated by the Government of the United Kingdom of Great Britain and Northern Ireland

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.

ADEN

REVISÉD EDITION OF THE LAWS, 1955.

ORDINANCES

CHAPTER 41

DANGEROUS DRUGS

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CHAPTER 41.

DANGEROUS DRUGS.

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CHAPTER 41.

DANGEROUS DRUGS.

Ordinances
No. 9 of
1942.
No. 25 of
1943.
No. 19 of
1944.
No. 9 of
1945.
No. 32 of
1945.

AN ORDINANCE TO PROVIDE FOR THE CONTROL OF THE
MANUFACTURE, IMPORTATION, EXPORTATION AND
POSSESSION OF CERTAIN DANGEROUS DRUGS.

Commence-
ment.

[1st March, 1942.]

Short title. **1.** This Ordinance may be cited as the Dangerous Drugs Ordinance.

Interpreta-
tion.

2. In this Ordinance—

“raw opium” means the capsules and the spontaneously coagulated juice obtained from the capsules of the “*papaver somniferum*” which has only been submitted to the necessary manipulations for packing and transport :

“prepared opium” means the product of raw opium obtained by a series of special operations, especially by dissolving, boiling, roasting and fermentation, designed to transform it into an extract suitable for consumption ; and includes dross and all other residues remaining when opium has been smoked :

“medicinal opium” means raw opium which has undergone the process necessary to adapt it for medicinal use in accordance with the requirements of the British Pharmacopoeia, whether in powder form or granulated or otherwise or mixed with neutral materials :

“morphine” means the principal alkaloid of opium having the chemical formula $C_{17}H_{19}NO_3$:

“diacetylmorphine” means the alkaloid (diamorphine, heroin) having the formula $C_{21}H_{23}NO_5$:

“coca leaf” means the leaf of the *Erythroxylon coca* (Lamarck) and the *Erythroxylon novogranatense* (Morris) and the leaf of other species of the same genus from which it may be found possible to extract cocaine either directly or by chemical transformation :

“crude cocaine” means any extract of the coca leaf which can be used directly or indirectly for the manufacture of cocaine :

“cocaine” means methyl-benzoyl-*laevo*-ecgonine ($[\alpha]D_{20} = -16^{\circ}4$) in 20 per cent. solution of chloroform of which the formula is $C_{17}H_{21}NO_4$:

“ecgonine” means *laevo*-ecgonine ($[\alpha]D_{20} = -45^{\circ}6$ in 5 per cent. solution of water) of which the formula is $C_9H_{15}NO_3 \cdot H_2O$, and all the derivatives of *laevo*-ecgonine, which might serve industrially for its recovery :

“Indian hemp” means the dried flowering or fruiting top of the pistillate plant known as *cannabis sativa* L. from which the resin has not been extracted, by whatever name (ganja, bhang or otherwise) such tops are called.

3. The term “dangerous drugs” when used without any qualifying epithet shall be taken to include—

Dangerous
drugs
defined.

- ✓(a) Benzoyl-morphine.
- ✓(b) Dicodeide (dihydro-codeinone).
- ✓(c) Eucadol (dihydrohydro-oxycodoinone).
- ✓(d) Raw opium.
- (e) Medicinal opium.
- ✓(f) Prepared opium. ✓
- ✓(g) Crude cocaine, coca leaf and ecgonine. ✓
- ✓(h) Morphine, diacetylmorphine, cocaine and their respective salts.
- (i) All preparations officinal and non-official (including the so called anti-opium remedies) containing not less than 0.2 per cent. of morphine or not less than 0.1 per cent. of cocaine.
- (j) All preparations containing diacetylmorphine.

No. 25 of
1943.

- (k) Esters of morphine and their respective salts and any preparation, admixture and extract containing any of the said esters.
- (l) All preparations of esters of ecgonine or of their respective salts, and all preparations of ecgonine containing less than $\frac{1}{10}$ per cent. of ecgonine.
- (m) All preparations (excepting Syrupus Codeinae Phosphatis B.P.C. 1934) containing any proportion of methylmorphine or ethylmorphine associated with any inert substance, and any preparation, admixture or other substance containing more than 2.5 per cent. of methylmorphine or ethylmorphine associated with another medicinal substance.
- (n) Indian hemp, the resin obtained from the plant *Cannabis sativa* L. (whether in the form called charas or otherwise), any product of which such resin forms the base, and any extract or tincture of the Indian hemp.
- (o) Any other narcotic drug to which this Ordinance may subsequently be applied by notification, but does not include any preparation exempted by any rule under this Ordinance.
- (p) Sulphapyridine (M. & B. 693).
- (q) Sulphanilamide.
- (r) Sulphathiazole.
- (s) Sulphaguanidine.

No. 25 of
1943.

Prohibited
cultivation.

4. It shall not be lawful to cultivate within the Colony the opium poppy (*papaver somniferum*) or the Indian hemp (*cannabis sativa*) save with the written permission of the Governor for scientific purposes.

Prohibited
acts.

5. It shall not be lawful within the Colony to manufacture, buy, sell or possess any dangerous drug except under a licence issued under or as otherwise permitted by this Ordinance or any rule thereunder, and any such dangerous drug unlawfully manufactured, bought, sold, imported, or possessed may be seized.

Unlawful
importation.
No. 19 of
1944.

6. It shall not be lawful to import into the Colony any dangerous drug except upon the production of a certificate issued by the Financial Secretary and countersigned by

the Director of Medical Services in the form prescribed in the Schedule to this Ordinance. No. 9 of 1945.

7. (1) It shall be lawful for the Director of Medical Services in his discretion to grant to any person who has acquired the habit of using opium and who is in consequence addicted to its use and whose health would be detrimentally affected by the immediate and hasty discontinuance of such habit, a permit in the prescribed form, to possess and use opium during such period, and in such quantity, not exceeding four tolas in every month, as shall be specified in such permit. Director of Medical Services to grant permits for use of opium addicts. No. 9 of 1945.

(2) All such permits shall be granted subject to such conditions as may be prescribed from time to time by the Governor.

(3) The Director of Medical Services may from time to time appoint any Government medical officer to exercise his powers under this section.

(4) The Director of Medical Services or such person as may from time to time be licensed by the Financial Secretary to sell opium to addicts shall alone be authorised to supply opium under this section. No. 19 of 1944.

8. Save as provided in section 7 of this Ordinance, no person shall have in his possession or control any opium pipe or other receptacle, utensil or material, habitually or customarily used for opium smoking. Prohibition of possession of pipes, etc. for the use of opium.

9. No person shall deliver any opium to any person not authorised to be in possession of the opium who purports to be sent by or on behalf of a person so authorised unless such person produces an authority in writing, signed by the person so authorised to receive the opium on his behalf, and unless the person supplying the opium is satisfied that the authority is genuine. This section shall not be deemed to apply to medicines dispensed in accordance with the provisions of this Ordinance. Delivery to messengers.

10. It shall not be lawful to export from the Colony any dangerous drug except upon the production of a certificate issued by the Financial Secretary in the form prescribed in the Schedule to this Ordinance, and such certificate will only be granted on production of an import certificate from the country of import in the form prescribed in the said Schedule. Unlawful export. No. 19 of 1944.

Unlawful
tranship-
ment.
No. 19 of
1944.

11. It shall not be lawful to tranship within the territorial waters of the Colony any dangerous drug save on the written authorisation of the Financial Secretary and such authorisation shall in no case be given unless the drugs to be transhipped are accompanied by a certificate signed by the Government of the country to which they are consigned authorising their importation thereinto, and such authorisation shall specify the quantity and description of the drugs so authorised and the number and description of the packages containing them.

Department
charged.

12. The officers of the Department of Excise, Salt and Customs are charged with the prevention of offences against this Ordinance.

Presumption
for prosecu-
tion.

13. In prosecutions under sections 5 or 6 of this Ordinance it shall be presumed unless the contrary is proved that all dangerous drugs for which the accused person is unable to account satisfactorily are dangerous drugs in respect of which he has committed an offence under this Ordinance.

Penalties.

14. Any person convicted of an offence under this Ordinance or any rule thereunder for which no specific penalty is provided shall be liable on conviction to imprisonment for a term not exceeding one year, or to a fine not exceeding one thousand five hundred shillings, or to both.

Rules.

15. The Governor in Council may make rules, and prescribe penalties, to regulate—

- (a) the terms and conditions on which certificates or licences for the importation of dangerous drugs may be issued ;
- (b) the mode of storage of dangerous drugs by persons who may dispense them ;
- (c) the persons who may prescribe, dispense and possess dangerous drugs, and the limits of lawful possession by any such person ;
- (d) the fees to be charged for licences ;
- (e) the import, export, warehousing and transport of dangerous drugs ;
- (f) the exemption of certain preparations from the operation of this Ordinance, and for the better carrying out of the provisions of this Ordinance.

SCHEDULE.

(Sections 6 and 10.)

No.....

Certificate of Official Approval of Import of Dangerous Drugs as required by the International Opium Convention.

I hereby certify that I have approved the importation by

(a)

(a) Name, address and business of importer.

of (b)

(b) Exact amount and description of drug to be imported.

from (c)

(c) Name and address of agency in exporting country.

subject to the following conditions :—

(d)

(d) Any special restrictions.

and am satisfied that the consignment proposed to be imported is required :—

(1) For legitimate purposes (in the case of raw and prepared opium and Indian hemp).

(2) Solely for medicinal or scientific purposes (in the case of drugs to which Chapter III of the Convention signed at Geneva on the 19th February, 1925, applies).

(Signed)

Financial Secretary.

Director of Medical Services.

Date.....

No.....

Certificate of Official Approval of Export.

I hereby certify that I have approved the exportation by

(a) Name, address and business of exporter. (a)

(b) Exact amount and description of drug to be exported. of (b)

(c) Name and address of agency in importing country. to (c)

subject to the following conditions :—

(d) Any special restrictions. (d)

and am satisfied that the consignment proposed to be exported is required :—

(1) For legitimate purposes (in the case of raw opium, coca leaf and Indian hemp).

(2) Solely for medicinal or scientific purposes (in the case of drugs to which Chapter III of the Convention signed at Geneva on the 19th February, 1925, applies).

and is in accordance with Import Certificate No.....issued by

.....and signed at.....

.....on.....

(Signed)

Financial Secretary.

Date.....