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LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF
THE INTERNATIONAL TREATIES ON NARCOTIC DRUGS

CUBA

Communicated by the Government of Cuba

NOTE BY THE SECRETARY-GENERAL - In accordance with the relevant Articles of the International Treaties on Narcotic Drugs, the Secretary-General has the honour to communicate the following legislative text.

I, OSVALDO DORTICOS TORRADO, President of the Republic,

HEREBY make known that the Council of Ministers has agreed on, and I have approved, the following:

WHEREAS the transformation of the economic and social structure of the country must be reflected in the existence of effective rules and agencies replacing those appropriate to a system based on exploitation, inequality and privilege;

WHEREAS public health is acquiring decisive importance in the revolutionary process now taking place in the Cuban nation and necessitates the repeal of obsolete laws impeding the implementation of the health improvement, protection and rehabilitation plans imperative for the population as a whole;

WHEREAS it is necessary to encourage the orientation of medical practice as a service to society and to improve the technical and human qualifications of workers in this branch of knowledge;

WHEREAS the Ministry of Health is the official body entrusted with these functions, and that on it devolves the responsibility for preparing the necessary plans and measures to ensure the attainment of the goals, referred to in the foregoing paragraphs, of improving the health of the people in line with the country's economic development and social progress;

The Council of Ministers, by virtue of the powers assigned to it, hereby decrees as follows:

LAW NO. 959

Article 1. The Ministry of Health is responsible for the study of national health problems and for the planning and conduct of health improvement, protection and rehabilitation activities designed to create optimum conditions for ensuring both the physical and mental health of the present and future generations.

Article 2. The Ministry of Health shall be responsible for discharging the following basic functions:

- (1) The Provision of a national health service on a broad basis of disease-prevention;
- (2) The Provision of prophylactic services and medical treatment for mothers and children;

- (3) The Protection of adolescents and young people, and encouragement of their healthy development;
- (4) The formulation of medical standards and guidelines for the practice of physical culture and sports;
- (5) The improvement of the rural and urban environment in respect, inter alia, of sanitation, industrial waste, buildings and recreational establishments and sites;
- (6) The improvement of the health of workers as creators of the nation's material and cultural wealth, and of occupational health conditions;
- (7) The epidemiological control of diseases;
- (8) The control of foodstuffs, beverages, medicaments and narcotic drugs, and of articles, substances or products which have a bearing on health;
- (9) The organization of the necessary statistics;
- (10) The promotion of health education and propaganda;
- (11) The formulation of standards for the construction and operation of hospitals and similar establishments, and the provision of resources to maintain the health services to be set up in industries in conformity with such provisions as are laid down;
- (12) The formulation of standards to ensure a continuous improvement in the quality of public health services, incorporating the most advanced discoveries of medical science;
- (13) The promotion of scientific research;
- (14) The formulation of rules for the disposal of corpses and human remains;
- (15) The preparation of the National Pharmacopoeia.

Article 3. The Minister of Health, as Head of the Ministry, may:

- (a) Organize services for health protection, improvement and rehabilitation in the light of the short and long-term requirements of the population and its economic and social development;
- (b) Decide on the location, construction, equipment and staffing, of hospitals and similar establishments, whether public or private, and on the application of technical and administrative procedures in respect of their operation;
- (c) Fulfil and ensure fulfilment of the Republic's commitments and obligations in international health matters and in its relations with national health services;
- (d) Decide on the standards of health and hygiene to be observed in building, and on the regulations for the maintenance, from the standpoint of hygiene, of all types of buildings, houses, educational establishments, premises, factories, industries, businesses, markets and in general, of all establishments the existence or use of which may affect health or constitute a threat to it;

- (e) Regulate sanitary conditions in respect of public or private works for ensuring drinking-water supplies, establishments and sites intended for spas, beaches and swimming pools, sewage installations, the disposal of refuse of all kinds and town-planning and new town construction;
- (f) Regulate the manufacture, distribution, sale and use of medicinal, biological, chemical and pharmaceutical products, pharmaceutical preparations, drugs and narcotics; beauty products or cosmetics; prosthetic apparatus and articles; antigens and biological agents used in clinical diagnosis; as well as those designed to prevent and cure animal diseases transmissible to human beings; and personal, domestic or any other articles which may directly affect health either as a vehicle for disease or as being liable to cause a deterioration in health.
- (g) Formulate rules of hygiene for the manufacture, distribution and sale of foodstuffs and beverages, the constituent raw materials, the premises for their processing, storage, distribution and retail sale, commercial publicity in respect of them, the health of persons involved in handling them, and control and supervision standards guaranteeing the soundness of the said articles from the hygienic standpoint.
- (h) Lay down standards of hygiene in respect of the construction, opening, extension, restoration, operation, transfer and closing of cemeteries, and of all matters pertaining to the handling and final disposal of corpses and human remains.
- (i) Regulate the exercise of medical and related activities by establishing the operational and other conditions therefore.
- (j) Arrange for the preparation of a national pharmacopoeia on the basis of the principles of the international pharmacopoeia recommended by the World Health Organization, and carry out periodical revision of it at least once every five years.

Article 4. The Ministry of Health shall be subdivided into under-secretariats, directorates, sections, regional and area directorates and other offices approved by the Minister, with the functions assigned to them by decree, subject to the provisions of the Basic Regulations.

Article 5. The Under-Secretaries of the Ministry shall be appointed by the President of the Republic, on the proposal of the Minister, with the tasks and functions assigned to them by the latter. Where necessary, they shall be responsible for the direction and supervision of one or more directorates, sections, offices or administrative bodies entrusted to them by the Minister.

Article 6. The Minister of Health shall maintain technical and administrative relations with the other Ministers and specialized States agencies with a view to orienting and co-ordinating their respective activities.

Article 7. A Scientific Council shall be set up to advise the Ministry, and the Minister to be responsible determining its administration and mode of operation.

TRANSITIONAL PROVISIONS

- (1) The Minister of Health shall be responsible for issuing the Ministry's Basic Internal Regulations, and the statutory rules of public organizations, institutions, bodies or undertakings in all matters pertaining to health, and shall submit them to the Government for approval.
- (2) Pending the issuing of the Basic Internal Regulations and statutory rules referred to in the foregoing provision, the Minister of Health is authorized to organize, reorganize or modify the structure of the administrative bodies, offices, branches or sections of the Ministry.

FINAL PROVISION

Any legal and statutory provisions conflicting with the provisions of the present Law, which shall come into force on the date of its publication in the Official Gazette of the Republic, shall cease to apply.

I accordingly order that the present Law be complied with and implemented in all its parts.

Done at the Presidential Palace, Havana, this first day of August 1961.

OSVALDO DORTICÓS TORRADO
President of the Republic

Prime Minister FIDEL CASTRO RUZ

JOSE R. MACHADO VENTURA
Minister of Health