



UNITED NATIONS

E/NL. 1955/99
June 1956
ORIGINAL: Danish

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

DENMARK

Communicated by the Government of Denmark

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. 169 of 24 May 1955

Narcotic Substances Act

We, Frederick the Ninth, by God's Grace King of Denmark, the Wends and the Goths, Duke of Schleswig, Holstein, Stormarn, the Ditmarshes, Lauenburg and Oldenburg, hereby make it known that Parliament has passed the following Act of the Realm, to which We have given Our assent:

Article 1.

1. The Minister for Home Affairs and Housing shall have authority to decide that substances which under international agreements or in the opinion of the Board of Public Health, are to be regarded as highly dangerous by reason of their narcotic properties shall not be allowed in this country, save when the Minister, in exceptional circumstances and subject to such conditions as he may stipulate, gives his authorization, such which may be subsequently withdrawn.

2. Save in circumstances covered by such authorization, the import, export, sale, purchase, supply, receipt, manufacture, preparation or possession of such substances shall be prohibited.

Article 2.

1. The Minister for Home Affairs and Housing is further authorized to prohibit the use in this country except for medical or scientific purposes of substances which do not come within the meaning of article 1 but which, under international agreements or in the opinion of the Board of Public Health, are to be classed as dangerous by reason of their narcotic qualities.

2. The import, export, sale, purchase, supply, receipt, manufacture, preparation or possession

of such substances shall be permitted to pharmacists, or to persons or firms specially licensed for such purpose by the Minister for Home Affairs and Housing. The Minister may place general limitations on the relevant activities of those concerned and in addition, he may prescribe special limitations in individual cases. He may likewise curtail or withdraw the privileges granted in respect of the substances.

3. The purchase and receipt from pharmacists and the possession of such substances shall further be permitted to individuals on the basis of a duly authenticated prescription or order (cf. article 26 of the Pharmacy Act, No. 209 of 11 June 1954, and the regulations issued thereunder).

4. Save as specified above, the import, export, sale, purchase, supply, receipt, manufacture, preparation and possession of such substances shall be prohibited.

Article 3.

1. Any person violating the present Act or contravening the regulations issued thereunder shall be liable to a fine, detention or imprisonment not exceeding two years. Any person who obtains or seeks to obtain an authorization under the Act or regulations by giving false or misleading information or by wilfully suppressing facts, or who fails to abide by the terms of a particular authorization, and any person who makes a false statement in writing as to his name, address or status when applying for a prescription or order for any of the substances covered by article 2 or for repeat quantities, shall be liable to the same penalties.

2. Where any substance in respect of which an offence within the meaning of paragraph 1 above has been committed remains in the possession of an offender, it shall be confiscated. In addition, where any question of confiscation arises in such cases, the provisions of article 77 of the Criminal Code shall apply.

3. Such cases shall be tried by a court of summary jurisdiction. The means of redress set forth in chapters 68, 69, 71 and 72 of the Administration of Justice Act shall, however, be applicable as in cases where, under the general regulations, prosecution is in the hands of the Public Prosecutor. All fines and all confiscated goods and sums of money shall be the property of the State.

Article 4.

1. On the entry into force of the present Act, Act No. 53 of 6 March 1936 regarding the manufacture of and trade in opium, etc., as amended by Act No. 495 of 14 December 1948, shall be repealed. The substances specified in article 1 of that Act shall, however, be regarded as coming within the meaning of article 1 of the present Act until such time as new provisions are issued in conjunction with article 1 of the present Act. Substances covered by article 2 of the previous Act together with the corresponding Proclamations No. 493 of 27 December 1939 and No. 223 of 23 July 1953 shall likewise be regarded as coming within the meaning of article 2 of the present Act until such time as new provisions concerning the

substances covered by the Act are issued in conjunction with article 2 of the present Act. Order No. 161 of 20 June 1936 regarding the manufacture of and trade in opium, etc., issued under the previous Act, as amended by Order No. 377 of 8 September 1948, shall remain in force until such time as new general regulations regarding traffic in such substances are issued in conjunction with article 2, paragraph 2 of the present Act.

2. The Government is hereby empowered to bring the present Act into force in the Faroe Islands by Royal Order.

3. The present Act shall apply to Greenland subject to such modifications as arise out of the special legislation applicable to the colony.

Done at Christiansborg, this twenty-fourth day of May, nineteen hundred and fifty-five.

Under Our Royal Hand and Seal,

Frederick R.

Johs. Kjaerbol.