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E/NL. 1968/8-9

10 March 1969

ENGLISH ONLY

LAWS AND REGULATIONS

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

HUNGARY

Communicated by the Government of Hungary

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 texts.

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E/NL.1968/8

Hungarian Revolutionary Workers' and
Peasants' Government

ORDER IN COUNCIL No. 8/1968(II.9)

On performance of the tasks related with the
application of the Single Convention on Narcotic
Drugs signed at New York on 30 March 1961 and
Promulgated by Law-Decree No. 4 of 1965 of the
Presidential Council of the Hungarian People's
Republic

Article 1

1. The production, manufacture, preparation, distribution, exportation, importation, possession and use of substances liable to produce drug addiction, drugs liable to abuse; hereafter called narcotic drugs shall be permissible solely for medical and scientific purposes.

2. The production, manufacture, preparation, distribution and possession of narcotic drugs shall be exclusively the concern of state organs (enterprises).

Article 2

1. Supervision and control of the activities referred to in Article 1 shall be jointly exercised by the Minister of Home Affairs and the Minister of Health.

2. The licence for the activities referred to in Article 1, paragraph 2, shall be issued by the Ministry of Health in concert with the Ministry of Home Affairs.

3. Of the duties of supervision, licensing and control:

(a) the Ministry of Home Affairs shall perform those of enforcement supervision and control and provide for the permission of the transportation of narcotic drugs in transit traffic;

(b) the Ministry of Health shall perform those of professional supervision, including:

- publication of the lists of narcotic drugs;
- regulation of the prescription and use of narcotic drugs for therapeutic purposes, of their trade by pharmacists, and of their use and recording by hospitals;
- permission of the acquisition of narcotic drugs for scientific purposes, and regulation of their use and recording;
- regulation and control of the obligations of recording and furnishing information to be met by the organs (enterprises) engaged in the production, manufacture, preparation and distribution of narcotic drugs;
- preparation of the reports and statistical information required by the international convention;
- authorization of the exportation and importation of narcotic drugs.

Article 3

Whoever, in violation of the prohibition imposed by Article 1, paragraph 2, prepares, acquires, possesses, or offers for sale narcotic drugs shall be punishable according to Section 198 of the Criminal Code.

Article 4

1. This Order shall come into force on the day of its promulgation^{1/}; at the same time the still operative provisions of Government Decree No. 2222/1934 on the manufacture of and trade in narcotic drugs, as well as Articles 1 and 2 of Order-in-Council No. 70/1957 (XII.14)^{2/} on certain rules governing the publication of the lists of narcotic drugs liable to abuse and the traffic in narcotic drugs, shall cease to have effect.

2. Application of this Order shall be provided for jointly by the Minister of Home Affairs and the Minister of Health in agreement with the Ministers concerned.

(signed) Jenő Fock
President of the Hungarian Revolutionary
Workers' and Peasants' Government

1/ Note by the Secretariat: The Order entered into force on 17 June 1968

2/ Note by the Secretariat: E/NL.1958/24

Minister of Home Affairs and
Minister of Health

E/NL.1968/9

JOINT DECREE No. 1/1968(V.12)

Regulating the Production, Manufacture, Preparation,
Distribution, Possession and use of Narcotic Drugs

Having been authorized under Article 4 of Order-in-Council No. 8/1968(II.9)^{3/}, in agreement with the Ministers concerned we hereby decree the following:

Article 1

1. Substances liable to produce drug addiction (hereafter called narcotic drugs) mean substances and preparations internationally described as narcotic drugs by the "Single Convention on Narcotic Drugs of 1961", promulgated by Law-decree No. 4 of 1965, and qualified as narcotic drugs in the Hungarian People's Republic, as well as their dilutions of any degree of concentration in either liquid or solid state.

2. The substances and preparations qualified as narcotic drugs are listed in Annexes 1 to 3.

Article 2

1. The production, manufacture, preparation, distribution (importation, exportation, sale) and possession of narcotic drugs shall be exclusively the concern of a state organ (institute, establishment, enterprise; hereafter called enterprise) which is licensed for narcotic drugs.

2. The licence for the activities referred to in paragraph 1 shall be issued by the Ministry of Health in concert with the Ministry of Home Affairs.

3. The application for a licence for narcotic drugs shall be accompanied by:

(a) a rough sketch of the plant or the relevant premises and the store-room of the enterprise, displaying the safety installations required from the point of view of enforcement (Art. 4);

(b) the opinion of the health department of the Executive Committee of the competent Council;

(c) a proposal from the Ministry having jurisdiction over the enterprise.

4. The application for a licence for narcotic drugs shall be made to the Ministry of Home Affairs, which shall send it with its report to the Ministry of Health.

5. The licence for narcotic drugs shall be valid until revocation. The licence may be revoked by the Ministry of Health in concert with the Ministry of Home Affairs. In case of any change in any one of the requisites set forth in Paragraph 3 the enterprise shall be bound to apply for a new licence. The changes shall be explained in the application. It shall be taken as a change in the requisites set forth in sub-paragraph (a) of paragraph 3 if the plant or the relevant premises of the enterprise have been transformed so much as to call for a modification of the safety installations required from the point of view of enforcement.

Article 3

1. The manager of the enterprise licensed for narcotic drugs is bound to appoint an official and a deputy in charge of narcotics to perform and supervise within the plant the duties related with narcotic drugs. Only a person having a diploma in medicine, pharmacology, chemical engineering, chemistry or biology can be appointed official (or deputy) in charge of narcotics.

2. Before appointing the official (or deputy) in charge of narcotics the enterprise is bound to obtain the preliminary approval of the Ministry of Home Affairs. The manager of the enterprise shall enclose with his proposal an authenticated copy of the proposed person's diploma.

Article 4

1. Narcotic drugs, with the exception of those mentioned in paragraph 2, shall be kept, separate from all other substances, in a store-room especially designed for this purpose, surrounded by solid walls on every side, properly illuminated and provided with a safety lock (iron bars), or in a strong-walled cabinet provided with a safety lock.

2. Of the registered drug preparations listed under paragraph 2 in Annex 3 to this Decree, the preparations marked ++ shall be stored in accordance with the regulations concerning the storage of preparations containing no narcotic drugs.

Article 5

1. The enterprise licensed for narcotic drugs is bound to keep such records as required by the Ministry of Health. The records shall indicate the basic drugs acquired by the enterprise, the names and quantities of the narcotic drugs manufactured (prepared) and distributed (imported or exported), as well as the stocks of basic drugs, semifinished and finished products held by the enterprise.

2. The enterprise is bound

(a) to report on the narcotic drugs in such manner and at such dates as the Ministry of Health may prescribe;

(b) to furnish, once every year, estimates relating to its probable production of and trade in narcotic drugs as well as its stock on hand for the next year.

Such reports and information shall be submitted to the Ministry of Health through the supervisory authority of the enterprise.

Article 6

1. Narcotic drugs can be acquired directly from the enterprise only by enterprises licensed for narcotic drugs, as well as by the organs designated by the Minister of Health in agreement with the Ministers concerned. Narcotic drugs shall be prescribed or delivered in any manner by means of established forms which shall be strictly accounted for and provided by the Ministry of Health.

2. The acquisition of narcotic drugs for scientific (experimental) purposes shall be permitted in each case by the Ministry of Health at individual request. The narcotic drugs acquired on the basis of permission and their utilization shall be entered on record.

Article 7

1. Narcotic drugs shall be sorted out continuously by the enterprise licensed for narcotic drugs.
2. The discarded narcotic drugs shall be placed on record, indicating the name of the narcotic drug and the cause of its discarding in every case. The record shall be signed by the official (or deputy) in charge of narcotics.
3. The discarded narcotic drugs may be destroyed solely in the last quarter of the year and with the preliminary consent of the Ministry of Health. Applications for this end shall be submitted once every year, in the third quarter. In well-founded cases the Ministry of Health can permit prompt destruction.
4. The application for the permission referred to in paragraph 3 shall be accompanied by a summary list drawn up in triplicate on the basis of the records of discarding. It shall indicate the proposed place, date and manner of destruction.
5. The destruction of narcotic drugs shall be attended by the manager of the enterprise (or his deputy), the official (or deputy) in charge of narcotics, and by an emissary of the health department of the Executive Committee of the competent Council.
6. The fact of the destruction of narcotic drugs shall be placed on record. Two copies of the record shall be sent to the Ministry of Health, and one copy together with the records of discarding and with a copy of the summary list shall be kept as voucher by the enterprise.

Article 8

1. Exportation or importation from or to the Hungarian People's Republic may be effected only on the strength of a valid export or import permit issued by the Ministry of Health.
2. The application for such permit shall indicate the name and amount of the narcotic drug intended to be exported or imported, the country of destination or origin, as well as the name and address of the exporting or importing enterprise.
3. An export permit for narcotic drugs may be granted only if the applicant produces a valid import certificate issued by the competent authority of the importing state.
4. The issued but unused permit shall be returned to the Ministry of Health within three days from the date of its expiration.

Article 9

1. A consignment of narcotic drugs can be passed through the customs for domestic traffic or temporary importation, or passed for temporary exportation, only on the strength of a valid import or export permit for narcotic drugs.
2. The customs authorities are bound to notify such clearance to the Ministry of Health.

Article 10

Narcotic drugs may be transported through the territory of the Hungarian People's Republic only with the permission (for transit traffic) of the Ministry of Home Affairs.

Article 11

Every written document (copy) relating to the production and discarding of, and to the wholesale and retail trade in, narcotic drugs shall be preserved for five years from the date of receipt of such document.

Article 12

With regard to health institutions, the acquisition of narcotic drugs, their prescription for medical purposes, their handling by pharmacists and hospitals, their recording, discarding and destruction shall be regulated by a separate instruction of the Minister of Health.

Article 13

1. This Decree shall come into force on the day of its promulgation^{4/}, at the same time Decree No. 195.200/1934 of the Minister of the Interior on the establishment of a central organ for the production and manufacture of and trade in narcotic drugs, Decree No. 5/1957 (XII.14)^{5/} of the Minister of Health on the publication of a new list of narcotic drugs liable to abuse, on regulation of prescriptions for narcotics, their trade by pharmacists and the recording of narcotic drugs used for therapeutic purposes by hospitals, Decrees No. 4/1960 (III.23)^{6/} and No. 2/1967(I.24) of the Minister of Health on the revision of the list of narcotic drugs, as well as Decree No. 124/1951(X.26) of the Minister of Health on regulation of the quality control sampling of drug preparations containing narcotics, shall cease to have effect.

2. The enterprise engaged in the activities referred to in Article 2, paragraph 1, shall, in the manner prescribed by this Decree, apply for a new licence within 90 days from the date of entry into force of this Decree.

(signed) András Benkei
Minister of Home Affairs

(signed) Zoltán Szabó
Minister of Health

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Annex 1 to the Decree contains the list of the substances internationally described as narcotic drugs by the "Single Convention on Narcotic Drugs of 1961".

4/ Note by the Secretariat: the Decree entered into force on 17 June 1968

5/ Note by the Secretariat: E/NL.1958/25

6/ Note by the Secretariat: E/NL.1960/99

ANNEX 2

List of the substances which, in addition to those internationally described as narcotic drugs by the "Single Convention on Narcotic Drugs of 1961", are qualified as narcotic drugs ("A") and which are subjected to stringent measures ("B") in the Hungarian People's Republic:

"A"

The following substances, their salts and preparations are qualified as narcotic drugs:

AMPHETAMINUM (benzpropamine, 1-phenyl-2-aminopropane) [Amphetamine] 7/
LYSERGIDUM (D-lyserg acid diethylamid, Delysid, LSD-25) [Lysergic acid diethylamide]

"B"

The following drugs, their salts and preparations shall not be dispensed for medical purposes, their use may be permitted only for scientific research:

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CETOBEMIDONUM (4-meta-dihydroxyphenyl-1-methyl-4-propionylpiperidine) [Ketobemidone] 8/
DESORMORPHIUM (dihydrodesoxymorphine) [Desomorphine]
HEROINUM (diacetylmorphine) [Heroin]
LYSERGIDUM (D-lyserg acid diethylamid, Delysid, LSD-25) [Lysergic acid diethylamide]

ANNEX 3

List of the narcotic drugs, and drug preparations containing narcotic drugs, whose distribution is permitted in the Hungarian People's Republic:

1. Basic drugs and drug preparations

Opium preparations:

Extractum opii siccum
Opium concentratum (Domopon)
Opium nativum
Pulvis opii
+ Pulvis opii et ipecacuanhae (pulvis Doveri)
Tinctura opii

Morphine and derivatives of morphine:

Morphine and its salts
+ Ethylmorphine and its salts
+ Codeine (methylmorphine) and its salts
+ Dihydrocodeine (hydrocodeine) and its salts (Hydrocodin)
Hydrocodone (dihydrocodeinone) and its salts (Supracodin)
Oxycodone (dihydrooxycodone) and its salts (Oxycodon)
Thebacon (acetyldihydrocodeinone) and its salts
Thebaine and its salts

7/ Note by the Secretariat: Words in square brackets have been inserted by the Secretariat.

8/ Note by the Secretariat: International non-proprietary names of drugs are underlined.

Cocaine and its salts

Amphetamine (benzpropamine, 1-phenyl-2-aminopropane) and its salts (Aktedron)

Fentanyl [1-phenethyl-4-N-proionylanilipiperidine]

Methadone [6-dimethylamino-4, 4-diphenyl-3-heptanone] and its salts (Depridol)

Pethidine (1-methyl-4-phenylpiperidine-4-carboxylic acid ethyl ester) and its salts (Dolargan)

2. Registered drug preparations

13.196 Aktedron inj. 1 %
12.429 Aktedron inj. 2 %
13.197 Aktedron tablets 5 mg.
12.396 Aktedron tablets 10 mg.
++12.481 Codeinum hydrochloricum tablets 0.01
++12.331 Codeinum hydrochloricum tablets 0.02
2.825 Depridol inj.
2.826 Depridol tablets
3.079 Diacodol tablets
910 Dithescop forte inj.
12.707 Dolargan tablets
579 Domatrin inj.
580 Domatrin tablets
11.120 Domopon inj.
11.122 Domopon tablets
++11.597 Hydrocodin drops
++12.269 Hydrocodin inj.
++11.596 Hydrocodin tablets
12.716 Morphinum hydrochloricum inj. 1 %
12.717 Morphinum hydrochloricum inj. 2 %
11.538 Morphinum hydrochloricum inj. 3 %
11.539 Morphinum hydrochloricum inj. 4 %
1.079 Morphinum hydrochloricum 2 %
- Atropinum sulfuricum 0.05 % inj.
3.080 Oxycodon tablets
2.947 Supracodin tablets 5 mg.
1.381 Tetracor-neocod drops

The drugs marked + shall not be considered narcotic drugs for the purpose of medical prescription, distribution by pharmacists, storage in pharmacies and hospitals, recording and accounting.

The drugs marked ++ shall not be considered narcotic drugs for the purpose of supply to pharmacists and hospitals, medical prescription, distribution by pharmacists, storage in pharmacies and hospitals, recording and accounting.