



UNITED NATIONS

E/NL 1958/55
16 July 1958
Original: ENGLISH

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

KOREA

Communicated by the Government of Korea

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.

NARCOTICS CONTROL LAW
OF
THE REPUBLIC OF KOREA

(Promulgated on April 23, 1957 as Law No. 440)

Table of Contents

Chapter I - General Provisions

- Article 1 - Purpose
- Article 2 - Definition of Narcotic Drugs
- Article 3 - Definition of Licensees
- Article 4 - Prohibition of Unlicensed Transactions
- Article 5 - Transactions Limited
- Article 6 - Activities Prohibited to the Public

Chapter II - Licences

- Article 7 - Issuance of Licence
- Article 8 - Issuance and Registration of Licence Certificate
- Article 9 - Duration of Licence
- Article 10- Licence not Transferable; Revocation of Licence
- Article 11- Revocation of Registration; Other Matters

Chapter III - Narcotics Control

- Article 12- Limits in Receipt and Transfer
- Article 13- Sales Receipts; Order Forms
- Article 14- Inventory Records
- Article 15- Damaged or Stolen Narcotic Drugs
- Article 16- Disposal of Narcotic Drugs owned by Disqualified Licensee
- Article 17- Storage of Narcotic Drugs
- Article 18- Sealing of Narcotic Drugs
- Article 19- Unsealed Narcotic Drugs

Chapter IV - Licensees

- Article 20- Importer
- Article 21- Imported Narcotic Drugs
- Article 22- Report on Import
- Article 23- Manufacturer
- Article 24- Manufactured Narcotic Drugs
- Article 25- Report on Manufacture

Chapter IV - Licensees (continued)

- Article 26 - Manufacturer of Narcotic Preparations
- Article 27 - Prepared Narcotic Drugs
- Article 28 - Report on Preparations
- Article 29 - Repackager
- Article 30 - Repackaged Narcotic Drugs
- Article 31 - Reports on Repackaging
- Article 32 - Wholesalers
- Article 33 - Reports on Wholesale Trade
- Article 34 - Retailer
- Article 35 - Report on Retail Trade
- Article 36 - Practitioner
- Article 37 - Record on Administration
- Article 38 - Prescriptions
- Article 39 - Report on Administration
- Article 40 - Administrator
- Article 41 - Supervising
- Article 42 - Research Scientist
- Article 43 - Report on Consumption
- Article 44 - Exempted Narcotic Preparations Manufacturer
- Article 45 - Prepared Exempted Narcotic Drugs
- Article 46 - Report on Preparations of Exempted Narcotic Drugs

Chapter V - Addicts

- Article 47 - Control over Addicts
- Article 48 - Use of Narcotic Drugs Prohibited
- Article 49 - Report on Addicts
- Article 50 - Forced Custody at Quarantine Camp

Chapter VI - Supervision and Control

- Article 51 - Inspection; taking drugs for testing purposes
- Article 52 - Business Reports
- Article 53 - Revocation of Registration; Suspension of Business
- Article 54 - Disposal of Illegal Narcotic Drugs
- Article 55 - Narcotics Inspectors

Chapter VII - Miscellaneous Provisions

- Article 56 - Collection of Information Regarding Narcotic Drugs
- Article 57 - Disposal of Seized Narcotic Drugs
- Article 58 - Rewards
- Article 59 - Establishment of Regulations

Chapter VIII - Penalties

- Article 60 - Article 71

Supplementary Provisions

- Article 72 - Coming into Force
- Article 73 - Former Regulations and Penalties Annulled
- Article 74 - Qualification Retained
- Article 75 - Validity of Seals
- Article 76 - Validity of Documents
- Article 77 - Validity of Orders for Suspension

Chapter I

GENERAL PROVISIONS

Article 1. (Purpose)

The purpose of this law is to protect humanity against the harmful effects of addiction, and to limit the supply and use of narcotic drugs to medical and scientific purposes.

Article 2. (Definition of Narcotic Drugs)

The term "narcotic drugs", as used herein, applies to those which fall under the following categories:

- a) Opium poppy, opium, coca leaves, but excluding coca leaves after alkaloids have been extracted.
- b) All types of alkaloids extracted from opium poppy, opium and coca leaves; salts and derivatives thereof.
- c) Marihuana [cannabis]^{1/} stems, and seeds and derivatives thereof, but excluding full-grown marihuana stems and their derivatives, and non-germinating seeds of marihuana.
- d) Any other chemical preparations so determined by the presidential decree as equally damaging and/or habit-forming as the narcotic drugs specified above.
- e) Any other drugs or preparations that contain narcotic drugs specified above but so determined by the Minister of Health and Social Affairs as non habit-forming and as non-reproducible into narcotic drugs by mixing with other substances (hereafter in this law referred to as Exempted Narcotic Drugs).

Article 3. (Definition of Licensees)

The term "Licensee" applies to those who fall under the following categories, possessing a licence issued by the Minister of Health and Social Affairs:

- a) "Importer" means one who imports narcotic drugs into the country.
- b) "Manufacturer" means one who manufactures narcotic drugs (including chemical processing of converting and refining).
- c) "Manufacturer of Narcotic Preparations" means one who prepares narcotic drugs by any means of processing that involve chemical changes to the substance.
- d) "Repackager" means one who repackages narcotic drugs.
- e) "Wholesaler" means one who sells narcotic drugs to duly licensed retailers, medical practitioners, narcotic administrators or laboratory scientists.
- f) "Retailer" means one who dispenses narcotic drugs upon prescription issued by a duly licensed practitioner.
- g) "Practitioner" means doctors, dentists, and veterinary surgeons who administer, dispense or prescribe narcotic drugs to patients or for animals in the exercise of their therapeutic functions.
- h) "Administrator" means an employee in a medical institution which operates under provisions of the National Medical Treatment Law (hereafter shall be referred to as a medical institution), who is responsible for the preparation, receipt and custody of the narcotic drugs which a medical institution maintains to administer or dispense to patients.
- i) "Laboratory Scientist" means one who uses narcotic drugs in the course of scientific research.
- j) "Exempted narcotic preparations manufacturer" means one who prepares exempted narcotic drugs.

1/ Note by the Secretariat: The word in square brackets has been inserted by the Secretariat.

Article 4. (Prohibition of unlicensed transactions)

No person without an appropriate licence is permitted to possess, procure, administrate, import, manufacture, prepare, repackage, compound, administer, sell or purchase, receive or transfer narcotic drugs, or use narcotic drugs for scientific research purposes, or to issue prescriptions for narcotic drugs, or to prepare exempted narcotic drugs. However, the following shall be exceptions.

- a) When someone possesses narcotic drugs as dispensed to him for medical purposes by a duly licensed practitioner in accordance with the provisions of this law.
- b) When someone possesses narcotic drugs as sold or transferred to him by a duly licensed retailer in accordance with the provisions of this law.
- c) When someone possesses narcotic drugs to transport or to store pursuant to agreement with a person duly licensed in accordance with the provisions of this law.
- d) When someone possesses narcotic drugs in his official capacity that have been seized, forfeited or confiscated.
- e) When someone possesses narcotic drugs with permission from the Minister of Health and Social Affairs, as determined by presidential decree.

Article 5. (Transactions limited)

1. No licensee shall carry out activities specified in the preceding article with a view other than specified in business objective.
2. Those who possess, transport or administrate narcotic drugs, in accordance with the provisions of this law, shall not use such narcotic drugs for non-specified purposes.
3. The Minister of Health and Social Affairs may, when he finds such action to be in the public interest, issue orders to prohibit or restrict the importation, manufacture, preparation, repackaging or use of narcotic drugs, as determined by presidential decree.

Article 6. (Activities prohibited to the public)

No one shall carry out activities that fall under the following categories:

- a) Use of narcotic drugs not specified in this law.
- b) Export trade in narcotic drugs.
- c) Cultivation of plants which are the source of narcotic drugs; possession, procurement, supervision, export and import, sales or purchase, receipt or transfer of raw material of narcotic drugs, seeds and seedlings of the plants which are the source of narcotic drugs; or extracting substances from raw material. However, an exception will be made when permission has been given by the Minister of Health and Social Affairs, as determined by presidential decree.
- d) Manufacture of medicines from marihuana; or to use or administer or dispense such medicines.
- e) To possess, procure, administrate, import, manufacture, purchase or sell, receive or transfer, transport, use, administer or dispense heroin (Diacetylmorphine), and salts and derivatives thereof.
- f) To make profit by letting a place to a person who carries out activities prohibited specifically in Article 4 and this Article throughout its sub-paragraphs.

Chapter II

LICENCES

Article 7. (Issuance of licences)

The Minister of Health and Social Affairs may issue a licence to the following qualified persons, as determined by presidential decree.

- a) An importer's licence may be issued to a duly licensed pharmacist or any person who, under the supervision of a duly licensed pharmacist as provided in Article 24 of the pharmaceutical law, is engaged in import-export trade in medicines in general.
- b) A manufacturer's licence, a pharmacist's licence, a repackager's licence and an exempted narcotic preparations pharmacist's licence may be issued to a person who is either a duly licensed pharmacist or any person who, under the supervision of a duly licensed pharmacist, manufactures medicines in general and who has adequate technique and facilities to do so.
- c) A wholesaler's licence may be issued to a duly licensed pharmacist or any person who, under the supervision of a duly licensed pharmacist, deals in medicines.
- d) A retailer's licence may be issued to a pharmacist duly licensed to practice pharmacy or to a pharmacist supervisor as provided in Article 17 of the pharmaceutical law.
- e) A practitioner's licence may be issued to any doctor, dentist, or veterinary surgeon duly licensed to practice; or to a medical staff in a medical institution.
- f) An administrator's licence may be issued to any doctor, dentist, veterinary surgeon or pharmacist working in a medical institution in which more than two licensed practitioners licensed for use of narcotic drugs are employed.
- g) A research licence may be issued to any research worker who is engaged in scientific research work and who has sufficient knowledge and know-how to use narcotic drugs.

Article 8. (Issuance and Registration of Licence Certificate)

1. When the Minister of Health and Social Affairs issues a licence, he shall register the licensee and issue a licence certificate.
2. Regulations concerning registration and fee of registration under the preceding paragraph shall be determined by the order of the Minister of Health and Social Affairs (which shall be hereinafter referred to as a Ministry Order).

Article 9. (Duration of licence)

1. All licences shall terminate on the 31st day of December of the year for which they are issued.
2. Applications for renewal shall be filed during the month of November preceding the expiration date as determined by the Minister of Health and Social Affairs.
3. The Minister of Health and Social Affairs shall renew licences without prejudice unless disqualifying factors have been established against an applicant.

Article 10. (Licence not transferable; revocation of licence)

1. No licence shall be transferable.
2. A licensee shall file an application to the competent Minister for a revocation of his licence when he has reasons for transferring or closing his business establishment or of resigning from his post.

3. If a licensee dies, or when the business establishment dissolves, or when a licensee becomes legally incapacitated, his licence shall thereby lapse and his legal heir (or his legal representative in property custody when his heir is not clear), liquidator, guardian, or adviser may file a report to the Minister of Health and Social Affairs informing him of the matter.

4. When a licensee has violated the provisions of paragraph 1 of this article or when he had reasons specified in paragraph 2 of this article, his licence shall lapse and he shall surrender the licence certificate to the Ministry of Health and Social Affairs.

5. When applying, modifying or surrendering as stipulated in paragraphs 2 to 4 of this article, all procedure shall go through an appropriate mayor or governor.

Article 11. (Revocation of registration: other matters)

1. When factors relating to the following categories apply, the Minister of Health and Social Affairs shall take a licensee off the registration list:

- a) When no application has been duly filed as stipulated in paragraph 2 of article 9.
- b) When a licence has been revoked in accordance with the provisions of paragraphs 2 and 3 of the preceding article.

2. Further regulations, other than those stipulated in this law, relating to alteration in registration, revocation of registration, application or notification for revocation of licence, renewal or surrender of licence certificate, or to licence certificate shall be determined by the Ministry order.

Chapter III

NARCOTICS CONTROL

Article 12. (Limits in receipt and transfer)

No licensee shall receive narcotic drugs from an unlicensed person. However, an exception shall be made when the Minister of Health and Social Affairs gives his permission, in accordance with provisions of paragraph 1 of Article 16.

Article 13. (Sales receipts; order forms)

1. No licensee shall sell or otherwise transfer narcotic drugs (excluding exempted narcotic preparations) to another licensee unless he exchanges with the buyer or transferee a sales receipt and an order form, in the forms issued by the government, making entry of required information and signing his name and sealing his seal on the forms.

2. The forms (blank) shall be purchased through the government for a nominal fee, as determined by presidential decree.

3. The sales receipt and order forms, as stipulated in paragraph 1 of this article, shall be retained for two years from the date of exchange.

Article 14. (Inventory records)

1. All licensees shall keep inventory records on the handling of narcotic drugs, showing: item, amount and date they imported, manufactured, prepared, repackaged, compounded, received, transferred, administered or dispensed or used such drugs for scientific research; including address and name of all persons involved in every transaction. When it is made to another licensee, his licence classification and registration number must be added.

2. A duly licensed administrator in a medical institution shall keep records on narcotic drugs that have been administered or dispensed to the patients by duly licensed practitioner in the medical institution, regardless of the provisions of the preceding paragraph.

3. Such inventory records under the two preceding paragraphs shall be retained for five years.

Article 15. (Damaged or stolen narcotic drugs)

When any of the following conditions occur to anyone possessing narcotic drugs the licensee shall report the matter to the Minister of Health and Social Affairs through the appropriate mayor or governor without delay:

- a) Loss by natural disaster.
- b) Displaced or stolen.
- c) Deteriorated or damaged.

Article 16. (Disposal of narcotic drugs owned by disqualified licensee)

1. When a licensee (excluding the Administrator) has his registration revoked or his licence revoked in accordance with the provisions of article 11, the person who was a licensee, his heir, liquidator, guardian or adviser or a company that might be surviving or newly-established shall file a report to the Minister of Health and Social Affairs through the appropriate mayor or governor on the item and amount of narcotic drugs on hand, and shall transfer the narcotic drugs to a licensee upon obtaining permission from the Minister of Health and Social Affairs. However, when the heir or a company is a licensee, no such transfer shall be necessary with permission from the Minister of Health and Social Affairs.

2. Any person whose licence has been suspended in accordance with the provisions of article 53 shall surrender the narcotic drugs on hand and his licence certificate to the appropriate mayor or governor (except in the case of an administrator).

3. Upon the expiration of the suspension period, narcotic drugs and licence certificate surrendered shall be properly returned to the owner licensee.

Article 17. (Storage of narcotic drugs)

All licensees and those who are specified in exceptions (c) to (e) of article 4 shall keep their stock of narcotic drugs under lock and key and apart from other merchandise and materials.

Article 18. (Sealing of narcotic drugs)

1. A duly licensed importer, manufacturer, pharmacist, and repackager shall make proper markings on the receptacles or packages of narcotic drugs that have been imported, manufactured, prepared and repackaged, in accordance with Ministry Order, and seal them with stamps approved by the government. However, the same shall not apply to exempted narcotic drugs.

2. A nominal fee shall be paid to the National Treasury for the stamps specified in the preceding paragraph, as determined by presidential decree.

Article 19. (Unsealed narcotic drugs)

No licensees shall receive or transfer narcotic drugs that have not been sealed as stipulated in the preceding article. However, an exception shall be made when the Minister of Health and Social Affairs gives his permission, as determined by presidential decree.

Chapter IV

LICENSEES

Article 20. (Importer)

1. No importer other than those stipulated in this law shall import narcotic drugs.
2. Every licensed importer, when he wishes to import narcotic drugs, shall obtain permission from the Minister of Health and Social Affairs for the establishment of type and amount of the drugs proposed to be imported, as determined by the Ministry order.

Article 21. (Imported Narcotic Drugs)

Importers shall not transfer imported narcotic drugs to persons other than duly licensed manufacturers, pharmacists, repackagers, wholesalers or exempted narcotic preparations pharmacists.

Article 22. (Report on import)

Not later than the 10th of the following month, every importer shall file a report to the Minister of Health and Social Affairs through the appropriate mayor or governor, showing:

- a) Names and amount of narcotic drugs in his possession at the beginning of the calendar month for which the report is made.
- b) Names, amount and date of narcotic drugs imported and name of country from which they were imported during the calendar month.
- c) Names of all persons to whom he delivered narcotic drugs and name, amount and date delivered to each such person during the calendar month.
- d) Names and amount of narcotic drugs in his possession at the end of the calendar month.
- e) Other required data.

Article 23. (Manufacturer)

1. No manufacturer other than those stipulated in this law shall manufacture narcotic drugs.
2. Every manufacturer, when he wishes to manufacture narcotic drugs, shall obtain permission from the Minister of Health and Social Affairs through the appropriate mayor or governor, for the establishment of name, substance, manufacturing process, forms, package unit, amount and source of narcotic drugs to be manufactured.

Article 24. (Manufactured narcotic drugs)

A manufacturer shall not deliver (transfer) manufactured narcotic drugs to persons other than a duly licensed manufacturer, pharmacist, packager, exempted narcotic preparations pharmacist or wholesaler.

Article 25. (Report on manufacture)

Not later than the 10th of the following month, every manufacturer shall file a report to the Minister of Health and Social Affairs through the appropriate mayor or governor, showing:

- a) Names and amount of narcotic drugs in his possession at the beginning of the calendar month for which the report is made.
- b) Names, amount and source of narcotic drugs he used during the calendar month.

- c) Names and amount of narcotic drugs he manufactured during the calendar month.
- d) Names of all persons to whom he transferred or from whom he received narcotic drugs and name, amount and date of such transfer and receipt during the calendar month.
- e) Names and amount of narcotic drugs in his possession at the end of the calendar month.
- f) Other required data.

Article 26. (Manufacturer of narcotic preparations)

1. No manufacturer of narcotic preparations other than those stipulated in this law shall prepare narcotic drugs.

2. Every manufacturer of narcotic preparations, when he wishes to prepare narcotic drugs, shall obtain permission from the Minister of Health and Social Affairs through the appropriate mayor or governor, for the establishment of the name, substance, process, forms, package unit and amount to be prepared, and of the name, amount and source of narcotic drugs to be used in preparations.

Article 27. (Prepared narcotic drugs)

A pharmacist shall not transfer prepared narcotic drugs to any person other than a duly licensed wholesaler.

Article 28. (Report on preparations)

Not later than the 10th of the following month, every pharmacist shall file a report to the Minister of Health and Social Affairs through the appropriate mayor or governor, showing:

- a) Names and amount of narcotic drugs in his possession at the beginning of the calendar month for which the report is made.
- b) Names, amount and source of narcotic drugs he used in preparations during the calendar month.
- c) Names and amount of narcotic drugs he prepared during the calendar month.
- d) Names of all persons to whom he sold or from whom he received narcotic drugs and name, amount and date sold or received during the calendar month.
- e) Name and amount of narcotic drugs in his possession at the end of the calendar month.
- f) Other required data.

Article 29. (Repackager)

1. No repackager other than those stipulated in this law shall repackage narcotic drugs.

2. Every repackager, who wishes to repackage narcotic drugs, shall obtain permission from the Minister of Health and Social Affairs through the appropriate mayor or governor, for the establishment of name and amount to be repackaged and amount and source of narcotic drugs to be used in repackaging.

Article 30. (Repackaged narcotic drugs)

A repackager shall not transfer repackaged narcotic drugs to any person other than a duly licensed wholesaler.

Article 31. (Report on repackaging)

Not later than the 10th of the following month, every repackager shall file a report to the Minister of Health and Social Affairs through the appropriate mayor or governor, showing:

- a) Names and amount of narcotic drugs in his possession at the beginning of the calendar month for which the report is made.
- b) Names, amount and source of narcotic drugs he used in repackaging during the calendar month.
- c) Amount of narcotic drugs repackaged during the calendar month.
- d) Names of all persons to whom he sold and from whom he received narcotic drugs and name, amount and date sold to or received from such persons during the calendar month.
- e) Names and amount of narcotic drugs in his possession at the end of the calendar month.
- f) Other required data.

Article 32. (Wholesaler)

A duly licensed wholesaler, in accordance with the provisions of this law, shall not transfer narcotic drugs to any person other than a duly licensed retailer, practitioner, administrator or research scientist located in a city or a province where his business establishment has its location. However, it will be an exception when a transfer is made with permission from the Minister of Health and Social Affairs, after filing an application through the appropriate mayor or governor.

Article 33. (Report on wholesale trade)

Not later than the 10th of the following month, every wholesaler shall file a report to the Minister of Health and Social Affairs through the appropriate mayor or governor, showing:

- a) Names and amount of narcotic drugs in his possession at the beginning of the calendar month for which the report is made.
- b) Names of all persons from whom he purchased or to whom he sold narcotic drugs and name, amount and date purchased from or sold to such persons during the calendar month.
- c) Names and amount of narcotic drugs in his possession at the end of the calendar month.
- d) Other required data.

Article 34. (Retailer)

1. No retailer other than those stipulated in this law shall dispense narcotic drugs upon prescriptions issued by a duly licensed practitioner. However, an exception will be made when a practitioner dispenses narcotic drugs upon his own prescription while in the exercise of his medical functions.

2. A retailer shall retain a copy of each prescription for two years.

Article 35. (Report on retail trade)

Not later than the 10th of the following month, every retailer shall file a report to the appropriate mayor or governor, showing:

- a) Names and amount of narcotic drugs in his possession at the beginning of the calendar month for which the report is made.

- b) Names, amount, date and source of narcotic drugs he purchased during the calendar month.
- c) Names and amount of narcotic drugs dispensed during the calendar month.
- d) Names and amount of narcotic drugs in his possession at the end of the calendar month.

Article 36. (Practitioner)

No practitioner other than those stipulated in this law shall administer, dispense or prescribe narcotic drugs to a patient or for an animal.

Article 37. (Record of administration)

1. Every practitioner administering or dispensing narcotic drugs shall keep a record showing: address, name (in case of an animal, address and name of its owner), age, sex, name of disease, major symptoms of a patient; amount of narcotic drugs administered or dispensed to each patient; names, amount and date of narcotic drugs administered or dispensed. Such records shall be kept apart from his other records.

2. A practitioner shall retain the record specified in the preceding paragraph for two years.

3. An administrator shall keep and retain such records for a medical institution where an administrator is assigned.

Article 38. (Prescriptions)

1. Every practitioner prescribing narcotic drugs shall write, sign and seal a prescription showing: address, place of business establishment, firm's name, licence number of the issuing practitioner; address, name, sex, age, name of disease of a patient to whom a prescription is issued; and date of issuance. Prescription copies shall be kept apart from his other records.

2. Provisions of paragraphs 2 and 3 of the preceding article shall apply to the preceding paragraph of this article.

Article 39. (Report on administration)

1. Not later than the 10th of the following month, every practitioner shall file a report to the appropriate mayor or governor, showing:

- a) Names and amount of narcotic drugs in his possession at the beginning of the calendar month for which the report is made.
- b) Names, amount and source of narcotic drugs he purchased during the calendar month.
- c) Names and amount of narcotic drugs administered or dispensed during the calendar month.
- d) Names and amount of narcotic drugs in his possession at the end of the calendar month.

2. Provisions of paragraph 3 of Article 37 shall apply to the preceding paragraph of this article.

Article 40. (Administrator)

1. An administrator shall be assigned by the head of a medical institution where more than two licensed practitioners are employed, in accordance with the provisions of this law.

2. When an administrator has his registration revoked or has his licence revoked, in accordance with the provisions of this law, the head of a medical institution shall, until a new assignment is made, have the narcotic drugs on hand transferred to a duly licensed practitioner in the institution, and file a report to the Minister of Health and Social Affairs through the appropriate mayor or governor on the matter.

3. The provisions of the preceding paragraph of this article shall apply to a case where the business has been suspended in accordance with the provisions of article 53.

Article 41. (Supervising)

An administrator in a medical institution shall not administer or dispense narcotic drugs other than the drugs received and kept in the institution to administer or to dispense to patients.

Article 42. (Research scientist)

No research scientist other than those stipulated in this law shall consume narcotic drugs for scientific research purposes.

Article 43. (Report on consumption)

Not later than the 10th of the following month, every research scientist shall file a report to the Minister of Health and Social Affairs through the appropriate mayor or governor, showing:

- a) Names and amount of narcotic drugs in his possession at the beginning of the calendar month for which the report is made.
- b) Names of all persons from whom he purchased narcotic drugs and name, amount and date he purchased from each person during the calendar month.
- c) Names, amount and date of narcotic drugs used during the calendar month; summary of research programmes during the calendar month.
- d) Names and amount of narcotic drugs in his possession at the end of the calendar month.
- e) Other required data.

Article 44. (Exempted narcotic preparations manufacturer)

1. No exempted narcotic preparations manufacturer other than those stipulated in this law shall prepare exempted narcotic drugs.

2. Every exempted narcotic preparations manufacturer, when he wishes to prepare exempted narcotic drugs, shall obtain permission from the Minister of Health and Social Affairs through the appropriate mayor or governor, for the establishment of name, substance, processing, forms, package unit and amount proposed to be prepared, and names, amount and source of narcotic drugs to be used in preparations.

Article 45. (Prepared exempted narcotic drugs)

1. When an exempted narcotic preparations manufacturer transfers prepared exempted narcotic preparations, he shall prepare a report on such transfers, showing: name, amount and date of prepared exempted narcotic drugs; address and names of all persons to whom transferred; in case the transferer is another licensee, his address, name, licence classification and licence number shall be added.

2. The provisions of paragraph 2 of Article 37 shall apply to the preceding paragraph of this article.

Article 46. (Report on preparations of exempted narcotic drugs)

Not later than the 10th of the following month, every exempted narcotic preparations manufacturer shall file a report to the Minister of Health and Social Affairs through the appropriate mayor or governor, showing:

- a) Name and amount of exempted narcotic drugs in his possession at the beginning of the calendar month for which the report is made.
- b) Names of all persons from whom narcotic drugs have been purchased and name, amount and date of such narcotic drugs purchased during the calendar month.
- c) Names and amount of narcotic drugs used in preparations during the calendar month.
- d) Names and amount of exempted narcotic drugs prepared during the calendar month.
- e) Names of all persons to whom exempted narcotic drugs have been transferred and name, amount and date transferred to each person during the calendar month.
- f) Names and amount of narcotic drugs and exempted narcotic drugs in possession at the end of the calendar month.
- g) Other required data.

Chapter V

ADDICTS

Article 47. (Control over addicts)

Loss of self-control or activities disturbing social order, caused by drug addiction, shall be prohibited.

Article 48. (Use of narcotic drugs prohibited)

A practitioner shall not administer, dispense or prescribe narcotic drugs to an addict in order to reduce his symptoms or to cure him. However, exception will be made when such use is made at a quarantine camp, in accordance with the provisions of Article 50, with permission from the Minister of Health and Social Affairs.

Article 49. (Report on addicts)

When a practitioner diagnoses a patient as an addict, he shall file a report to the Minister of Health and Social Affairs through the appropriate mayor or governor on the patient, giving the address, name, age and sex of the addict, and the type of narcotic drugs he is addicted to. The same shall be done when an addict has been cured or has died.

Article 50. (Forced Custody at quarantine camp)

1. When a treatment at a quarantine camp is necessary to cure an addict, the Minister of Health and Social Affairs or an appropriate mayor or governor shall admit an addict to a designated quarantine camp.

2. Regulations concerning quarantine accommodation shall be determined by presidential decree.

Chapter VI
SUPERVISION AND CONTROL

Article 51. (Inspection; taking drugs for testing purposes)

1. The Minister of Health and Social Affairs or a mayor or governor, when he finds it necessary to supervise and control transactions of narcotic drugs, shall send government agents to a business establishment, plant, warehouse, drug store, preparations plant or other place having a relationship with narcotic drugs to inspect the structure, facilities, business, records, medicines and other materials, and may have the government agents take a necessary amount of narcotic drugs or drugs related to narcotic drugs, for testing purposes, as determined by the Ministry Order.

2. When a government agent is inspecting or taking drugs for testing purposes, in accordance with the provisions of this law, he shall identify himself by presenting proper identifying papers.

Article 52. (Business reports)

The Minister of Health and Social Affairs may order a licensee to submit a report on necessary information covering his business.

Article 53. (Revocation of registration; suspension of business)

When a licensee has violated this law or other related laws, the Minister of Health and Social Affairs shall revoke his registration or order a part or all of his business to be suspended for a specified period of time.

Article 54. (Disposal of illegal narcotic drugs)

The Minister of Health and Social Affairs may seize or take other necessary actions over narcotic drugs illegally owned, procured, managed, cultivated, imported, manufactured, prepared, repackaged, sold or purchased, received or transferred, administered, dispensed or compounded or used for research purposes.

Article 55. (Narcotics inspectors)

1. Narcotics inspectors shall be assigned to the Ministry of Health and Social Affairs, city and provincial government levels.

2. Regulations concerning the inspectors shall be determined by presidential decree.

3. An inspector shall be in charge of inspection, taking drugs for testing purposes, accommodating at quarantine camps and other matters related to enforcing of this law; when he handles a crime involving narcotic drugs, he shall carry out the duty of a police officer in accordance with the provisions of the "Provisions concerning equivalent police officers and scope of their official duty."

4. When he finds it necessary in execution of his official duty, an inspector may carry a government-issued small arm.

Chapter VII
MISCELLANEOUS PROVISIONS

Article 56. (Collection of information regarding narcotic drugs)

The Minister of Health and Social Affairs may collect from the government agencies information relating to implementation of this law and other related laws or may ask the agencies for such information.

Article 57. (Disposal of seized narcotic drugs)

1. Narcotic drugs seized in accordance with provisions of this law and other related laws shall be forwarded to the Minister of Health and Social Affairs.
2. The Minister of Health and Social Affairs, upon receipt of seized narcotic drugs, shall destroy them or may take other necessary steps for their disposal.
3. Regulations concerning the disposal mentioned in the preceding paragraph of this article shall be determined by presidential decree.

Article 58. (Rewards)

Anybody who informs or detects a crime or a criminal involved in narcotic drugs, as stipulated in this law and other related laws, before the discovery by government investigation agents, shall receive a reward in an amount equal to twenty-five percent of the total fine or the total value of the confiscated items or of the equivalent value collected in cases where the item cannot be confiscated. However, no reward shall exceed the amount determined by presidential decree.

Article 59. (Establishment of regulations)

Regulations required in enforcement of this law shall be determined by presidential decree.

Chapter VIII

PENALTIES

Article 60. Violators of the provisions of Article 4, paragraphs 2 to 5 of Article 6 paragraph 1 of Article 20, paragraph 1 of Article 23, paragraph 1 of Article 34, and Article 36 shall be sentenced to an imprisonment of not more than ten years.

Article 61. Violators of the provisions of Article 5, Article 12, paragraph 1 of Article 26, paragraph 1 of Article 29, Article 42, paragraph 1 of Article 44, and Article 48 shall be imprisoned for not more than five years.

Article 62. Violators of the provisions of paragraphs 1 and 6 of Article 6 shall be imprisoned for not more than five years.

Article 63. The following shall be imprisoned for not more than three years:

a) Violators of paragraph 2 of Article 20, Article 21, paragraph 2 of Article 23, Article 24, paragraph 2 of Article 26, Article 27, paragraph 2 of Article 29, Article 30, Article 32, and paragraph 2 of Article 44.

b) A licensee who becomes a party to activities in violation of the provisions of Article 21, Article 24, Article 27, Article 30, and Article 32.

Article 64. The following persons shall be imprisoned for not more than two years:

a) Violators of the provisions of paragraph 1 of Article 10, Article 13, Article 14, paragraph 1 of Article 18, Article 19, paragraph 2 of Article 34, Article 37, Article 35, paragraph 1 of Article 40, Article 41, and Article 45.

b) Those who make false entries in sales receipts and order forms as stipulated in paragraph 1 of Article 13, inventory records as stipulated in paragraph 1 of Article 14, records as stipulated in paragraph 1 of Article 37, or prescriptions as stipulated in paragraph 1 of Article 38.

c) Those who fail to file a report or notification stipulated in Articles 15, paragraph 1 of 16, 22, 28, 31, 33, 35, 39, paragraphs 2 and 3 of 40, 43, 46, 49 and 52, or who make a false entry in these reports or notifications.

d) Those who fail to transfer narcotic drugs to a licensee so violating the provisions of Articles 15, and paragraphs 2 and 3 of 40.

e) Those who have refused, interfered or evaded the orders for inspection or taking drugs for testing purposes as provided in paragraph 1 of Article 51 or disposals as stipulated in Article 54.

f) Those who carry out business during the business suspension period as stipulated in Article 53.

Article 65. Violators of the provisions of Article 47 and those who have refused, interfered or evaded treatment at quarantine camp as provided in Article 50 shall be imprisoned for not more than five years and not less than six months.

Article 66. The following persons shall be fined with a fine of not more than hwan 500,000:

a) Those who fail to file an application or modification as stipulated in paragraphs 3 to 4 of Article 10 and those who fail to surrender a licence certificate.

b) Violators of the provisions of Article 17.

Article 67. Those who attempt to violate the provisions of Articles 4 to 6, 12, paragraph 1 of 20, 21, paragraph 1 of 23, 24, paragraph 1 of 26, 27, paragraph 1 of 29, 30, 32, paragraph 1 of 34, 36, paragraph 1 of 38, 41, 42 and paragraph 1 of 44 shall be punished.

Article 68. Habitual violators of the provisions of Articles 4, 5, 6, 12, 14, 15, 19, 20, 21, 23, 24, 26, 27, 29, 30, 32, 34, 37, 38, 41, 42, 44, 47 and 49 shall receive double the punishment due to them.

Article 69. Crimes stipulated in this law may receive additional punishment of revocation of licence for not more than 10 years and/or a fine of not more than hwan 500,000.

Article 70. Narcotic drugs involved in crimes stipulated in this law shall be confiscated. However, the equivalent amount of money shall be collected for the narcotic drugs to be confiscated when confiscation is not possible.

Article 71. When a crime as stipulated by this law has been committed by a representative of a corporation or an agency and/or an employee of a corporation or an individual and when the crime is related to the business of the corporation or an individual, the corporation or individual also shall be punished with a fine of not more than hwan 100,000, even though it may be unaware of the action taken by the guilty party.

SUPPLEMENTARY PROVISIONS

Article 72. (Coming into force)

This law shall come into force on the sixtieth day after the date of promulgation.

Article 73. (Former Regulations and Penalties Annulled)

1. The Narcotic Control Order (Ordinance No. 119 dated November 11, 1945), Rewards for Informants on Narcotic Drugs (Ordinance No. 219 dated August 12, 1948) and Narcotic Regulations (Department Order No. 3 of Public Health and Welfare dated June 24, 1947) shall be annulled.

2. Violators of former regulations (including those convicted or serving sentence)

prior to the effective date of this law shall be punished with appropriate former regulations.

3. When a crime has been committed during the transitional period of the former regulations and this law, it shall be regarded as committed prior to the effective date of this law.

Article 74. (Qualification retained)

Any person whose licence under former regulations is valid at the time of the effective date of this law shall be regarded as a qualified licensee.

Article 75. (Validity of seals)

Narcotic drugs in receptacles or packages sealed with stamps at the time of the effective date of this law, in accordance with the provisions of former regulations, shall be regarded as valid.

Article 76. (Validity of documents)

Inventory records, other records, order forms and sales receipts prepared at the time of the effective date of this law, in accordance with former regulations, shall be regarded as valid.

Article 77. (Validity of orders for suspension)

Orders for suspension of business issued prior to the effective date of this law shall be considered as valid under this law.