



UNITED NATIONS

E/NL. 1973/55
24 May 1974
ENGLISH AND SPANISH ONLY
Original : SPANISH

LAWS AND REGULATIONS

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

NICARAGUA

Communicated by the Government of Nicaragua

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.

E/NL.1973/55

REPUBLIC OF NICARAGUA

MINISTRY OF PUBLIC HEALTH
MANAGUA, D.N.

LEGAL PROVISIONS CONCERNING THE CANNABIS (MARIHUANA) PLANT AND THE OPIUM POPPY

The President of the Republic to the people:

BE IT KNOWN THAT:

Article 1. Any person introducing, transporting, growing, possessing or distributing the cannabis (marihuana) plant or any other species of the botanical genus cannabis, or trafficking in these plants and their products, without authorization from the competent authority shall be deemed to have committed an offence against public safety and shall incur the penalty of imprisonment in the fifth degree.

Article 2. Any person growing, possessing, transporting or distributing the opium poppy (*Papaver somniferum*) or any of its products or other narcotic plants or substances not covered by the previous article or trafficking in the items in question shall be guilty of the same offence and incur the same punishment. Pharmaceutical chemists and pharmacists shall be excepted where acting in accordance with scientific and legal requirements.

Article 3. The same penalty shall be incurred by medical practitioners, dentists, pharmaceutical chemists or druggists who supply or dispense narcotic drugs without observing the provisions of the Health Code and its accompanying Regulations.

Article 4. Any person found to have any of the drugs referred to in this Act, in cigarettes or any other form, shall not be guilty of the offences specified in the previous articles but shall incur the penalty of imprisonment in the third degree.

Article 5. Any person found to be under the influence of the drugs referred to in this Act, or confessing or shown to be addicted to them, shall incur a penalty of 60 to 180 days incommutable detention which he shall undergo in prison but apart from ordinary prisoners, so that he may be given suitable medical treatment.

Article 6. Accomplices and accessories in the offences referred to in this Act shall incur the same penalty as the perpetrator of the offence, but the penalty shall be reduced by one or two degrees of the pertinent scale respectively.

Article 7. Judicial, administrative and police authorities shall immediately confiscate the drugs or narcotic substances specified in this Act, the equipment employed to process products of such drugs or substances and the vehicles used to transport the items concerned, and shall hand the same over to the Ministry of Public Health. Plantations where the plants in question are grown shall be destroyed immediately by officials of the above-mentioned authorities wheresoever and when they are found.

Article 8. The provisions of this Act shall not modify or affect the analogous provisions of the Public Health Acts except in so far as they are incompatible with them.

Article 9. The State shall take the appropriate steps to establish specialized hospitals for the treatment and care of victims of drug addiction.

Article 10. This Act shall be deemed to be embodied in Title IV of Book Two of the Penal Code.

Article 11. This Act shall enter into force on the day after its publication in the Official Gazette.

DONE in the Assembly Hall of the Chamber of Deputies, Managua, D.N., on 11 November 1964. J.J. Morales Marengo, Presiding Deputy, Orlando Montenegro M., Deputy and Secretary, and Olga N. de Saballos, Deputy and Secretary.

BE IT THEREFORE PROMULGATED: The Presidential Palace, Managua, D.N., 18 November 1964. RENE SCHICK, President of the Republic, Lorenzo Guerrero, Minister of the Interior.

Extract from the Official Gazette No. 286 of Monday, 14 December 1964.