

LEAGUE OF NATIONS.

O.D.C.27.

SECOND CONFERENCE ON OPIUM.

Decree of the Royal Hungarian Government and model import
certificate submitted by the Hungarian Delegate.

DECREE No. 7430/1924 M.E. of THE ROYAL HUNGARIAN GOVERNMENT
concerning the application of Law XXII of 1923 ratifying the
International Opium Convention concluded at the Hague on
January 23rd, 1912.

The Royal Hungarian Government,
in view of the application of Law XXII of 1923 ratifying
the International Opium Convention concluded at the Hague on
January 23rd, 1912,
and with reference to Article 2 of this law,
hereby decrees as follows:

Article 1.

Raw opium, medicinal opium, morphine, cocain, heroin
(diacetyl-morphine) and dionin (diaethyl-morphine), and every
description of salts of morphine, cocain, heroin (diacetyl-
morphine) and dionin (diaethyl-morphine), and finally all
preparations containing more than .2% of morphine, or more than
.1% of heroin (diacetyl-morphine), or more than .2% of dionin
(diaethyl-morphine) shall be subject as regards importation
and exportation, production, manufacture, transformation or
sale, to the control of the Health Authorities.

The Health Authorities shall have the right to visit
and control all places and premises used for the production,
manufacture, transformation, warehousing, sale and handing
over of the materials and products enumerated in the preceding
paragraph. If the authorities so request, all information

must be given concerning the place and date of imports from territories outside the customs frontier and of exports to such territories, the quantity of the materials or products imported and exported, the identity of the vendor (purveyor) and the recipient, and concerning any question connected with the sale of the materials and products in question. In addition, all correspondence and commercial books shall be placed at the disposal of the authorities.

With a view to supervising imports and exports, the health authorities may also refer to the papers of the customs service and to customs declarations.

Article 2.

The materials and products referred to in the first paragraph of Article 1 may be imported or exported, produced, manufactured, industrially transformed, offered for sale, held, or handed over only by persons or enterprises that have obtained a special permit ("exploitation permit"). The exploitation permit shall be issued by the Royal Hungarian Minister of Social Welfare, in agreement with the Royal Hungarian Minister for Agriculture if it is a question of the production of raw opium, and with the Royal Hungarian Minister of Commerce in all other cases.

As a general rule, the exploitation permit required for the importation, exportation, production, manufacture, transformation and offering for sale of the above-mentioned materials and products will only be granted to persons or enterprises that, being mainly engaged in growing medicinal plants and manufacturing chemical or pharmaceutical products or in the wholesale trade in these substances do not supply them direct to the consumer,

except in the case mentioned in the third paragraph below. In granting this permit, the question of its necessity will be taken into account as well as the honourable standing of the applicant.

Persons who can prove that they intend to employ the substances in question for scientific purposes may obtain the exploitation permit necessary for the acquisition of these substances if their technical experience and honourable standing afford sufficient guarantees against any misuse of these substances. An exploitation permit to render the acquisition of such substances possible for other purposes will only be given if the use of these substances is shown to be in the public interest. Even in this case the honourable standing of the applicant will be the subject of investigation.

The application for an exploitation permit must state all reasons of any importance in favour of granting the permit and the premises for which the permit is requested. In the case of the production of raw opium, the request must indicate the area and exact situation of the ground to be utilised.

Permits will be issued in the form of deeds of concession drawn up by the Royal Hungarian Minister of Social Welfare and Labour. He will inform the Minister concerned and the competent subordinate health authorities.

In the case referred to in the third paragraph of the present article, authorisation may be restricted to a definite quantity and a definite period.

The premises and land to which the concession refers must be indicated in the deed of concession; the Commune, street,

and number in the street, and the topographical number or the area, as the case may be, must be stated. If the permit is only available for certain buildings or certain parts of a building, the premises in question must be correctly described.

The authorities may refuse to grant an exploitation permit when considerations of public interest or of a private nature render such course necessary. For the same reasons, an exploitation permit may be rescinded at any time.

The Royal Hungarian Minister for Social Welfare and Labour is authorised to grant facilities in agreement with the Royal Hungarian Minister for Agriculture in the case of concessions for the purpose of research work in connection with the production of raw opium.

Pharmacies may freely acquire the materials and products in question, manufacture them and transform them for medicinal use. They may also freely supply them in the form of medicine on the prescription of a doctor or veterinary surgeon even though they hold no exploitation permit. They are forbidden to supply the materials or products referred to for any other purpose.

Article 3.

In the home trade, the materials and products referred to in the first paragraph of Article 1 may only be delivered to persons or enterprises that have obtained an exploitation permit in conformity with the provisions of Article 2, on the production of a certificate of purchase giving the name of the purchaser. The certificate of purchase containing the exact specification and quantity of the materials or products to be bought will be

issued, on receipt of a request in writing, by the Royal Hungarian Minister for Social Welfare and Labour. The request must include a statement as to the existing stock and particulars regarding the purveyor from whom the applicant desires to buy the materials or products.

The certificate of purchase shall be sent to the purveyor mentioned in the request, unless the applicant otherwise desires. The purveyor shall keep the certificate of purchase and duly note thereon the date of delivery as evidence of the manner in which the goods delivered by him have been employed. If part only of the quantity indicated on the certificate of purchase has been delivered, this fact shall be noted on the certificate. In this case also the certificate shall be retained by the purveyor, who may not deliver the remaining quantity.

Article 4.

In the home market pharmacies shall buy direct the materials and products referred to in the first paragraph of Article 1, and shall address a special order form, duly signed, dated and stamped, to a person or enterprise possessing an exploitation permit authorising the sale of these substances (Article 2). The purveyor shall retain the order form, taking care to note the date of delivery thereon, and shall keep it as evidence of the use to which the goods delivered have been put. If only part of the quantity indicated on the order form is delivered, this fact shall be mentioned on the order form, which in this case also shall be retained by the purveyor, who may not deliver the remaining quantity.

Persons or enterprises in possession of the exploitation permit authorising them to sell (Article 2) shall send to the Royal Hungarian Minister for Social Welfare and Labour, in the course of each half of the civil year, before the 15th of the month (July and January) following any completed half year, a report containing a detailed statement of the quantity of materials and products delivered during the preceding half year to the various pharmacies (Article 1, paragraph 1), and the date on which such delivery was made, with separate figures for each pharmacy.

Article 5.

No certificate of purchase or order form need be produced in the case of sales in pharmacies for a medical purpose (on the prescription of a doctor or veterinary surgeon).

Article 6.

Persons possessing the exploitation permit, defined in Article 2, and pharmacies, are only authorised to import the materials and products referred to in the first paragraph of Article 1 from abroad if they hold an import certificate. The import certificate, drawn in accordance with the form annexed, to the present Decree is issued on application being made in writing, by the Royal Hungarian Minister for Social Welfare and Labour. The application must indicate the existing stock, the nature and quantity of the materials and products to be imported, the country from which it is intended to import, and the purveyor.

Persons or enterprises possessing the exploitation permit defined in Article 2, and pharmacies may only export the substances referred to in the first paragraph of Article 1 on

production of an import certificate similar to the certificate of which a model is attached, signed by the competent authorities of the foreign State and countersigned by the Royal Hungarian Minister for Social Welfare and Labour.

In order that the Customs services may carry out the necessary Customs formalities in connection with the materials and products referred to in the first paragraph of Article 1, and that they may authorise the transport of these goods, the importer or exporter must produce the certificate issued or countersigned by the Royal Hungarian Minister for Social Welfare and Labour and must prove that he has fulfilled the conditions required on the certificate. The Customs services shall note on the import certificate that the goods have entered or left the country, and shall in each individual case inform the Royal Hungarian Minister for Social Welfare and Labour by communicating to him a copy of the Customs declaration required under Law LII of 1921, and the number of the import certificate and the indorsement on the certificate. The Royal Hungarian Minister for Social Welfare and Labour shall duly inform the competent subordinate health authorities of consignments entering or leaving the country.

Article 7.

The materials and products referred to in the first paragraph of Article 1 may only be imported or exported through certain defined towns and communes. These localities shall be fixed by the Royal Hungarian Minister for Social Welfare and Labour in agreement with the Royal Hungarian Minister of Finance. The Royal Hungarian Minister for Social Welfare and Labour shall

also fix in detail the conditions under which import and export shall be authorised.

Export to the countries, possessions, colonies and leased territories of Powers which have adhered to the International Opium Convention shall be subject to any provisions which the importing States may have adopted concerning the importation of these substances.

Article 8.

Packages for export containing more than 5 kilograms of raw opium must be marked "N.C." in red. The letters must be at least 8 centimetres in height.

Article 9.

Persons or enterprises possessing the exploitation permit defined in Article 2, and engaged in the sale of the materials and products referred to in the first paragraph of Article 1, must open a store-book and enter therein, from day to day, the stock which they hold, showing any increase or decrease in the amount and any transformation effected in the establishment itself of the materials and products referred to in the first paragraph of Article 1, separate figures being given for each substance or preparation. Entries concerning the increase or decrease of stock must also include the name and address of the purveyor or the recipient.

The Royal Hungarian Minister for Social Welfare and Labour shall fix by ordinance the extent to which the provisions of the preceding article shall apply to pharmacies.

Article 10.

The Royal Hungarian Minister for Social Welfare and Labour is authorised to extend the provisions of the present Decree to include any new derivative of morphine and cocaine or their respective salts, or any other alkaloid of opium which may be shown by scientific research to produce the same harmful effects.

Article 11.

The import, export, manufacture and sale, in any form whatever, of prepared opium (for inhaling) is forbidden.

Dross and all other residues of opium for smoking are likewise prohibited.

Article 12.

Unless the persons guilty of the offences specified below are liable to more serious penalties, it shall be an offence punishable with fifteen days' imprisonment and a fine of a million crowns.

1) to import, export, produce, manufacture, transform, buy, sell, or otherwise put into circulation the materials and products referred to in the first paragraph of Article 1, without being in possession of an exploitation permit, or to produce, manufacture, transform, stock, offer for sale or supply these goods in premises other than those indicated in the permit,

2) to buy or sell the materials or products referred to in the first paragraph of Article 1, contrary to the provisions of Articles 3 and 4, without a certificate of purchase, or special order form properly made out, or to exceed the quantity specified in the certificate of purchase, or to fail to observe the conditions set out on the certificate,

3) to omit, in contravention of the provisions of Article 3, to send to the Royal Hungarian Minister for Public Welfare the

report on the materials and products, (see Article 1, para. I) delivered to pharmacies, or to fail to forward this report within the prescribed period, or to give therein incomplete or false information,

4) to import or export a substance or preparation referred to in the first paragraph of Article 1 without an import certificate issued, or countersigned, by the Royal Hungarian Minister for Social Welfare and Labour, or to import or export a quantity in excess of that fixed in the import certificate, or to contravene the measures adopted by the Royal Hungarian Minister for Social Welfare and Labour in virtue of the provisions of Article 7,

5) to import, export, manufacture, or place on the market, opium for smoking purposes, or dross,

6) to neglect, in contravention of the provisions of Article 9, to keep a store-book, or to make false or incomplete entries therein, or to fail to fulfil the obligation of giving information.

In addition to the penalty, the objects which form the subject of the offence may be confiscated, irrespective of whether they belong to the person committing the offence or not.

The procedure to be followed in the case of offences shall be decided by the administrative authority, acting as a Police Court. In the last instance the Royal Hungarian Minister for Social Welfare and Labour shall decide the procedure to be followed.

Article 13.

This Decree shall come into force on the day of its promulgation; on the same date all legal measures at variance therewith shall be, and shall remain, abrogated.

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Persons who in virtue of the regulations in force, were legally engaged before this date, in the manufacture, transformation, sale or delivery of the substances or preparations referred to in the first paragraph of Article 1 may not continue such activities after December 31st, 1924, unless they are in possession of the exploitation permit described in Article 2 of the present Decree.

The Royal Hungarian Minister of Social Welfare and Labour shall be responsible for the execution of this Decree, and to this end shall act in conjunction with the other Ministers concerned.

Budapest, October 31st, 1924.

(Signed) Count STEPHEN BETHLEN,

President of the Royal
Hungarian Council of Ministers.

Annex to Decree No. 7430/1924. M.E.

ROYAL HUNGARIAN MINISTRY OF
SOCIAL WELFARE AND LABOUR,

No.....

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I m p o r t C e r t i f i c a t e .

In pursuance of the provisions of Article 6 of Decree N^o.
7430/1924. M.E. promulgated to give effect to Law XXII of 1923
ratifying the Hague International Opium Convention, dated
January 23rd, 1912, I hereby certify that

a) (Name, address and trade or profession of importer)

.....
is authorised to import into Hungarian territory

b) (Exact description of the nature and quantity of the
narcotic to be imported)

c) from (Name of exporting country together with name,
address and trade or profession of purveyor)

.....
subject to the following conditions:

d) (State any special conditions which may have been imposed,
e.g., that it is forbidden to send the narcotic by post)
.....

and that the package to be imported is intended

1) for legitimate purposes (in the case of the importation
of raw opium)

2) for medicinal or scientific purposes (in the case of
the importation of medicinal opium, morphine, cocaine, heroin, etc.)

The present certificate is valid for six months.

Budapest, 1924.

For the Minister (Signature).
Rank)