

Geneva, November 2nd, 1935.

LEAGUE OF NATIONS

**ADVISORY COMMITTEE ON TRAFFIC IN OPIUM  
AND OTHER DANGEROUS DRUGS**

**STUDIES AND DOCUMENTS REGARDING THE  
WORKING OF THE SYSTEM OF IMPORT  
CERTIFICATES AND EXPORT AUTHORISATIONS**

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1. REPORT OF THE SUB-COMMITTEE ON THE ENQUIRY INTO THE SYSTEM OF IMPORT CERTIFICATES AND EXPORT AUTHORISATIONS, ADOPTED BY THE ADVISORY COMMITTEE ON JUNE 5TH, 1935 (Annex 6 to Document C.253.M.125.1935.XI).

SUGGESTIONS AND RECOMMENDATIONS REGARDING THE WORKING OF THE SYSTEM.

In order to complete the enquiry into the system of import certificates and export authorisations, the Advisory Committee decided, at its meeting of May 24th, 1935, to transmit to all Governments the study contained in pages 5 to 13 (the Secretariat being left to amend or supplement these pages in the light of observations made or information received) as well as in pages 44 to 47 (inclusive) of document O.C.1535,<sup>1</sup> at the same time requesting the Governments to state whether they conform in the home country as well as in dependencies, protectorates, colonies, etc., to the entire system described and to specify the legislative or administrative texts in force, noting the points on which there is a difference of procedure.

The above communication will be accompanied by the Table O.C.1535(e)<sup>2</sup> containing the names and addresses of the authorities issuing import certificates and export authorisations, together with information relating to the date when the certificate system came into force and to the forms used by the different countries. Governments will be requested to correct or supplement this table in respect of their home countries, dependencies, protectorates, colonies, etc.

The Advisory Committee thought that the enquiry might be usefully supplemented by the following observations or recommendations, which are accordingly submitted to the Governments for all useful purposes.

(1) *Lack of Uniformity in the Forms.*

The preliminary enquiry into the forms of certificates, which covered more than forty countries, revealed wide divergencies between the forms used for the import certificate, the export authorisation, the diversion certificate and the bonding certificate.

The Advisory Committee was of opinion that it was desirable to standardise the forms in question as far as possible, and it drew up the attached texts of an import certificate and an export authorisation in order to facilitate the work of the Governments in the direction of uniformity.

The import certificate corresponds with the model certificate attached to the 1925 Convention, but is supplemented by certain indications based on the Model Code.

The export authorisation is based on the indications contained in the 1925 Convention and in the Model Code.

It did not appear desirable to draw up any special model in the case of the other forms, the forms of the import certificate and export authorisation lending themselves readily to application with slight modifications. For the import authorisation, the model form of import certificate (Appendix I)<sup>3</sup> can be used with the necessary adaptations.

(2) *Languages in which the Forms are drawn up.*

The Advisory Committee found that the different certificates are frequently drawn up only in the language of the country of origin, and this makes the work of the foreign administrations difficult. In order to avoid administrative delays, the Advisory Committee recommends Governments to draw up the certificates with an interlinear translation into one of the two official languages (English and French) of the League of Nations.

(3) *Number of Original Certificates.*

The Advisory Committee found that the procedure as to the number of originals of import certificates and export authorisations issued varies greatly in different countries. Without desiring to express an opinion upon the advantages of limiting or increasing the number of originals used, the Advisory Committee recommends that the destination of each original should be printed clearly and, if possible, diagonally on the original in question, in order to avoid fraudulent misuse. Model certificates, with such an inscription diagonally printed, are annexed to the present report in illustration (see Appendices I and II).<sup>4</sup>

(4) *Persons authorised to fill in the Various Certificate Forms.*

In some countries the import certificate or export authorisation form is filled in by the parties concerned and checked by the competent authorities. In other countries, on the other hand, the trader fills in a form of application for an import or export authorisation, and it is the authorities themselves who fill in the forms on the basis of the application. Without expressing an opinion as to the relative value of the two methods, though agreeing with certain members of the Committee that the second method is the safer, the Advisory

<sup>1</sup> See pages 6 to 8 and 13 to 14.

<sup>2</sup> See page 15.

<sup>3</sup> See page 4.

<sup>4</sup> See pages 4 and 5.

Committee draws the attention of the authorities to the necessity for very strict control to prevent abuses, whether at the time of filling in the forms or at the time of their issue to the parties concerned.

(5) *Forgery of Import Certificates.*

I. The Advisory Committee considered the following points, on which it requested the Governments to communicate information :

(a) Some countries have only one original certificate which is duly signed. The copies merely bear facsimiles of signatures. Other countries consider that each copy should be signed, since the fact of copies without the original signature being circulated may give rise to abuses. The Advisory Committee requests Governments to inform it as to which of the two methods is in application by them in the case of their authorisations and certificates. The Advisory Committee will in due course communicate the information received on this subject to the Governments.

(b) It was pointed out to the Advisory Committee that certain countries used special paper for authorisations and certificates with a view to preventing fraud. Governments are requested to state whether such is the practice in their respective countries.

II. In order to prevent the forgery of import certificates by merchants or traders, the Advisory Committee recommends Governments to adopt the following measures :

(a) The original import certificate to be handed to the importing merchant, the latter being required to transmit it to the trader in the exporting country. This certificate, transmitted by the exporting merchant in support of his application for export, to remain in the records of the authority issuing the export authorisation.

(b) On issue of an import certificate to a merchant, a duplicate of this certificate to be sent directly by the authority of the importing country to the authority of the exporting country.

On the completion of the export or on the expiry of the time-limit fixed for the import, the Government of the exporting country to send back the duplicate of the import certificate, duly endorsed, to the Government of the importing country. The endorsement to specify the quantity actually exported or, on expiry of the time-limit fixed for the validity of the certificate, to state that no export has taken place.

The Advisory Committee draws the attention of the Governments to the fact that the procedure recommended above under point (a) is not applicable in the case of diacetylmorphine, which is subject to the special regime laid down in Article 10 of the Limitation Convention of 1931.

(6) *Mechanism of the Certificate System.*

The mechanism of the certificate system raises a point of procedure which many countries apparently fail to appreciate—namely, that the Convention clearly distinguishes between the import certificate and the import authorisation. The Advisory Committee felt that it was desirable to leave every latitude in this connection to the Governments; but, in order to facilitate effective control, it requests them to state whether they apply in its entirety the mechanism of the certificate system as illustrated by the graph on page 9.

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Appendix I.

MODEL FORM OF IMPORT CERTIFICATE.

INTERNATIONAL OPIUM CONVENTIONS

(The Hague 1912, Geneva 1925, Limitation Convention 1931.)

Certificate of Official Approval of Import No.....

I hereby certify that the Ministry of . . . . ., being the Ministry charged with the administration of the law relating to the dangerous drugs to which the International Opium Conventions apply, has approved the importation by :

- (a) Name, address and business of importer (a) . . . . .
- (b) Exact description and amount of drug to be imported of (b) . . . . .
- (c) Name and address of firm in exporting country from which the drug is to be obtained from (c) . . . . .
- (d) State any special conditions to be observed—e.g., not to be imported through the post subject to the following conditions (d) . . . . .
- (e) State, if possible, Customs office through which the goods will be imported . . . . .
- (f) State, if possible, route to be followed by the goods . . . . .
- (g) Period within which the import is to be effected . . . . .

and is satisfied that the consignment proposed to be imported is required :

- (1) for legitimate purposes (in the case of raw opium and the coca leaf)<sup>1</sup> ;
- (2) solely for medical or scientific purposes (in the case of drugs to which Chapter III of the 1925 Convention and Article I of the 1931 Convention apply, and also for Indian hemp).

Signed on behalf of the Ministry of . . . . .

(Signature) . . . . .

(Official rank) . . . . .

(Date) . . . . .

Copy delivered to the Importer

<sup>1</sup> Where the use of prepared opium has not yet been suppressed and it is desired to import raw opium for the manufacture of prepared opium, the certificate should be to the effect that the raw opium to be imported is required for the purpose of manufacturing prepared opium for use under Government restrictions pending complete suppression, and that it will not be re-exported.

**Appendix II.**

**MODEL FORM OF EXPORT AUTHORISATION.**

INTERNATIONAL OPIUM CONVENTIONS

(The Hague 1912, Geneva 1925, Limitation Convention 1931.)

*Official Authorisation of Export No.....*

I hereby certify that the Ministry of . . . . ., being the Ministry charged with the administration of the law relating to the dangerous drugs to which the International Opium Conventions apply, has approved the exportation of :

- (a) Name, address and business of exporter (a) . . . . .
- (b) Exact description and amount of drug to be exported of (b) . . . . .
- (c) Name and address of firm in importing country requiring the drug to (c) . . . . .
- (d) Number and date of import certificate and indication of the authority issuing this certificate . . . . .
- (e) State any special conditions to be observed—*e.g.*, not to be imported through the post subject to the following conditions (e) . . . . .
- (f) Customs office through which the goods will be exported . . . . .
- (g) State, if possible, route to be followed by the goods . . . . .
- (h) Period within which the export is to be effected . . . . .

Signed on behalf of the Ministry of . . . . .

(Signature) . . . . .

(Official rank) . . . . .

(Date) . . . . .

**Copy to accompany the consignment**

## 2. EXTRACT FROM DOCUMENT O.C.1535 REGARDING THE WORKING OF THE IMPORT CERTIFICATE SYSTEM.

### REVIEW OF PAST DEVELOPMENT OF THE IMPORT CERTIFICATE SYSTEM.

#### *Hague Convention of 1912.*

The Hague Convention regulates the import and export of raw opium (see, in particular, Articles 3 and 5),<sup>1</sup> and aims at limiting the import and export of morphine, cocaine and their several salts to persons granted by their respective Governments authorisations or permits for the trade in narcotic drugs (see Articles 12 and 13 of the Convention).<sup>1</sup>

The Advisory Committee on Traffic in Opium and Other Dangerous Drugs, at its first session in May 1921, took up the question of giving effect to the above-mentioned provisions of the Hague Convention.

After lengthy discussion, the Committee decided to adopt the system enforced by the United Kingdom during the war of 1914-1918, subsequently known as the "import certificate and export authorisation system". The Council and Assembly in 1921 approved the system proposed by the Advisory Committee, and the Secretary-General, by a Circular Letter, No 15 of 1922, sent a note to the Governments explaining the system. According to the note, the system was as follows :

To import narcotic drugs into a particular country, it is necessary, in the first place, to obtain from the Government of the country in question a certificate to the effect that the import of that particular consignment of the drug is approved by the Government, and is required for legitimate purposes (in the case of raw opium) or for medical or scientific purposes (in the case of the drugs to which Chapter III of the Hague Convention relates). The importer must forward the certificate with his order to the exporting firm. The Government of the country in which the exporting firm is situated will not issue its licence for the export of the consignment of the drugs in question until the import certificate has been presented to it by the exporter from whom the drugs have been ordered. It is forbidden to export drugs unaccompanied by a Government licence.

It is also laid down that a separate export licence is required for each consignment of drugs exported.

To facilitate the application of the new system by the different parties to the Convention, the Advisory Committee drew up, in April 1922, a specimen import certificate for issue by the Ministry applying the legislation on narcotics proposed in the Convention of 1912.

#### *Additions made to the Certificate System by the Geneva Convention of 1925.<sup>2</sup>*

The certificate system was thus in being from 1921 onwards on the basis of Articles 3, 5 and 13 of the Hague Convention. But it was not until the conclusion of the Geneva Convention that a precise legal undertaking was imposed on the Governments (by Chapter V of the Convention), while at the same time certain improvements were made in the system as originally conceived.

The chief of these improvements are the following :

(1) Article 13, paragraph 5, of the Geneva Convention of 1925 imposes on the Government of the importing country the obligation to return the export authorisation to the Government of the exporting country, specifying the amount actually imported. This supervisory arrangement makes it possible to check whether exports to a particular country actually arrived there.

(2) Article 12, paragraph 2, and Article 13, paragraph 3, of the Geneva Convention compel the Governments to specify the period within which the importation or exportation must be effected.

(3) More substances are brought under the import certificate system by the Geneva Convention than by the Hague Convention. Thus the coca leaf and Indian hemp<sup>3</sup> are added to the raw materials subject to import certificates and, furthermore, the number of substances covered by Chapter III of the Geneva Convention of 1925 is greater than the number covered by Chapter III of the Hague Convention.

The Geneva Convention not only improved the actual mechanism for the issue of the certificates, it also raised wholly new points in connection with the problem. Without entering into details, the following points may be mentioned :

(a) Passage through a third country, transit, transhipment, diversion, transport by air or by sea (Articles 15 and 17 and Recommendation II of the Final Act of 1925) ;

<sup>1</sup> See page 10.

<sup>2</sup> See pages 10 and 11.

<sup>3</sup> In virtue of Article 11, paragraph 1 (b), Indian hemp can only be imported if it is required exclusively for medical or scientific purposes. The coca leaf is assimilated to raw opium in the model form of import certificate annexed to the 1925 Convention, which means that the Government certifies that it is imported "for legitimate purposes".

- (b) Customs bonding and re-export (Article 13, paragraph 7, Article 16, Article 17 ;
- (c) Free ports and free zones (Article 14) ;
- (d) Procedure in the case of countries not applying the certificate system (Article 18).

*Model Administrative Code.*

The Advisory Committee on Traffic in Opium and Other Dangerous Drugs, at its eleventh session in April 1928, drew up model regulations comprising a body of provisions which have undergone the test of practical application and are capable of rendering service to the Governments in the organisation of their supervisory activities, national and international. This Administrative Model Code (see document C.774.M.365.1932.XI) devotes an entire chapter (see page 12) to the application of the certificate system. It thus completes Chapter V of the 1925 Convention on various points of an administrative character.<sup>1</sup>

*The Certificate System in the Convention of 1931 for limiting the Manufacture and regulating the Distribution of Narcotic Drugs.*

The countries parties to the Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs, even if not parties to any of the previous Conventions, are compelled to apply in their entirety the clauses of Chapter V of the Geneva Convention on the import certificate system (or equivalent provisions) to all the drugs specified in the 1931 Convention as Group I drugs (see Article 13, 1a)<sup>2</sup> and further to Group II drugs (see Article 13, 2b),<sup>2</sup> except as regards compounds containing any of these drugs which are adapted to a normal therapeutic use.

Article 14 of the 1931 Convention provides a solution (at any rate in the case of Group I drugs) for the difficulties with which Governments parties to the 1925 Convention are confronted in relation to Governments not parties to that Convention.

Under this Article 14, Governments issuing an export authorisation to any country or territory not applying the Geneva Convention or the 1931 Convention must immediately notify the Permanent Central Board. It is provided that, if a request for export amounts to 5 kg. or more, the authorisation shall not be issued until the Government has ascertained from the Permanent Central Board that the export will not cause the estimates for the importing country or territory to be exceeded.

CURRENT WORKING OF THE IMPORT CERTIFICATE SYSTEM.

The main provisions of the certificate system are contained in the 1925 Geneva Convention. These provisions are supplemented by the rules set out in the Model Administrative Code.

At present, the certificate system works in the following manner :

When an importer duly authorised to trade in narcotic drugs desires to order such drugs from a foreign country, he must apply to the competent authority of his country for an *import authorisation*.

The competent authority, after satisfying itself that the request for permission to import is in order, issues an *import authorisation* to the importer, who produces it at the Customs office in order to obtain delivery of the narcotic drugs addressed to him. The Customs office certifies on this import authorisation that the drugs have actually been imported and hands the document for discharge to the importer, who in his turn indicates on it that he has received the goods and returns it to the competent supervisory authority in his own country.

At the same time as it delivers an *import authorisation* to the importer, the competent authority hands over to him an *import certificate*<sup>3</sup> which has to be sent to the foreign exporter.

Another copy of the *import authorisation* or *import certificate* is sent by the competent authority of the importing country to the Customs office, which returns it with a statement to the effect that the goods have been cleared.

On receiving the order and *import certificate* from the foreign importer, the exporter applies to the competent authority of his country for an *export authorisation*.

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<sup>1</sup> The Model Administrative Code is in its turn supplemented by a number of recommendations or resolutions, adopted at different sessions of the Advisory Committee on Traffic in Opium and Other Dangerous Drugs, the most important of which will be found on pages 13 and 14 of the present document.

<sup>2</sup> See page 12.

<sup>3</sup> In some countries the contents of the import authorisation differ slightly from the contents of the import certificate intended for the foreign exporter. In the majority of cases, however, these documents are identical and are delivered in several copies.

The competent authority, having taken note of the import certificate, issues an export authorisation in triplicate.

The *original* is sent to the exporter and must accompany the consignment of narcotic drugs. The Customs office records the export of the consignment on this permit. The *second copy* of the export authorisation, sent by the competent authority to the Customs office, is returned by the latter with a certification of export notifying that the goods have really left the country. The *third copy* of the export authorisation is sent by the competent authority of the exporting country to the authority of the importing country for the purposes of the control for which provision is made in Article 13 (5) of the Geneva Convention. When the importation has been effected, or when the period fixed for importation has expired, the Government of the importing country returns the export authorisation to the competent authority of the exporting country, specifying the amount of narcotic drugs actually imported.

A graph is attached<sup>1</sup> in order to give a clearer idea of the working of the certificate system as just described.

#### *Passing through a Third Country.*

The system works in the same way in principle when a consignment exported to another country has to pass through a third country. Whether or not this consignment is removed from the ship or conveyance in which it is being conveyed, it may not pass through a third country unless the copy of the export authorisation (or the diversion certificate) which accompanies the consignment is presented to the competent authorities of that country.

The authorities of the countries through which a consignment of narcotic drugs is permitted to pass must take all due measures to prevent the diversion of the consignment to a destination other than that named in the copy of the export authorisation or the diversion certificate.

#### *Diversion.*

A diversion certificate may be issued only on the same conditions as an export authorisation (see Article 15 (2)). Further, the Government of the country authorising the diversion of the consignment must detain the copy of the original export authorisation (or diversion certificate) which accompanied the consignment on arrival in its territory, and must return it to the Government which issued it, at the same time notifying the name of the country of destination to which the diversion has been authorised.

#### *Bonded Warehousing.*

It is also provided that, if a consignment of narcotic drugs is to be placed in a bonded warehouse in the importing country, the export authorisation must state that the consignment is exported for the purpose of being placed in a bonded warehouse. In this case, a special certificate from the competent authority of the importing country may be substituted for the usual import certificate, for which provision is made in the system.

Further, no consignment of narcotic drugs may be withdrawn from a bonded warehouse unless an import certificate issued by the country of destination is presented to the authorities having jurisdiction over the bonded warehouse. A special authorisation must be issued by this authority in respect of each consignment so withdrawn, and takes the place of the ordinary export authorisation.

#### *Special Certificates for Indian Hemp Resin and the Ordinary Preparations of Indian Hemp Resin.*

Finally, under Article 11, paragraph 1 (a), of the 1925 Convention, a special import certificate must be issued by the Government of the importing country for all imports of resin obtained from Indian hemp and the ordinary preparations of which the resin forms the base (such as hashish, esrar, chiras, djamba). The certificate issued by the importing country must state that the importation is approved for the purposes specified in the certificate and that the resin or preparations will not be re-exported.

The import certificate system works in the same way in the case of these special certificates for Indian hemp resin.

### ADMINISTRATIVE MEASURES.

With a view to assisting Governments to apply the certificate system, the Model Administrative Code provides that all permits (export authorisations, import certificates, diversion certificates, bonding and bond clearance certificates, etc.) shall be entered by the competent authority of each country in registers kept for the purpose and shall be numbered consecutively.

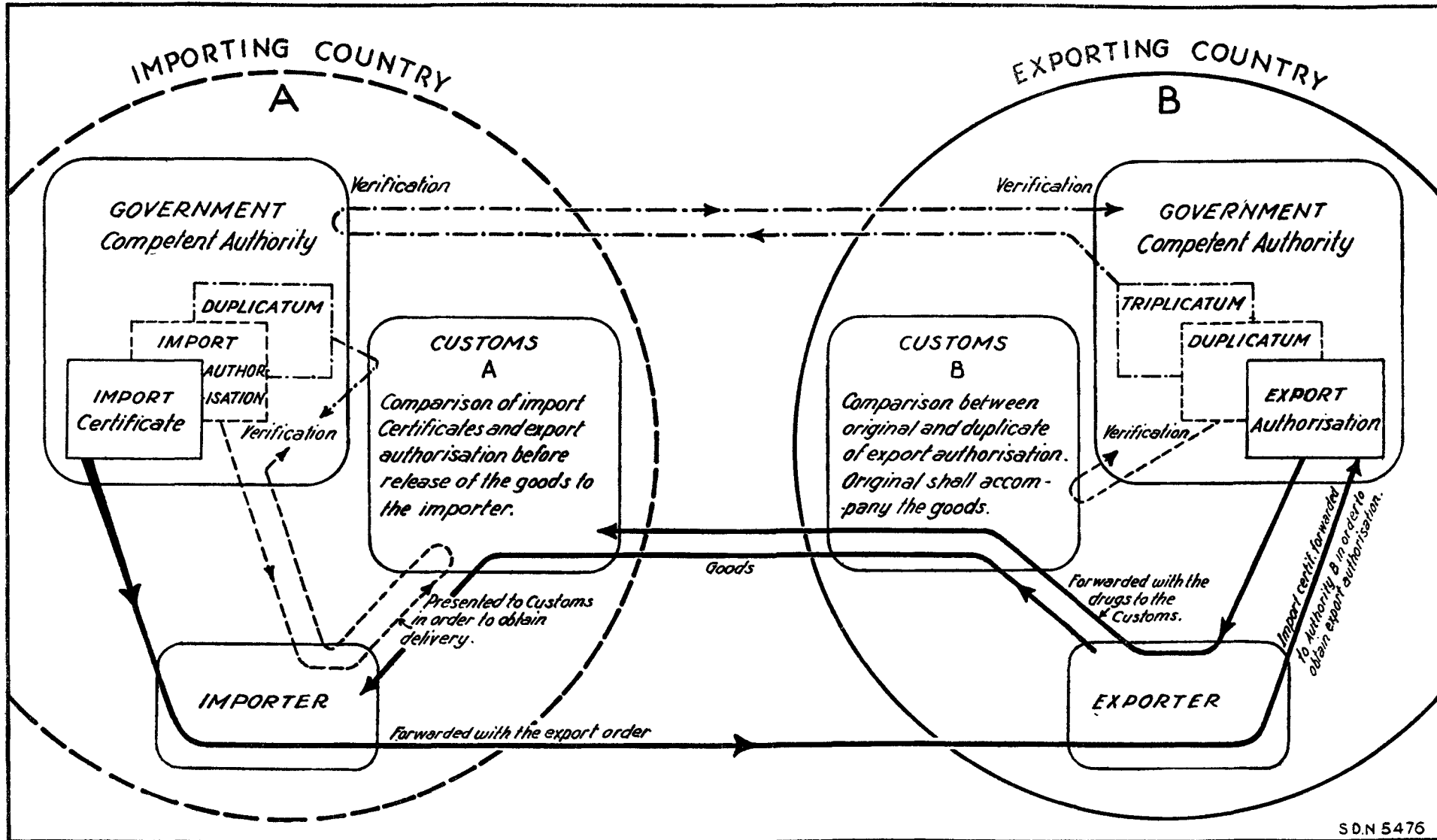
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<sup>1</sup> See page 2



3. GRAPH SHOWING THE MECHANISM OF THE SYSTEM OF IMPORT CERTIFICATES AND EXPORT AUTHORISATIONS ACCORDING TO THE GENEVA CONVENTION OF 1925 AND THE MODEL ADMINISTRATIVE CODE THERETO

(see explanation on pages 7 and 8)



## ANNEXES.

### I. TEXTS IN VIRTUE OF WHICH THE IMPORT CERTIFICATE SYSTEM IS APPLIED.

#### (a) INTERNATIONAL OPIUM CONVENTION SIGNED AT THE HAGUE, JANUARY 23<sup>RD</sup>, 1912.

##### *Article 3.*

The Contracting Powers shall take measures :

- (a) To prevent the export of raw opium to countries which shall have prohibited its entry, and
- (b) To control the export of raw opium to countries which restrict its import, unless regulations on the subject are already in existence.

##### *Article 5.*

The Contracting Powers shall not allow the import and export of raw opium except by duly authorised persons.

##### *Article 12.*

Due regard being had to the differences in their conditions, the Contracting Powers shall use their best endeavours to restrict to authorised persons the import of morphine, cocaine, and their respective salts.

##### *Article 13.*

The Contracting Powers shall use their best endeavours to adopt, or cause to be adopted, measures to ensure that morphine, cocaine, and their respective salts shall not be exported from their countries, possessions, colonies, and leased territories to the countries, possessions, colonies, and leased territories of the other Contracting Powers except when consigned to persons furnished with the licences or permits provided for by the laws or regulations of the importing country.

With this object each Government may communicate from time to time to the Governments of the exporting countries lists of the persons to whom licences or permits for the import of morphine, cocaine, and their respective salts have been granted.

#### (b) GENEVA CONVENTION OF 1925.

##### CHAPTER V. — CONTROL OF INTERNATIONAL TRADE.

##### *Article 12.*

Each Contracting Party shall require a separate import authorisation to be obtained for each importation of any of the substances to which the present Convention applies. Such authorisation shall state the quantity to be imported, the name and address of the importer and the name and address of the exporter.

The import authorisation shall specify the period within which the importation must be effected and may allow the importation in more than one consignment.

##### *Article 13.*

1. Each Contracting Party shall require a separate export authorisation to be obtained for each exportation of any of the substances to which the present Convention applies. Such authorisation shall state the quantity to be exported, the name and address of the exporter and the name and address of the importer.

2. The Contracting Party, before issuing such export authorisation, shall require an import certificate, issued by the Government of the importing country and certifying that the importation is approved, to be produced by the person or establishment applying for the export authorisation.

Each Contracting Party agrees to adopt, so far as possible, the form of import certificate annexed to the present Convention.

3. The export authorisation shall specify the period within which the exportation must be effected, and shall state the number and date of the import certificate and the authority by whom it has been issued.

4. A copy of the export authorisation shall accompany the consignment, and the Government issuing the export authorisation shall send a copy to the Government of the importing country.

5. The Government of the importing country, when the importation has been effected, or when the period fixed for the importation has expired, shall return the export authorisation, with an endorsement to that effect, to the Government of the exporting country. The endorsement shall specify the amount actually imported.

6. If a less quantity than that specified in the export authorisation is actually exported, the quantity actually exported shall be noted by the competent authorities on the export authorisation and on any official copy thereof.

7. In the case of an application to export a consignment to any country for the purpose of being placed in a bonded warehouse in that country, a special certificate from the Government of that country, certifying that it has approved the introduction of the consignment for the said purpose, may be accepted by the Government of the exporting country in place of the import certificate provided for above. In such a case, the export authorisation shall specify that the consignment is exported for the purpose of being placed in a bonded warehouse.

*Article 14.*

For the purpose of ensuring the full application and enforcement of the provisions of the present Convention in free ports and free zones, the Contracting Parties undertake to apply in free ports and free zones situated within their territories the same laws and regulations, and to exercise therein the same supervision and control, in respect of the substances covered by the said Convention, as in other parts of their territories.

This Article does not, however, prevent any Contracting Party from applying, in respect of the said substances, more drastic provisions in its free ports and free zones than in other parts of its territories.

*Article 15.*

1. No consignment of any of the substances covered by the present Convention which is exported from one country to another country shall be permitted to pass through a third country, whether or not it is removed from the ship or conveyance in which it is being conveyed, unless the copy of the export authorisation (or the diversion certificate, if such a certificate has been issued in pursuance of the following paragraph) which accompanies the consignment is produced to the competent authorities of that country.

2. The competent authorities of any country through which a consignment of any of the substances covered by the present Convention is permitted to pass shall take all due measures to prevent the diversion of the consignment to a destination other than that named in the copy of the export authorisation (or the diversion certificate) which accompanies it, unless the Government of that country has authorised that diversion by means of a special diversion certificate. A diversion certificate shall only be issued after the receipt of an import certificate, in accordance with Article 13, from the Government of the country to which it is proposed to divert the consignment, and shall contain the same particulars as are required by Article 13 to be stated in an export authorisation, together with the name of the country from which the consignment was originally exported. All the provisions of Article 13 which are applicable to an export authorisation shall be applicable equally to the diversion certificate.

Further, the Government of the country authorising the diversion of the consignment shall detain the copy of the original export authorisation (or diversion certificate) which accompanied the consignment on arrival in its territory, and shall return it to the Government which issued it, at the same time notifying the name of the country to which the diversion has been authorised.

3. In cases where the transport is being effected by air, the preceding provisions of this Article shall not be applicable if the aircraft passes over the territory of the third country without landing. If the aircraft lands in the territory of the said country, the said provisions shall be applied so far as the circumstances permit.

4. Paragraphs 1 to 3 of this Article are without prejudice to the provisions of any international agreement which limits the control which may be exercised by any of the Contracting Parties over the substances to which the present Convention applies when in direct transit.

5. The provisions of this Article shall not apply to transport of the substances by post.

*Article 16.*

A consignment of any of the substances covered by the present Convention which is landed in the territory of any Contracting Party and placed in a bonded warehouse shall not be withdrawn from the bonded warehouse unless an import certificate, issued by the Government of the country of destination and certifying that the importation is approved, is produced to the authorities having jurisdiction over the bonded warehouse. A special authorisation shall be issued by the said authorities in respect of each consignment so withdrawn and shall take the place of the export authorisation for the purpose of Articles 13, 14 and 15 above.

*Article 17.*

No consignment of the substances covered by the present Convention while passing in transit through the territories of any Contracting Party or whilst being stored there in a bonded warehouse may be subjected to any process which would alter the nature of the substances in question or, without the permission of the competent authorities, the packing.

*Article 18.*

If any Contracting Party finds it impossible to apply any provision of this Chapter to trade with another country by reason of the fact that such country is not a party to the present Convention, such Contracting Party will only be bound to apply the provisions of this Chapter so far as the circumstances permit.

(c) CONVENTION FOR LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS, SIGNED AT GENEVA, JULY 13TH, 1931.

CHAPTER V. — CONTROL.

Article 13.

1. (a) The High Contracting Parties shall apply to all the drugs in Group I the provisions of the Geneva Convention which are thereby applied to substances specified in its fourth Article (or provisions in conformity therewith). The High Contracting Parties shall also apply these provisions to preparations made from morphine and cocaine and covered by Article 4 of the Geneva Convention and to all other preparations made from the other drugs in Group I except such preparations as may be exempted from the provisions of the Geneva Convention under its eighth Article.

2. The High Contracting Parties shall apply to the drugs which are or may be included in Group II the following provisions of the Geneva Convention (or provisions in conformity therewith) :

(b) The provisions of Chapter V, except as regards compounds containing any of these drugs which are adapted to a normal therapeutic use ;

Article 14.

1. Any Government which has issued an authorisation for the export of any of the drugs which are or may be included in Group I to any country or territory to which neither this Convention nor the Geneva Convention applies shall immediately notify the Permanent Central Board of the issue of the authorisation ; provided that, if the request for export amounts to 5 kilogrammes or more, the authorisation shall not be issued until the Government has ascertained from the Permanent Central Board that the export will not cause the estimates for the importing country or territory to be exceeded. If the Permanent Central Board sends a notification that such an excess would be caused, the Government will not authorise the export of any amount which would have that effect.

(d) MODEL ADMINISTRATIVE CODES TO THE INTERNATIONAL OPIUM CONVENTION OF 1925 AND 1931 (DOCUMENT C.774.M.365.1932.XI), PART II.

III. IMPORTS AND EXPORTS.

Authorisation and Permit.

10. Any firm or person authorised to trade in narcotics who desires to import or export consignments must apply to the competent authority, who, if the request is deemed to be in order, will issue the necessary permit for imports or exports, and, in case of imports, an import certificate intended to be submitted to the authority of the exporting country. A duplicate of the permit may take the place of the import certificate.

Registration of Permits.

11. The permits issued must be entered by the authority in registers kept for the purpose, and must be numbered consecutively. They will only be valid for a limited period (say, two months for exportation and three months for importation). They shall not be transferable.

Particulars to be entered in Permits.

12. The permit shall indicate the name and profession or status of the importer and exporter, the quantities of drugs to be imported or exported, their exact name, the period within which they must be imported or exported, the number, marks and numbering of packages (for export), the Customs office through which the goods are to enter or leave the country, the route to be followed, and any other particulars which the authority may deem necessary. A duplicate of the permit shall be furnished to the Customs house through which the goods are to be imported or exported.

Exportation to Countries which have, and to those which have not, adopted the Certificate System.

13. If a consignment is to be sent to a country which only allows narcotics to be imported subject to possession of an authorisation issued by the importing country, the exporter must produce evidence that the authorisation has been granted.

In the case of countries which have not adopted the certificate system, it is recommended that the authorities of the exporting country should ascertain as far as possible, before granting the export permit, that the consignee is a reputable person and that the goods are not intended for illicit purposes.

Import Permit.

For purposes of importation, the import certificate or, in its place, a copy of the permit will be sent by the importer to his supplier abroad, who will show it to the authorities of his own country in order to obtain the permission to export the goods. Once the export authorisation has been given, the authority of the

exporting country shall hand over to the person concerned an export permit which shall accompany the goods, and shall send a copy of the permit to the authority of the importing country in conformity with the provision of Article 13 of the Geneva Convention. When the goods enter the country, the Customs will certify on the import permit that the goods have been duly imported, and will return the permit to the importer for discharge. The importer will record on the permit that he has received the goods, and will send the permit to the supervisory authority. The Customs will return to that authority the duplicate import permit sent by it to them, and will state that the goods have been cleared.

*Verification on Importation.*

14. On the arrival of the consignment, the Customs must inspect it to see that it corresponds to the particulars given in the import permit and that the address shown is actually the address of the consignee.

*Export Permit.*

15. Every consignment of narcotics to a foreign country must be accompanied by an export permit. The Customs will record the export of the consignment on the permit, which must accompany the consignment to its destination. The duplicate export permit sent to the Customs office will be returned by the latter, with certification of export, to the supervisory authority, who will thus be satisfied that the goods have left the country.

*Postal Consignments.*

16. If consignments are sent by post, the postal authorities must place the papers accompanying the consignment, including the export permit or import certificate, at the disposal of the Customs office of export.

*Prohibition of Re-exportation.*

17. If the authority does not wish to allow imported goods to be re-exported, a special note to that effect must be made on the import permit.

*Unused Permits.*

18. Unused import or export permits must be returned to the supervisory authority both by the party concerned and by the Customs offices to which duplicate permits have been sent.

Statistics of imports and exports must be based on the quantities actually imported or exported, omitting those the permits for which are either not used or are cancelled.

*Transit.*

19. The conveyance of narcotics in transit will only be authorised if the consignment is accompanied by an export permit issued by the exporting country. If the exporting country has not adopted the certificate system, an import permit issued by the importing country must be produced.

Narcotics may only be imported, exported or sent in transit through the Customs offices appointed for that purpose.

*Prohibition of placing in Bond or in Free Ports.*

20. In general, narcotics may not be placed in a private warehouse. Narcotics stored in a free port or in a Government warehouse shall be subject to the supervision exercised in the country itself, and may not be exported without an export permit.

*Prohibition of Export by Letter and of the Despatch of Consignments addressed to a Post-Office Box or a Bank.*

21. In accordance with the Postal Convention, the import or export of narcotics by ordinary or registered letter post is prohibited.

The posting of consignments of narcotics to a post-office box or to a bank to the account of a third party should also be prohibited.

*Seizure of Consignments unaccompanied by Permits.*

22. Consignments of narcotics unaccompanied by an import or export permit will be seized by the Customs office and placed at the disposal of the supervisory authority.

## 2. OTHER INFORMATION REGARDING THE IMPORT CERTIFICATE SYSTEM.

### (a) PRINCIPAL RECOMMENDATIONS AND RESOLUTIONS ADOPTED BY THE ADVISORY COMMITTEE IN REGARD TO THE IMPORT CERTIFICATE SYSTEM UP TO THE TWENTIETH SESSION (MAY-JUNE 1935).

*Honesty and Bona Fides of the Persons to whom the Certificates are issued.*

The Governments should take the greatest care to ensure that licences to import or export should only be issued to persons who can fully establish the *bona-fide* character of their business.<sup>1</sup>

<sup>1</sup> Resolution of the ninth session of the Advisory Committee in January 1927.

The Governments should take all necessary steps to prevent the grant of import or export certificates in which the names of notorious drug traffickers appear.<sup>1</sup>

*Translation of Certificates into one of the Official Languages of the League of Nations.*

The Governments are recommended to attach to import certificates issued in a language not widely understood a translation in one or other of the two official languages of the League of Nations.<sup>2</sup>

*Direct Communication between the Authority issuing the Certificate and the Corresponding Authority in the Importing or Exporting Country.*

The Advisory Committee recommended that a copy of the export authorisation (Article 13, § 4) to be despatched to the Government of the importing country should be sent direct from the competent department in the one country to the competent department in the other. Alternatively, such copy could, if found more convenient, be transmitted through the consular or diplomatic officer residing in the importing country.<sup>3</sup>

In order to make it easier for the Government of the importing country to transmit export authorisations to the Government of the exporting country (Article 13, § 5), it would be desirable that the competent departments of the various countries should send the certificates direct without going through the ordinary diplomatic channel.<sup>4</sup>

*Attitude to be adopted towards the Countries which do not apply the Certificate System.*

The Committee recommended that the administrations called upon to decide on an application for export of drugs to a country not applying the system of import authorisations should endeavour to ascertain whether the application submitted to them was a legitimate one. This recommendation was made in the spirit which inspired Article 18 of the Geneva Convention of February 19th, 1925.<sup>5</sup>

The Governments should strictly control the export of dangerous drugs to any country which does not enforce the import and export certificate system. Where this system is not in force in the importing country, the Government of the exporting country must satisfy itself, beyond reasonable doubt, that the demand is for legitimate purposes only. This precaution is particularly important, since the readiest road which the illicit traffic can follow is through those countries which do not enforce the import and export certificate system. It is recognised that this will present various difficulties until the Central Board has been constituted; but it is imperative that such control should be exercised, as far as that is practicable, by the exporting countries, until the Central Board begins to function. Experience in certain countries has shown that, even in present circumstances, a large measure of effective control can, in fact, be exercised in such cases.<sup>6</sup>

Strict control over exports to countries not exercising adequate supervision over trade in the drugs and the rigid limitation of such exports to the quantities that may reasonably be required for medical purposes in the country itself.<sup>7</sup>

*Desirability of informing the Country of Destination of Exports sent to it.*

The Committee also recommends that, in cases where an exporting country authorises an export of narcotics to another country which has not accepted or applied the import and export certificate system, the exporting country should in all cases inform the country of destination of the fact that such an export authorisation has been given.<sup>8</sup>

*The Government which is a Party to the 1925 Convention is the Sole Judge of the Value of the Certificate of a Government which is not a Party to the Convention.*

The members of the Committee were in agreement that, in a case where a country which is not a party to the Convention is willing to give an import certificate, the exporting country should require the production of such a certificate before sanctioning exports to that country, whilst reserving its own right to judge of the value of the certificate so furnished.<sup>9</sup>

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<sup>1</sup> Recommendation of the fourteenth session of the Advisory Committee in 1931.

<sup>2</sup> Recommendation of the thirteenth session of the Advisory Committee in 1930.

<sup>3</sup> Seventh session of the Advisory Committee in 1925. The Committee's main consideration in taking this decision was to avoid the transmission of documents through the ordinary diplomatic channel, as they thus take a devious course through the two Ministries for Foreign Affairs before reaching the responsible department. This disadvantage would also be avoided by sending the documents to the consular or diplomatic officer residing in the country.

<sup>4</sup> Twelfth session of the Advisory Committee in 1929.

<sup>5</sup> Eighth session of the Advisory Committee in 1926.

<sup>6</sup> Extract from Resolution IV of the tenth session of the Advisory Committee in 1927.

<sup>7</sup> Eleventh session of the Advisory Committee in 1928.

<sup>8</sup> Ninth session of the Advisory Committee in 1927.

<sup>9</sup> Decision of the thirteenth session of the Advisory Committee in February 1930.

(b) TABLE GIVING THE AUTHORITIES ISSUING THE CERTIFICATES IN VARIOUS COUNTRIES (Document O.C.1535(e)).  
(NOVEMBER 2ND, 1935)

Countries	Conventions to which States are parties			Name and address of authority responsible for issuing import certificates and export authorisations	Entry into force of the import certificate system		Forms used in different countries								
	The Hague (H)	Geneva (G)	Limitation (L)		In conformity with Council Decision of 1921	In conformity with 1925 Convention	Import certificates			Export authorisations			Diversion or transit certificates		
							Printed	Type-written	Language	Printed	Type-written	Language	Printed	Type-written	Language
<b>EUROPE.</b>															
1. Albania .. ..	H	—	—	Direction générale de la Santé, Tirana.	23.VIII.22	—	×	—	French	—	—	—	—	—	—
2. Germany .. ..	H	G	L	Reichsgesundheitsamt, Klopstockstr. 18, Berlin, N.W. 87.	1.VII.24	1.V.30	×	—	German	×	—	German	—	—	—
3. Austria .. ..	H	G	L	Bundesministerium für Soziale Verwaltung Volksgesundheitsamt, Hanuschgasse 3, Wien I.	21.VII.22	18.XI.27	×	—	German	×	—	German	—	×	German
4. Belgium .. ..	H	G	L	Ministère de l'Intérieur, Administration de l'Hygiène, Service des stupéfiants, Bruxelles.	1.II.24	10.I.31	×	—	French	×	—	French	—	—	—
5. United Kingdom .. ..	H	G	L	Under-Secretary of State, Home Office, Whitehall, London, S.W.1.	Before 1921	Before 1921	×	1	English	×	2	English	×	—	English
6. Bulgaria .. ..	H	G	L	Direction de la Santé publique, Service de pharmacie auprès du Ministère de l'Intérieur du Royaume, Sofia.	9.III.27	9.III.27	—	×	French	—	×	French	—	—	—
7. Denmark .. ..	H	G	—	Ministère de la Justice, Copenhague 3.	1.X.22	1.VII.30	×	—	Danish	×	—	Danish English	×	—	Danish
8. Danzig (Free City of) .. ..	H	G	L	Sénat de la Ville libre de Danzig, Abteilung für Gesundheitswesen und Bevölkerungspolitik, Danzig.	20.VI.23	9.IV.32	×	—	German	×	—	German	×	—	German
9. Spain .. ..	H	G	L	Ministère du Travail, Madrid.	5.VII.23	13.XI.28	×	—	Spanish	—	—	—	—	—	—
10. Estonia .. ..	H	G	L	Administration d'hygiène et de prévoyance sociale, Tallinn.	20.X.22	1.I.23	×	—	Estonian French	—	×	Estonian French	—	—	—
11. Finland .. ..	H	G	—	Ministère de l'Intérieur, Helsinki.	27.XI.22	23.V. 30	×	—	English	—	—	—	—	—	—
12. France .. ..	H	G	L	Bureau des stupéfiants, Service de répression des fraudes, Ministère de l'Agriculture, Paris.	1.I.29	1.I.29	×	4	French	×	4	French	×	5	French
13. Greece* .. ..	H	G	L	Direction du Monopole des stupéfiants, Athènes.											
14. Hungary .. ..	H	G	L	Office central royal hongrois pour la surveillance des mœurs publiques et pour la suppression de la traite des femmes, de la pornographie et du trafic des stupéfiants (sous la surveillance du Ministère royal hongrois de l'Intérieur), Budapest.	12.XI.24	6	—	×	Hungarian	—	×	Hungarian	—	—	—
15. Irish Free State	H	G	L	The Department of Justice, Dublin.	1.IV.25	1.IV.25	×	—	English	—	×	English	—	—	—
16. Iceland* .. ..	H	—	—												
17. Italy .. ..	H	G	L	Ministerio dell'Interno, Direzione generale della Sanita publica, Rome.	1.I.24	24.VII.29	×	—	Italian	×	—	Italian	×	7	Italian
18. Latvia .. ..	H	G	—	Administration pharmaceutique du Ministère de la Prévoyance sociale, Riga.	6.XI.23	6.III.25	×	—	Lett. French	—	×	Lett. French	—	—	—





51.	Chile	..	..	H	G	L	Direccion general de Sanidad, Santiago.	—	—	—	—	Spanish	—	—	—	—	—	—		
52.	Colombia	..	..	H	G	L	Directeur de l'hygiène nationale et directions départementales, Bogota.	23	30.VIII.30	—	—	Spanish	—	—	—	—	—	—		
53.	Ecuador	..	..	H	G	L	Ministerio de Beneficencia, Quito.	4.XI.24	—	—	—	—	—	—	—	—	—	—		
54.	Paraguay*	..	..	—	—	—	Departamento nacional de Higiene y asistencia publica, Asuncion.	—	—	—	—	—	—	—	—	—	—	—		
55.	Peru*	..	..	H	—	L	Direccion general de Salubridad publica, Lima.	—	—	—	—	—	—	—	—	—	—	—		
56.	Uruguay	..	..	H	G	L	Ministère de la Santé publique, Montevideo.	Not applied	12.VIII.30	×	—	Spanish	—	—	—	—	—	—		
57.	Venezuela*	..	..	H	G	L	Direccion de Salubridad, de Agricultura y Cria, Caracas.	—	—	—	—	—	—	—	—	—	—	—		
<b>ASIA.</b>																				
58.	Afghanistan	..	..	—	—	L	—	—	—	—	—	—	—	—	—	—	—	—		
59.	Sa'udi Arabia	..	..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—		
60.	China <sup>13</sup>	..	..	H	—	L	Ministry of the Interior at the request of the Narcotics Section of the National Health Laboratory, Nankin.	—	1935	×	—	Chinese English	—	—	—	—	—	—		
61.	India	..	..	H	G	L	The complete list of the addresses of competent authorities will be found in the Appendix.	1.I.23	18.III.26	×	—	English French	—	×	English	—	—	—		
62.	Iraq	..	..	—	G	L	Director-General of Health, Bagdad.	—	15.VI.26	×	<sup>14</sup>	English	—	×	<sup>15</sup>	English	—	×	<sup>15</sup>	English
63.	Iran	..	..	—	—	L	Administration générale de l'hygiène publique, Téhéran.	—	—	—	—	—	—	—	—	—	—	—		
64.	Japan	..	..	H	G	L	Ministry of Interior, Tokio (for Japan proper and the corresponding authorities for the other territories).	1.I.23	8.VI.30	×	—	Japanese English	×	—	Japanese English	—	—	—		
65.	Siam	..	..	H	G	L	(a) For opium destined to be prepared for smoking : Ministry of Finance. (b) For drugs : Department of Public Health, Bangkok.	1.I.23	9.I.30	×	<sup>16</sup>	English	—	×	English	—	—	—		
<b>AFRICA.</b>																				
66.	Egypt	..	..	—	G	L	Département de l'hygiène publique au Caire, Public Health Department, Cairo.	—	1.X.29	×	—	French	×	—	French	—	—	—		
67.	Ethiopia*	..	..	—	—	—	Ministre de l'Intérieur, Addis-Abéba, et Gouverneur de la Province de Charkhar.	—	—	—	—	—	—	—	—	—	—	—		
68.	Liberia*	..	..	H	—	—	Trésorerie de Libéria, Monrovia.	—	—	—	—	—	—	—	—	—	—	—		
69.	Sudan*	..	..	—	G	L	—	—	—	—	—	—	—	—	—	—	—	—		
70.	Union of South Africa	..	..	H	G	—	The Department of Public Health, New Standard, Bank Buildings, Church Square, Pretoria.	28.IX.21 <sup>7</sup>	28.IX.21 <sup>6</sup>	×	—	English	×	—	English	—	—	—		
<b>OCEANIA.</b>																				
71.	Australia	..	..	H	G	L	Collector of Customs in each State: Sydney, N.S.W.; Melbourne, Vic.; Brisbane, Queensland; Port Adelaide, S.A.; Fremantle, W.A.; Hobart, Tasmania.	11.IX.22	3.XII.26	×	—	English	—	×	English	—	—	—		
72.	New Zealand	..	..	H	G	—	Comptroller of Customs, Wellington.	1.V.22	27.IX.28	×	—	English	—	×	English	—	—	—		

*Explanatory Note.* The letters H, G, L indicate that the countries are parties to the Hague, Geneva and Limitation Conventions, respectively. When a country is not a party to the Conventions, the sign — is used. The sign X indicates that the country employs a printed or typewritten form. The sign — indicates that the country does not possess such form. Under the heading "Language" are indicated the languages in which the forms are made out.

\* The asterisk indicates that the Secretariat has received no information from this country on the question of the import certificate system, or that its information is out-of-date or received through the intermediary of another country.

<sup>1</sup> The United Kingdom has two separate forms for import certificates, one for raw opium and one for manufactured drugs.

<sup>2</sup> Export authorisations bear a printed surcharge for consignments that cannot be sent by post.

<sup>3</sup> Correspondence is exchanged with this Ministry, but the import certificates are issued by the Public Health authorities.

<sup>4</sup> If consignment is to be despatched by post, the printed form is of a different colour, with the indication "by post".

<sup>5</sup> In addition to diversion or transit certificates, France employs official certificates for placing and withdrawal from bonded warehouses (printed in French).

<sup>6</sup> The import certificate system is completed by the Decree No. 2222 of March 1st, 1934, for the application of the Law ratifying the Limitation Convention of 1931.

<sup>7</sup> This is not, strictly speaking, a diversion certificate, but a transit permit.

<sup>8</sup> Roumania having created a drugs monopoly, the monopoly Department (*Ministère de la Santé publique*) alone issues import or export authorisations. Up to now, forms do not seem to be standardised.

<sup>9</sup> The Turkish Government has indicated that new forms will be printed.

<sup>10</sup> The Vatican City has no Customs Union with Italy, but owing to the very small traffic in drugs it does not seem that an import certificate system is applied.

<sup>11</sup> This is rather a transit document than a diversion certificate.

<sup>12</sup> The Decree 20930 of January 11th, 1932, entered into force on March 4th, 1932, and requires the application of an import certificate according to a given model; up to now the Secretariat has only seen typewritten copies of this model.

<sup>13</sup> For fuller information on the working of the import certificate system in China see Circular Letter 132.1935.XI, of September 21st, 1935.

<sup>14</sup> The import certificate for manufactured drugs is printed, while the import certificate for raw opium is typewritten.

<sup>15</sup> The export authorisation and diversion certificate apply exclusively to raw opium.

<sup>16</sup> There is a printed form in Siam for drug imports. There is also a typed form for imports of opium destined to be prepared for smoking, pending the complete suppression of this practice.

<sup>17</sup> The coincidence of these two dates is due to the fact that the articles in force in 1921 concerning the import certificate system and export authorisations already covered in practice the requirements of Chapter V of the Geneva Convention of 1925.

## Appendix.

### INDIA.

#### *Name and Address of the Authorities issuing Import Certificates and Export Authorisations.*

Province	Officer	Area	
Madras	Commissioner of Excise	Madras	
Bombay	Commissioner in Sind Political Resident Collector of Bombay	Province of Sind Aden Bombay Town and Island	The accompanying list applies to drugs other than raw opium. For imports of raw opium into India, the import certificate has to be issued by the Governor-General in Council.
	Commissioner of Excise	Rest of the Presidency	For exports by sea, export authorisations have to be issued by the collectors of Customs at the ports of Calcutta, Bombay, Rangoon, Madras and Karachi.
Bengal	Commissioner of Excise and Salt	Bengal	For land exports, the authorisations have to be issued by the local Governments concerned, or by officers authorised by them in that behalf.
Burma	Excise Commissioner	Burma	
Bihar and Orissa	Commissioner of Excise and Salt	Bihar and Orissa	The <b>Central Board of Revenue</b> is the competent authority in India to receive and dispose of export authorisations forwarded by the Governments of the exporting countries in respect of the dangerous drugs imported into India.
United Provinces	Excise Commissioner	United Provinces	
Punjab	Junior Secretary to the Financial Commissioners	Punjab	
Central Provinces	Excise Commissioner	Central Provinces	
Assam	The Commissioner of Excise	Shillong	
North-West-Frontier Province	Revenue Commissioner	North - West - Frontier Province	
Delhi	Deputy Commissioner	Delhi	
Ajmer-Merwara	Commissioner	Ajmer-Merwara	
Coorg	Commissioner	Coorg	
Baluchistan	Revenue Commissioner	Baluchistan	