



LAWS AND REGULATIONS

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

In accordance with the relevant articles of the international treaties on narcotic drugs and psychotropic substances, the Secretary-General has the honour to communicate the following legislative texts.

BAHRAIN

Communicated by the Government of Bahrain

NOTE BY THE SECRETARIAT

- (a) Some editing of texts may be done by the Secretariat in the interest of clarity. In this connection, words in square brackets [] have been added or changed by the Secretariat.
- (b) Only passages directly relevant to the control of narcotic drugs or psychotropic substances have been reproduced in this document. Non-relevant parts of laws and regulations have been deleted by the Secretariat; such deletions are indicated by [...].

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DECRETAL LAW NO. 4 OF 1973 ON CONTROLLING THE USE AND CIRCULATION OF
NARCOTIC SUBSTANCES AND PREPARATIONS

We, Isa ben Salman Al-Khalifa, Amir of the State of Bahrain,

Having considered Amirian Decree No. 2 of 1971 on the Administration and Reorganization of the State, and

The Bahrain Control of Dangerous Drugs Ordinance of 1959, 1/ and

According to the recommendation made by the Minister of Health, and after the approval of the Cabinet,

Order the promulgation of the following Law:

Article 1

The narcotic substances and preparations to which this Law applies are those specified in the annexed Schedule 1.

Article 2

It is prohibited for anyone to import, export, produce, acquire, possess, buy, sell, exchange or dispose in any way of narcotic substances and preparations, or act as a mediator thereof unless otherwise provided for in this Law, and according to the conditions stipulated therein.

Article 3

No person shall import into or export from Bahrain any narcotic substances and preparations without a written authorization issued by the Minister of Health.

Article 4

Cultivating or importing opium shall be absolutely forbidden.

Article 5

Whoever obtains an authorization according to article 3 and wants to import or export narcotic substances or preparations must apply to the Minister of Health whenever he wants to import or export, indicating the full name and nature of the narcotic substances or preparations and the quantity to be imported or exported and giving reasons that justify such import or export, as well as other data required by the Ministry of Health.

The Ministry of Health has the right to deny the application or to reduce the quantities indicated therein.

Article 6

No narcotic substances or preparations that arrive at the Bahrain customs or are re-exported to any other destination shall be handed over without an official authorization issued by the Ministry of Health, indicating the name and the address of the consignee, the registration number in the Ministry's records, the type of narcotic substances or preparations, the quantities authorized to be imported or exported and the approximate date on which the export or import is to take place.

Importing or exporting licences shall be issued in five copies, one for the applicant, another for the Narcotics Office of the Police and Public Security, and two for the Customs Department, which shall retain one copy and return the other to the Ministry of Health after indicating the quantities actually imported or exported. The fifth copy shall be kept in the Ministry of Health's records.

1/ Note by the Secretariat: E/NL.1959/52

Article 7

No narcotic substances or preparations may be imported, exported or transported in parcels that contain other materials, and they must be sent, even in the case of samples, within registered parcels; indicated thereon must be the full name of the narcotic drug, its pharmaceutical form, its quantity and the proportion of narcotic substance or substances it contains.

Article 8

A special record shall be kept by the Ministry of Health for the purpose of registering the names of persons and bodies authorized to import and export narcotic substances or preparations, including the following information:

- (a) Registration number;
- (b) Personal name and surname, age, nationality and address of residence;
- (c) Address of the hospital or the pharmacy in which the narcotic substances or preparations are to be kept;
- (d) Quantities and types of narcotic substances or preparations authorized to be imported or exported, date of authorization and any other information.

Article 9

Subject to the provisions of this Law, pharmacies may be permitted, after obtaining an official authorization from the Minister of Health, to buy narcotic substances or preparations from the Ministry of Health in Bahrain, for the purpose of re-selling them to public or private doctors' clinics, or to patients whose doctors prescribe such substances to them for medical treatment.

Article 10

Any person authorized to import, export or possess narcotic substances or preparations according to this Law must promptly enter the coming in and going out of such substances in a special register according to the procedures specified by the Ministry of Health.

The entry must be written legibly in ink with no erasing or deletion.

The pages of such register must be numbered and stamped with the Ministry of Health stamp, and include information on the narcotic substances and preparations received, the date they were received, the sender, the type and quantities of such substances, and the number and date of the import authorization of the Ministry of Health, as well as information about substances disposed of, such as date, quantity, type, institution or person to whom such substances were delivered, address, documents relating to the delivery of the substances, and other necessary information. These records must be presented to the Ministry of Health's representatives upon request.

Article 11

The authorized person must send a registered letter to the Ministry of Health within the first week of each calendar year indicating the quantity of the narcotic substances and preparations that came in and the quantity that went out during the previous year, and the quantity remaining, according to the models prepared by the Ministry for this purpose.

Article 12

Narcotic substances and preparations must be kept in public or private pharmacies inside a securely locked safe, the key of which shall be kept by the responsible manager of the pharmacy. Any amount seized outside such safe is to be considered as being illicitly trafficked in, an act for which the responsible manager of the pharmacy shall be liable to be punished by the penalties provided for in article 26 of this Law.

Article 13

Notwithstanding the provisions of article 2, individuals may possess narcotic substances or preparations in the quantities prescribed by physicians licensed to practise medicine in Bahrain for their own personal use, and exclusively for health reasons. They may not, for whatever reason, give these substances or preparations to any other person.

Article 14

No doctor authorized to practise medicine in Bahrain may prescribe narcotic substances or preparations for any patient other than for the purpose of genuine medical treatment.

Article 15

Pharmacists may, in accordance with written applications endorsed by the Ministry of Health, supply doctors licensed to practise medicine in Bahrain with some narcotic substances or preparations intended for the use of those doctors in emergency cases and/or in surgical operations in their clinics, provided that these substances are delivered in a pharmaceutical form consistent with their medical use, and that the doctor has a licensed private clinic in Bahrain.

The doctor must comply with the provisions of article 10 of this Law with regard to the possession of narcotic substances or preparations and their registration in the special registers provided for therein.

It is prohibited for the doctor to give any amount of such substances to patients for them to use themselves.

Article 16

A pharmacist may not dispense narcotic substances or preparations to any person without a medical prescription.

Such medical prescriptions must fulfil the following requirements:

- (a) Be in conformity with special prescriptions issued by the Ministry of Health;
- (b) Be issued by a doctor licensed to practise medicine in the State of Bahrain;
- (c) Be written legibly in ink with no erasing or deletion;
- (d) Indicate the name, age and address of the patient;
- (e) Indicate the name and quantity of the narcotic drug in figures and words;
- (f) Be dated and signed by the doctor with his full signature;
- (g) Indicate the full name of the doctor, his address and his telephone number, if any.

Article 17

Under no circumstances shall medical prescriptions covering narcotic substances or preparations be given back to their bearers; such prescriptions must be kept in a special file in the pharmacy after they have been stamped with the stamp of the pharmacy, the date of issuance has been entered and they have been signed by the pharmacist. Such medical prescriptions must be kept for five years from the date on which they were filled, and presented for inspection upon the request of the competent authorities.

Article 18

The filling of a medical prescription for narcotic substances or preparations may not be repeated.

Article 19

A medical prescription for narcotic substances or preparations may not be filled after three days from its date, not counting the day on which such a prescription was written.

Article 20

It is prohibited for doctors to write prescriptions for narcotic substances or preparations for use over a period exceeding seven days, and it is prohibited for pharmacists to fill such prescriptions.

Article 21

The Minister of Health may, by a decision to that effect, amend the schedule annexed to this Law by deletion or addition.

Article 22

The circulation of narcotic substances and preparations in hospitals, Ministry of Health units and private hospitals shall be regulated by a decision of the Minister of Health.

Penalties

Article 23

Any person shall be punishable by a term of imprisonment of up to ten years or a fine not exceeding 10,000 dinars, or both, who:

- (a) Imports or exports narcotic substances or preparations without first obtaining the authorization provided for in article 3 of this Law;
- (b) Cultivates, produces, extracts, separates or manufactures narcotic substances or preparations for the purpose of trafficking;
- (c) Possesses, keeps, buys, sells, delivers, receives, gives away or disposes in any way of narcotic substances or preparations, or offers them for use or facilitates their use, for money or free of charge, in cases other than those permitted by this Law;
- (d) Has been authorized to possess narcotic substances or preparations for use for a specific purpose or specific purposes and uses them in any way other than for those specific purposes.

Article 24

Whoever possesses, keeps or buys narcotic substances or preparations for personal use shall be punishable by a term of imprisonment of no more than three years or a fine not exceeding 3,000 dinars or both, unless he establishes that he possessed or kept such narcotic substances or preparations in accordance with the provisions of this Law.

Instead of imposing the penalty provided for in the previous paragraph, the court may order, at its own discretion or upon a recommendation from the Minister of Health, the confinement of the defendant in any of the hospitals designated by the Minister of Health to receive treatment until such time as a report about his condition has been drawn up by a committee created by a decision of the Minister of Health and presented to the court so that he can be dealt with accordingly.

Article 25

Whoever possesses narcotic substances or preparations which he is authorized to possess or trade in and does not keep the records indicated in article 10 of this Law, or conceals them deliberately, shall be sentenced to imprisonment for no more than three months and/or a fine not exceeding 500 dinars.

Article 26

Any person shall be punishable by a term of imprisonment of up to three months or a fine not exceeding 500 dinars, or both, who violates the provisions of articles 11, 12, 15, 17, 18, 19 or 20 of this Law, except that the court may decide to suspend such person from practising for a period equal to the term of imprisonment.

Article 27

In all cases, the court shall order the confiscation of all narcotic substances and preparations as well as equipment, tools, containers and means of transportation involved which are seized in connection with the violation of this Law.

The narcotic substances and preparations seized shall be destroyed under the supervision of a committee created by a decision of the Minister of Justice.

Article 28

The penalties prescribed in the preceding articles shall be doubled in cases of recidivism.

Article 29

The provisions of this Law shall apply to any person who commits outside the territory of the State of Bahrain an act that makes him a principal perpetrator of or participant in a crime specified in this Law which occurs totally or partially in the State of Bahrain.

Article 30

Any person in Bahrain shall be punishable by the penalties prescribed in this Law who commits an act outside the territory of the State of Bahrain that is considered a crime according to the provisions of this Law.

Article 31

The Minister of Health shall issue a decision indicating the fees payable for the carrying out of the measures provided for in this Law.

Article 32

The Bahrain Control of Dangerous Drugs Ordinance of 1959 and its amendments shall be cancelled.

Article 33

The respective ministers shall implement the provisions of this Law, and it shall come into force on the date of its publication in the Official Gazette.

Isa ben Salman Al-Khalifa
Amir of the State of Bahrain

Issued at Alrifaa Palace
25 Muharram 1393 H
27 February 1973

Law on Narcotic Substances and Preparations

Schedule 1

Acetorphine	Dioxaphetyl butyrate
Acetylmethadol	Diphenoxylate
Allylprodine	Dipipanone
Alphacetylmethadol	Ecgonine, its esters and derivatives which are convertible to ecgonine and cocaine
Alphameprodine	Ethylmethylthiambutene
Alphamethadol	Etonitazene
Alphaprodine	Etorphine
Anileridine	Etoxeridine
Benzethideine	Fentanyl
Benzylmorphine	Furethidine
Betacetylmethadol	Heroin
Betameprodine	Hydrocodone
Betamethadol	Hydromorphinol
Betaprodine	Hydromorphone
Bezitramide	Hydroxypethidine
Cannabis (Indian Hemp) and Cannabis resin (Resin of Indian Hemp)	Isomethadone
Clonitazene	Ketobemidone
Coca leaf	Levomethorphan
Cocaine	Levomoramide
Codoxime	Levophenacymorphan
Concentrate of poppy straw	Levorphanol
Desomorphine	Metazocine
Dextromoramide	Methadone
Diampromide	Pethidine-Intermediate
Diethylthiambutene	Phenadoxone
Dihydromorphine	Phenampramide
Dimenoxadol	Phenazocine
Dimepheptanol	Phenomorphane
Dimethylthiambutene	Phenoperidine

Piminodine
Piritramide
Proheptazine
Properidine
Racemethorphan
Racemoramide
Racemorphan
Thebacon
Thebaine

Trimeperidine
Acetyldihydrocodeine
Codeine
Dihydrocodeine
Ethylmorphine
Nicocodine
Nicodicodine
Norcodeine
Pholcodine

Preparations of:

- (a) Acetyldihydrocodeine,
- (b) Codeine,
- (c) Dihydrocodeine,
- (d) Ethylmorphine,
- (e) Norcodeine, and
- (f) Pholcodine

when compounded with one or more other ingredients and containing not more than 100 milligrams of the drug per dosage unit and with a concentration of not more than 2.5 per cent in undivided preparations.

Preparations of cocaine containing not more than 0.1 per cent of cocaine calculated as cocaine base and preparations of opium or morphine containing not more than 0.2 per cent of morphine calculated as anhydrous morphine base.

Preparations of diphenoxylate containing, per dosage unit, not more than 2.5 milligrams of diphenoxylate calculated as base and a quantity of atropine sulphate equivalent to at least one per cent of the dose of diphenoxylate.

Khat

E/NL.1985/3

Official Gazette, Issue No. 1173
Thursday, 29 April 1983

MINISTERIAL DECREE NO. 2 OF 1976 FOR THE AMENDMENT OF SCHEDULE 1 ANNEXED
TO DECRETAL LAW NO. 4 OF 1973 ON CONTROLLING THE USE AND CIRCULATION
OF NARCOTIC SUBSTANCES AND PREPARATIONS

The Minister of Health,

Having considered Decretal Law No. 4 of 1973 on Controlling the Use and Circulation of Narcotic Substances and Preparations, 2/

Hereby decides:

Article 1

The substance methaqualone and all its pharmaceutical preparations shall be added to Schedule 1 annexed to the above-mentioned Decretal Law No. 4 of 1973.

Article 2

Any violation of this ministerial decree shall be punishable by the penalties provided for by Decretal Law No. 4 of 1973.

Article 3

This ministerial decree shall be published in the Official Gazette, and shall come into force on the date of such publication.

Dr. Ali Fakhro
Minister of Health

Issued on 19/4/1976.

2/ Note by the Secretariat: E/NL.1985/2

Official Gazette, Issue No. 1567
Thursday, 24 November 1983

DECRETAL LAW NO. 15 OF 1983 ON THE AMENDMENT OF ARTICLES 23 AND 24
OF DECRETAL LAW NO. 4 OF 1973 ON CONTROLLING THE USE AND
CIRCULATION OF NARCOTIC SUBSTANCES AND PREPARATIONS

We, Isa ben Salman Al-Khalifa, Amir of the State of Bahrain,

Having considered the Constitution, and

Decree No. 4 of 1975, and

Decretal Law No. 4 of 1973 on Controlling the Use and Circulation of Narcotic Substances and Preparations, and

The Penal Code issued by Decretal Law No. 15 of 1976, amended by Decretal Law No. 4 of 1982 and Decretal Law No. 9 of 1982, and

According to the recommendation made by the Ministry of Health, and

After the approval of the Cabinet,

Order the promulgation of the following Law:

Article I

Articles 23 and 24 of the above-mentioned Decretal Law No. 4 of 1973 on Controlling the Use and Circulation of Narcotic Substances and Preparations shall be replaced by the following two articles:

Article 23:

"Any person shall be punishable by life imprisonment or a term of imprisonment of not less than five years and a fine not less than 5,000 dinars and not exceeding 15,000 dinars who:

- (a) Imports or exports narcotic substances or preparations without first obtaining the authorization provided for in article 3 of this Law;
- (b) Cultivates, produces, extracts, separates or manufactures narcotic substances or preparations for the purpose of trafficking;
- (c) Possesses, keeps, buys, sells, delivers, receives, gives away or disposes in any way of narcotic substances or preparations, or offers them for use or facilitates their use, for money or free of charge, in cases other than those permitted by this Law;
- (d) Has been entrusted to keep narcotic substances or preparations or authorized to possess them for use for a specific purpose or specific purposes and uses them in any way other than for those specific purposes.

When imposing a sanction, the court shall not apply article 72 of the Penal Code to reduce the penalty to below the minimum limit provided for in this article."

Article 24:

"Whoever possesses, keeps or buys narcotic substances or preparations for personal use in cases other than those permitted by this Law shall be punishable by a term of imprisonment of not less than six months and a fine not exceeding 10,000 dinars.

When imposing the penalty provided for in the preceding paragraph, the court may order the confinement of any person whose addiction to narcotic substances or preparations is established to any of the hospitals designated by the Minister of Health to receive treatment until such time as a committee created by a decision of the Minister of Health decides on his release from the hospital, subtracting the period of confinement from the term of the sentence."

Article II

The respective ministers shall implement this Law, and it shall come into force on the date of its publication in the Official Gazette.

Isa ben Salman Al-Khalifa
Amir of the State of Bahrain

Issued at Alrifas Palace
15 Safar 1404 H
20 November 1983.

E/NL.1985/5

Official Gazette, Issue No. 1599
Thursday, 12 July 1984

DECRETAL LAW NO. 10 OF 1984 ON THE AMENDMENT OF THE FIRST ARTICLE OF
DECRETAL LAW NO. 15 OF 1983 ON THE AMENDMENT OF ARTICLES 23 AND 24
OF DECRETAL LAW NO. 4 OF 1973 ON CONTROLLING THE USE AND
CIRCULATION OF NARCOTIC SUBSTANCES AND PREPARATIONS

We, Isa ben Salman Al-Khalifa, Amir of the State of Bahrain,

Having considered the Constitution, and

Decree No. 4 of 1975, and

Decretal Law No. 4 of 1973 on Controlling the Use and Circulation of Narcotic Substances and Preparations, and

The Penal Code issued by Decretal Law No. 15 of 1976, amended by Decretal Law No. 9 of 1982, and

According to the recommendation made by the Ministry of Health, and

After the approval of the Cabinet,

Order the promulgation of the following Law:

Article I

Articles 23 and 24 of the above-mentioned Decretal Law No. 4 of 1973 on Controlling the Use and Circulation of Narcotic Substances and Preparations, amended by Decretal Law No. 15 of 1983, shall be replaced by the following two articles:

Article 23

"Any person shall be punishable by the death penalty or life imprisonment and a fine not less than 5,000 dinars and not exceeding 50,000 dinars who:

- (a) Imports or exports narcotic substances or preparations without first obtaining the authorization provided for in article 3 of this Law;
- (b) Cultivates, produces, extracts, separates or manufactures narcotic substances or preparations for the purposes of trafficking;
- (c) Possesses, keeps, buys, sells, delivers, receives, gives away or disposes in any way of narcotic substances or preparations, or offers them for use or facilitates their use, for money or free of charge, in cases other than those permitted by this Law;
- (d) Has been entrusted to keep narcotic substances or preparations or authorized to possess them for use for a specific purpose or specific purposes, and uses them in any way other than for those specified purposes.

When imposing a sanction, the court shall not apply article 72 of the Penal Code to reduce the penalty to less than ten years' imprisonment."

Article 24:

"Whoever possesses, keeps or buys narcotic substances or preparations for personal use in cases other than those permitted by this Law shall be punishable by a term of imprisonment of not less than six months and a fine not exceeding 10,000 dinars.

When imposing the penalty provided for in the preceding paragraph, the court may order the confinement of any person whose addiction to narcotic substances or preparations is established to any of the hospitals designated by the Minister of Health to receive treatment until such time as a committee created by a decision of the Minister of Health decides on his release from the hospital, subtracting the period of confinement from the term of the sentence."

Article II

The respective ministers shall implement this Law, and it shall come into force on the date of its publication in the Official Gazette.

Isa ben Salman Al-Khalifa
Amir of the State of Bahrain

Issued at Alrifaa Palace
10 Shawwal 1404 H
9 July 1984.

E/NL.1985/6

Official Gazette, Issue No. 1627
Thursday, 24 January 1985

MINISTERIAL DECREE NO. 3 OF 1985 ON THE REGULATION OF THE IMPORT,
EXPORT AND CIRCULATION OF CERTAIN DRUGS

The Minister of Health,

Having considered Decretal Law No. 6 of 1971 on the practice of medicine and dental medicine, and

Decretal Law No. 26 of 1975 on the regulation of the practice of pharmacy and pharmaceutical centres, amended by Decretal Law No. 7 of 1978, and

According to the recommendation made by the Division of Drugs and Pharmacy Control,

Hereby decides:

Article 1

For the purposes of the application of this Decree, "drugs" means those that are subject to the control of the Ministry of Health and indicated in the schedule annexed to this Decree.

Article 2

The drugs that are subject to control and indicated in the schedule annexed to this Decree may not be imported or exported without a written authorization given in advance by the Division of Drugs and Pharmacy Control, Ministry of Health.

Article 3

Agents who import drugs referred to in the preceding article shall keep a special register to record the name of the drug and the quantity which has been imported or exported, as well as quantities supplied to pharmacies and private hospitals, specifying their respective shares.

Recording in such a register shall be effected in the manner specified by the Ministry of Health, it being borne in mind that the entry must be written legibly in ink with no erasing or deletion, and the pages of the register must be numbered and stamped with the Ministry of Health stamp.

Article 4

Sale of the drugs referred to in this Decree to pharmacies and private hospitals is prohibited without written authorization from the Ministry of Health.

Article 5

No doctor may prescribe any of such drugs other than for the purpose of treatment, and the drug shall not be given to the patient without a special medical prescription which must fulfil the following requirements:

- (a) Be written on a form issued by the Ministry of Health;
- (b) Be issued by a doctor licensed to practise medicine in the State of Bahrain;
- (c) Indicate the name, age and address of the patient and the quantity of the drug necessary for treatment;
- (d) Indicate the name and address of the doctor.

Such medical prescription shall not be given back to its bearer after being filled, and shall be attached to a special register kept by the pharmacy or the hospital.

The above-mentioned register must indicate the name of the doctor who prescribed the drug, the name of the patient, the quantity of the drug supplied and the date on which the drug was supplied.

Whoever keeps such a register shall be obliged to present it to the Ministry of Health inspectors at any time upon request.

Article 6

The Ministry of Health shall keep a special register to record the quantities of the controlled drugs imported or exported, as well as the quantities supplied to pharmacies and the various medical institutions every year.

Article 7

The Deputy Minister of Health shall implement this Decree, and it shall come into force on the date of its publication in the Official Gazette.

Jawad Salim Al-Arrayedh
Minister of Health

Issued on 25 Rabia El-Thani 1405 H
17 January 1985

SCHEDULE OF CONTROLLED DRUGS AND SUBSTANCES ANNEXED TO
MINISTERIAL DECREE NO. 3 OF 1985

1. Preparations that contain diazepam
2. Preparations that contain nitrazepam
3. Preparations that contain flunitrazepam
4. Preparations that contain lorezepam
5. Preparations that contain flurazepam
6. Preparations that contain codeine
7. Preparations that contain dihydrocodeine
8. Preparations that contain clonazepam
9. Preparations that contain dextropropoxyphene
10. Preparations that contain bromazepam