



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 text / texts*

NORWAY

Communicated by the Government of Norway

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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E/NL.2005/19

ACT OF 22 MAY 1902 N° 10
THE GENERAL CIVIL PENAL CODE

(extracts)

[...]

Chapter 14. Felonies against public safety

§ 162. Any person who unlawfully manufactures, imports, exports, acquires, stores, sends or conveys any substance that by statutory provision is deemed to be a drug shall be guilty of a drug felony and liable to fines or imprisonment for a term not exceeding two years.

An aggravated drug felony shall be punishable by imprisonment for a term not exceeding 10 years. In deciding whether the offence is aggravated special importance shall be attached to what sort of substance is involved, its quantity, and the nature of the offence.

If a very considerable quantity is involved in the offence, the penalty shall be imprisonment for a term of not less than three and not more than 15 years. Under especially aggravating circumstances imprisonment for a term not exceeding 21 years may be imposed.

A drug felony committed negligently shall be punishable by fines or imprisonment for a term not exceeding two years.

Complicity in a drug felony shall be punishable as otherwise provided in this section.

Fines may be imposed in addition to imprisonment..

[...]

Chapter 31. Receiving the proceeds of a criminal act.

§ 317. Any person who receives or obtains for himself or another person any part of the proceeds of a criminal act, or who aids and abets the securing of such proceeds for another person shall be guilty of an offence^[1] and shall be liable to fines or imprisonment for a term not exceeding three years. Aiding and abetting shall be deemed to include collecting, storing, concealing, transporting, sending, transferring, converting, disposing of, pledging or mortgaging, or investing the proceeds. Any object, claim or service substituted for the proceeds shall be regarded as equivalent thereto.

Such offence takes place even though no person may be punished for the act from which the proceeds are derived, by reason of the provisions of sections 33 and 46.

An aggravated offence shall be punishable with imprisonment for a term not exceeding six years. In deciding whether an offence is aggravated, special importance shall be attached to what kind of criminal act the proceeds are derived from, the value of the proceeds that the offender has been concerned with, the amount of any advantage the offender has received or obtained for himself or another person, and whether the offender has habitually been engaged in such offences. If the proceeds are derived from a drug offence, importance shall also be attached to the nature and quantity of the substance with which the proceeds are connected.

If the offence is concerned with the proceeds of a drug offence, imprisonment for a term not exceeding 21 years may be imposed under especially aggravating circumstances.

If the offence is committed by negligence, it shall be punishable by fines or imprisonment for a term not exceeding two years.

No penalty pursuant to this section shall, however, be applicable to any person who receives the proceeds for the ordinary maintenance of himself or another person from a person who is obliged to provide such maintenance, or to any person who receives the proceeds as normal payment for ordinary consumer goods, articles for everyday use or services.

[...]

E/NL.2005/20

**ACT OF 4 DECEMBER 1992 N° 132
ON MEDICAL PRODUCTS, ETC.**

(extracts)

[...]

Chapter VIII. Narcotics etc.

§ 22. The King shall decide what substances, drugs or preparations (narcotics etc) shall be governed by the provisions of this Chapter and shall issue regulations governing the manufacture, marketing (sale, purchase, other transfer and middleman transactions), import, export, transit, delivery dispatch, forwarding and storing of the same as well as for the cultivation of plants to be used for the manufacture of such goods.

The regulations may prohibit the preparation, acquisition, marketing, import, export and transit of certain narcotics etc. Such regulations shall also apply to free ports and bonded and transit warehouses.

§ 23. Narcotics etc may only be manufactured as expressly provided for in the permission granted according to § 12.

Unless otherwise stipulated in the regulations, narcotics etc. may only be imported, exported or transited by special permission granted in each individual case and on the conditions laid down in the permit or regulations.

Permission shall be granted by the authority empowered by the King.

Marketing, delivery and dispatch of narcotics etc. may only be permitted for medicinal and scientific use in accordance with regulations in force.

Manufacturers and merchants shall be obliged to give the reports and information demanded by the Ministry.

§ 24. It is prohibited to be in unlawful possession of or to use narcotics etc, or to purchase such goods under false pretences for example by giving false information as to name address, illness or symptoms of illness.

Such goods may not be used for purposes other than those for which they are supplied, and may not without legal warrant be surrendered or acquired by any person other than the one to whom the prescription or requisition is issued. Prescriptions or requisitions may not be surrendered to or acquired by persons other than those to whom they are issued.

§25a. The King may issue regulations that stipulate that a special approval is required for import, export, transit, manufacture, receipt, possession, handling and trade of substances which may be used in unlawful production of narcotics and psychotropic substances in order to prevent contents in applications for approval to import, export, transit, manufacture, receipt, possession, spreading of such substances.

The King may give regulations relating to the requirements on handling and trade of these substances, and to the contents of documents concerning the traffic, on labeling, and on the duty to report to the control authority within the field.

The King may decide who the control authority shall be. The control authority shall consider applications for approval and carry out inspections.

[...]

Chapter X. Penalty. Confiscation.

§ 31. Any person who intentionally or negligently violates this Act or regulations, bans or directions issued by virtue of this Act, will be punished by fines or by imprisonment up to 3 months, or both.

Unlawful possession and use of narcotics etc. in accordance with § 24, first subsection will be punished by fines or by imprisonment up to 6 months, or both.

If the punishable offence relates to the transfer of a medicinal product not deemed to be a narcotic substance and aggravating circumstances exist, the offender is punished by fines or by imprisonment up to 2 years, or both.

The same applies with regard to aiding and abetting. Attempted infringement will be punished as an accomplished offence.

§ 32. The Ministry shall determine what shall be done with confiscated goods.

The Ministry shall also determine what shall be done with narcotics which is to be regarded as lost property

[...]