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36-38
UNITED NATIONS

MASTER FILE
NATIONS UNIES

LAWS AND REGULATIONS

COMMUNICATED IN COMPLIANCE WITH THE TERMS OF THE

CONVENTION FOR LIMITING THE MANUFACTURE
AND REGULATING THE DISTRIBUTION
OF NARCOTIC DRUGS OF 13 JULY 1931

AS AMENDED BY THE PROTOCOL OF 11 DECEMBER 1946



AUSTRIA

1949
10/10/49

E/NL.1949/36-38
10 July 1949

Note by the Secretary-General

In accordance with Article 21 of the Convention of 1931 for limiting the Manufacture and regulating the Distribution of Narcotic Drugs, as amended by the Protocol of 11 December 1946, the Secretary-General has the honour to forward to the Members of the United Nations and to the other parties to the Convention the following text communicated by the Government of Austria.

18. Federal Law of 11 December 1946 amending the
Chemical Manufactures Law of 20 July 1945, *Staatsgesetzblatt* No. 96
(Chemical Manufactures (First Amendment) Law)

The National Council has resolved as follows:

1. In Section 10 (1) of the Law of 20 July 1945 on the manufacture of chemicals, technical oils and fats, special (solvent) benzene and paraffin, and the manufacture of pharmaceutical products and preparations, *Staatsgesetzblatt* No. 96 (Chemical Manufactures Law), the words "31 December 1946" shall be replaced by the words "31 December 1947".

2. The present Federal Law shall come into force on 31 December 1946. The Federal Ministry for Commerce and Reconstruction shall, in consultation with the Federal Ministry for Social Affairs and the other Federal Ministries concerned, be responsible for the application of this law.

19. Order of 20 December 1946 issued by the Federal
Ministry for Social Affairs, in consultation with the Federal
Ministries for Commerce and Reconstruction and
Agriculture and Forests, on the Trade in and
Handling of Narcotic Drugs (Narcotic Drugs Order)

Pursuant to the Federal Law of 29 October 1946, *Bundesgesetzblatt* No. 207 (Narcotic Drugs Law), Section 7 of the Law of 18 December 1906, *Reichsgesetzblatt* No. 5 of 1907, and Section 24 of the Trade Regulations, it is hereby ordered as follows:

Narcotic Drugs

1. (1) The term narcotic drugs shall include:

- (a) Raw opium,
Prepared opium,
Opium for medicinal purposes;
- (b) Morphine,
Diacetylmorphine (heroin),
Dihydromorphine (paramorphane),
Morphine N-oxide (Morphinaminoxide) (genomorphine),
Dihydromorphinone (dilaudide),
Dihydrocodeinone (dicodide),
Acetyldihydrocodeinone (acetyldemethylodihydrothebaine, ethyl-hydrothebaine, acedicone),
Dihydrohydroxycodeinone (eucodal),
Pentavalent nitrogen morphine derivatives,
Thebaine,
Benzylmorphine (peronin),
Codeine,
Ethylmorphine (dionine);
- (c) Methyl-phenyl-piperidine-carboxylic acid ethyl ester (dolantine),
Phenylaminopropane (aktedron, benzedrine, elastonon),
Phenylmethylaminopropane (pervitin, isophen);
- (d) Coca leaves,
Raw cocaine,
Cocaine,
Ecgonine,
- (e) Indian hemp,

(2) Salts, esters, ethers and other derivatives, all preparations such as tinctures, extracts, solutions, syrups and the like, and compounds of the substances enumerated in sub-section 1 above, come within the terms of the present order unless expressly excluded.

Permits for Narcotic Drugs

2. (1) It shall be unlawful to produce, treat, convert, acquire and possess narcotic drugs except by virtue of a special permit issued by the Federal Ministry for Social Affairs and in quantities not exceeding those authorized by the said Ministry [Section 2 (1), line 1, of the Narcotic Drugs Law]. Such permits may not be granted except to producers of chemical and pharmaceutical preparations holders of a licence under Section 15, (14) of the Trade Regulation and to wholesale druggists provided that they do not carry on any retail trade whatsoever or if they do, conduct the retail and wholesale trade at entirely separate premises. A pharmacy which maintains a connexion with a wholesale druggist shall not be deemed to be engaged in retail trade.

(2) Applications for permits under sub-section 1, together with the original licence and the official certificate to the effect that no retail trade is carried on in connexion with the wholesale drug trade, shall be submitted to the Federal Ministry for Social Affairs for the first time within one month of the entry into force of the present Order and thereafter not later than 30 September in each year. Applications shall state the nature and approximate quantities of the substances which it is proposed to produce and manufacture and shall also state the nature and approximate quantities of the substances from which they are to be manufactured or produced. Chemical conversion from another substance shall be deemed to constitute production, and chemical conversion into another substance shall be deemed to constitute treatment. Permits shall be issued at discretion for calendar year next following, subject to withdrawal in the event of wrongful use, non-observance of the regulations on trade in narcotic drugs or cessation of the reasons for which the permit was issued. The issue and withdrawal of permits shall be announced in the official gazette of the provincial Government concerned.

(3) After the production and treatment of a narcotic drug have been authorized, the proprietor of the undertaking shall, before commencing operations, notify Federal Ministry of Social Affairs. Stocks of raw materials shall not normally exceed the quantities required for production in the following six months. The Federal Ministry of Social Affairs may, if necessary, direct that production be restricted. The Federal Ministry for Social Administration shall also be notified whenever production of narcotic drugs is discontinued.

(4) Holders of permits under sub-section 1 may not deliver narcotic drugs except to persons in possession of similar permits or to the scientific institutes and public institutions referred to in Section 3 (1) and to pharmacies.

(5) The transmission of narcotic drugs by ordinary or registered letter post is prohibited.

3. (1) The production, treatment, conversion, acquisition and possession of narcotic drugs shall be permitted in the case of scientific institutes or public educational, experimental, research and other technical establishments which require such drugs for the performance of their tasks.

(2) No narcotic drugs may be delivered to such institutes or establishments except upon production of a certificate stating that the requirements of sub-section 1 are satisfied. The certificate shall mention the person authorized to accept delivery of the narcotic drug. The certificate shall be issued by the principal in the case of universities, and in the case of other public scientific institutes or public establishments, by the authority responsible for the supervision of the institute or establishment. The issue or refusal of the certificate to private scientific establishments or institutes shall be a matter to be decided by the district administrative authorities.

(3) Certificates under sub-section 2 shall be issued to universities or other public scientific institutes to cover steady supplies for an indefinite period and shall state that the institute in question requires some or all of the narcotic drugs enumerated in Section 1 for the performance of its tasks. Certificates shall be withdrawn by the issuing authority if the institute is closed or if the need for supplies no longer exists.

(4) The principal of the institute or an employee of the institute delegated by him, shall be designated as the persons authorized to accept delivery. The authorized person shall certify receipt of each consignment of narcotic drugs by means of an acknowledgment of receipt issued to the supplier. If an intermediary collects or accepts delivery on behalf of the authorized person, the narcotic drug shall be issued only against an order form signed by the authorized person and surrendered by the intermediary in lieu of the acknowledgment of receipt. Shipments of narcotic drugs by rail, post, ship and air shall be addressed to the authorized person at the institute or establishment; in such cases the consignment documents shall be in lieu of acknowledgment of

receipt.

(5) Certificates under sub-section 2 shall be issued to cover the particular calendar year to the establishments referred to in sub-section 1 and to private scientific institutes which require a narcotic drug for the performance of their tasks, though in the case of private scientific institutions only if there is no likelihood of any misuse. In other respects the provisions of sub-sections 3 and 4 apply *mutatis mutandis*.

4. Persons desiring to cultivate plants for the production of narcotic drugs are required to apply to the competent district administrative authorities for a permit which will be issued, subject to withdrawal [Section 2 (2)], by the Federal Ministry for Social Affairs in consultation with the Federal Ministry for Agriculture and Forests. The drugs produced from the plants may not be delivered except in conformity with the provisions of Sections 3 and 6 and to pharmacies. Crushed poppy capsules and poppy stalks may not be delivered to any establishments other than those (factories) approved by the authorities.

Records to be kept in respect of narcotic drugs

5. (1) Producers of chemical and pharmaceutical preparations and wholesale druggists are required to keep a special stockbook showing the initial stock, supplies received and deliveries made, source of supply, the purchaser, and also showing, item by item, the undertaking's daily quantitative yield from production or treatment (whether the substance resulting from treatment is narcotic or not) after deduction for wastage in production and loss in treatment.

(2) Doctors, veterinary surgeons and dentists who require narcotic drugs in the exercise of their profession, and the institutes and establishments referred to in Section 3 (1) shall keep such accurate records of the narcotic drugs received and used as will enable them to provide the authorities with information thereon upon request.

(3) The records prescribed in sub-section 2 shall also be kept by the persons referred to in Section 4.

(4) The stockbooks and records shall be arranged chronologically and be preserved for not less than three years from the date of the last entry; they shall be produced to the official supervisory bodies, or sent to the authorities, upon request. Delivery vouchers shall bear the numbers appearing in the stockbook and shall be preserved for three years.

6. (1) With the exception of chemists' shops and the institutes and establishments referred to in Section 3 (1), narcotic drugs may not be delivered except to producers of chemical and pharmaceutical preparations and wholesale druggists who can produce evidence, in the form of a certificate issued by the district administrative authorities, to show that they are entitled to receive supplies.

(2) Any person wishing to apply for a certificate entitling him to receive supplies shall produce the special permit under Section 2 to the district administrative authorities in whose district he carries on business, and submit Form 1 in triplicate to the said authorities.

(3) After verifying the entitlement to receive supplies, and provided that there are no grounds for recommending to the Federal Ministry of Social Administration that the entitlement to purchase be withdrawn [Section 2 (2)], the district administrative authorities shall confirm the right to acquire the substances enumerated in the certificate by affixing the official stamp and signing the forms, one of which shall be retained by the applicant, the second shall be held by the authority for supervision, and the third shall be sent to the Federal Ministry of Social Administration for registration.

(4) The certificate shall be valid for four weeks.

(5) The certificate shall be held by suppliers as evidence of the disposal of the narcotic drugs and shall be preserved for three years.

(6) Certificates issued by the district administrative authorities are not required to receive supplies of registered patent medicines consisting of preparations of narcotic drugs with other medically active substances, though even in such cases delivery may not be made except upon production of the special permit authorizing acquisition of such narcotic drugs [Section 2 (1)].

7. The percentage of weight of narcotic drugs contained in any package or product containing such drugs shall be marked on the package.

8. Narcotic drugs and products and preparations containing such drugs shall be stored separately and under lock and key on all premises where drugs are produced or treated and in the places of business of wholesale druggists.

9. (1) Pharmacies shall keep a special register with consecutively numbered pages,

showing the stock on hand on 1 January of each year, the supplies received, sources of supply and deliveries made in respect of the substances enumerated in Section 1. Supplies received must be supported by the delivery notes, and deliveries made must be supported by the doctor's prescriptions or other evidence. Any documentary proof of delivery shall constitute sufficient evidence in the case of deliveries of narcotic drugs to doctors' and veterinary surgeons' dispensaries and to dentists. Outgoing quantities of narcotic drugs shall be entered as totals in the register within two weeks. A reasonable quantity may be allowed as wastage. The register and supporting vouchers shall be preserved for a period of five years from the date of the last entry.

(2) Narcotic drugs for doctors' and veterinary surgeons' dispensaries (Sections 28 to 34 of the Law of 18 December 1906, *Reichsgesetzblatt*, No. 5 of 1907) shall be drawn only from one of the ten nearest pharmacies.

10. (1) Returns showing the deliveries of narcotic drugs during the previous calendar year, and based on the prescriptions retained and the registers, shall be sent not later than 25 January in each year, to the competent district administrative authority by pharmacies and by dispensaries in establishments on Form 2 and by private dispensaries on Form 2a.

(2) The undertakings referred to in Section 2 (1) shall make their returns to the competent district administrative authority as follows: on Form 3, covering the previous quarter, to be submitted not more than two weeks after the end of any one quarter; and on Form 4, covering the previous year, to be submitted not later than 25 January of each year. In addition, estimates of the expected requirements in narcotic drugs for the following year shall be submitted by the said undertakings to the competent district administrative authority on Form 5 by 30 April of each year.

(3) The district administrative authorities shall transmit the returns referred to in sub-sections 1 and 2 above, together with summaries thereof, and particulars (if any) of the quantities required for medicinal and scientific purposes, to the competent provincial governments within two weeks.

(4) The provincial governments shall submit these returns and summaries, together with a comprehensive summary, to the Federal Ministry of Social Affairs within two weeks.

Regulations concerning medicaments containing narcotic drugs

11. Medicaments containing narcotic drugs may not be prescribed unless their use is justified by the principles of medical or veterinary science and only if other medicaments will not suffice (Narcotic Drugs Law, Section 4).

12. Narcotic drugs as such, medicaments containing more than one narcotic drug and medicaments containing diacetylmorphine (heroin), coca leaves or ecgonine may not be prescribed.

13. (1) Doctors may not prescribe doses in excess of the following per patient per day or per visit to the doctor's office:

- (a) 2.00 gms. of opium or 1.00 gms. of opium extract or opium tincture;
- (b) 0.20 gms. of morphine;
- (c) 0.40 gms. of narcophin, laudanum, pantopon or similar preparations containing narcotic drugs (Section 1 (2));
- (d) 0.20 gms. of dihydrocodeinone (dicodide), dihydrohydroxycodone (eucodal), dihydromorphine (paramorphan), acetyldemethyldihydrothebaine (acedicone), morphineaminoxide (morphine-N-oxide, genomorphine) or benzylmorphine (peronine);
- (e) 0.03 gms. of dihydromorphinone (dilaudide);
- (f) 1.00 gms. of methyl-phenyl-piperidine-carboxylic acid ethyl ester (dolantine), 0.20 gms. of phenylaminopropane (aktedron, benzedrine, elastonon) or 0.10 gms. of phenylmethylaminopropane (pervitin, isophen).

(2) Should the quantities enumerated in sub-section 1 above prove insufficient in extremely severe cases, the doctor shall enter the words "*praescriptio indicata*" at the head of the prescription.

(3) Medicaments containing cocaine may not be prescribed for the personal use of patients except in the form of solutions or ointments for use on the eye; such solutions or ointments shall not contain more than 2 per cent of cocaine; for other purposes doctors may prescribe a solution containing not more than 1 per cent of cocaine and not less than 0.1 per cent of atropine sulphate. The quantity of cocaine prescribed by a

doctor on any one day for the personal use of a patient shall not exceed 0.10 gms.

(4) Medicaments containing cocaine may not be prescribed by a doctor for use in his practice except for treatment of the eyes, larynx, nose and ears or for treatment of the pharynx and maxilla, and only if the pain cannot be allayed by other means and if the medicament is to be applied to the eyes or the mucous membrane of the aforesaid parts of the body. Cocaine for these purposes may not be prescribed by doctors except in the form of solutions containing not more than 20 per cent of cocaine, in the form of tablets intended for treatment of the eyes, or in the form of ointments containing not more than 2 per cent of cocaine, and in dentistry solely in the form of solutions containing not more than 20 per cent of cocaine.

(5) The quantity of cocaine prescribed by a doctor on any one day for use in his practice may not exceed 1.00 gms.

14. (1) The quantities prescribed by a veterinary surgeon on any one day for an animal or for use in his practice may not exceed:

- (a) 15.00 gms. of opium, 7.50 gms. of opium extract or 150.00 gms. of opium tincture;
- (b) 0.50 gms. of morphine;
- (c) 0.40 gms. of narcophin, laudanum, pantopon, or other similar preparations containing narcotic drugs (Section 1 (2));
- (d) 0.30 gms. of dihydrohydroxycodone (eucodal), 0.20 gms. of dihydrocodeine (dicodide), dihydromorphine (paramorphan), acetyldemethylodihydrothebaine (acedicone) or morphineaminoxide (morphine-N-oxide or genomorphine);
- (e) 0.03 gms. of dihydromorphine (dilaudid);
- (f) 0.50 gms. of phenylaminopropane (aktedron, benzedrine, elastonon) or 0.25 gms. of phenylmethylaminopropane (pervitin, isophen).

(2) The restrictions contained in sub-section (1) above shall not apply to prescriptions of the clinics of the veterinary college and equivalent establishments.

(3) Medicaments containing cocaine may not be prescribed by veterinary surgeons except for use in their practice and solely for eye treatment and castration of female cattle. For these purposes the veterinary surgeon may not prescribe cocaine except in the form of solutions containing 20 per cent of cocaine, in the form of tablets intended for use in the eyes or in the form of ointments containing not more than 2 per cent of cocaine.

(4) The quantity of cocaine prescribed by a veterinary surgeon on any one day for use in his practice may not exceed 2.00 gms.

15. (1) Apart from the use for patients and requirements for use in practice, medicaments containing narcotic drugs under Sections 11 to 14 may be prescribed for the general requirements of hospitals, university clinics, veterinary college clinics and similar institutions, with the exception of private veterinary clinics, and for the requirements of doctors' and veterinary surgeons' dispensaries.

(2) The prescription shall be written in ink or indelible pencil and shall contain:

- (a) the name and address of the doctor or veterinary surgeon;
- (b) the exact date of issue;
- (c) particulars and quantity of the narcotic drugs and other ingredients of the medicament, the quantity of narcotic drug content being stated in figures and words;
- (d) detailed instructions for use;
- (e) the name and address of the patient or owner of the animal;
- (f) signature (first and last names) of the doctor or veterinary surgeon;

(3) Prescriptions for narcotic drugs (with the exception of ethylmorphine, codeine and thebaine) shall, after use on one occasion only, be retained by the chemist or by the doctor or veterinary surgeon in charge of the dispensary. Copies shall be made of prescriptions which have to be forwarded for accounting purposes. The account or the copies shall be preserved for three years.

16. Supplies to dentists shall consist only of cocaine. Supplies shall be issued upon production of documents. The provisions of Section 15 (2) and (3) and Section 13 (3) to (5) shall apply to purchase and use respectively.

17. Persons who continually require narcotic drugs owing to their state of health may be furnished with long-term prescriptions made out on Form 6 for substances other than those enumerated in Section 12 and other than cocaine and Indian hemp preparations. Such prescriptions shall be submitted to the competent medical officer for examination

and signature before production to the pharmacy. Long-term prescriptions shall be stamped with the pharmacy's stamp upon each delivery of the medicament and a note of the delivery entered thereon. Such prescriptions shall be retained by the pharmacy at the time of the first purchase of the medicament and shall be sent monthly for registration to the Narcotics Control Board of the Federal Ministry for Social Affairs.

Import, Transit and Export of Narcotic Drugs

18. (1) The import and export of narcotic drugs is prohibited unless a special permit for that purpose has been issued by the Federal Ministry for Social Affairs, and the conveyance in transit is prohibited if unaccompanied by an export authorization from the exporting country and an import licence from the importing country.

(2) Subject to further approval (if necessary) by other Federal Ministries, application for permits for the import or export of narcotic drugs shall be made to the Federal Ministry for Social Affairs by means of the official import or export application forms (Forms 7 and 8); these forms are obtainable at the Commerce, Trade, Industry, Currency and Credit Boards and at the Austrian State Printing Office in Vienna.

(3) Import licences shall be issued only in accordance with requirements.

19. (1) Import-applications shall state:

- (a) the name, address and occupation of the consignee;
- (b) the exporting country and consignor;
- (c) the nature and quantity of the narcotic drugs and, in the case of preparations, the net weight of the substances covered by Section 1;
- (d) the method of despatch (freight or parcel post);
- (e) the proposed use.

(2) If the issue of export authorizations by the exporting country is conditional on the production of an import certificate, the Federal Ministry for Social Affairs shall, when issuing the import licence, also issue an import certificate stating that the import of the substances enumerated therein is authorized.

(3) The Customs Office clearing the consignment shall enter the quantities actually imported on the reverse of the import licence and shall every fortnight forward such licences, together with any foreign export authorizations accompanying the consignment, to the Federal Ministry for Social Affairs. Repeated use of import licences for parts of import consignments shall not be permitted.

(4) Import licences shall not be transferable and shall normally be valid for a period of two months from the date of issue. After expiry of the period of validity, unused import licences shall be returned to the Federal Ministry for Social Affairs.

20. (1) Export applications shall state:

- (a) the name, occupation and address of the consignor;
- (b) the name of the consignee and the country of destination;
- (c) the nature and quantity of the substances and, in the case of preparations, the net weight of the ingredients covered by Section 1;
- (d) the import certificate issued by the authority of the country of destination, certifying that the import by the consignee named therein is authorized;
- (e) in the case of exports to countries where the import certificate system is not in force, a certificate issued by the competent authority of the country of destination to the effect that the consignee is authorized to import the substances enumerated in the application, shall accompany the export application.

(2) Applications for export authorizations shall be made out in quadruplicate and shall, together with the certificates referred to in sub-section 1 (d or e), be submitted to the Federal Ministry for Social Affairs. If the authorization is granted, the applicant shall receive two copies thereof which shall be attached to the consignment notes. One of the copies marked "duplicate" shall accompany the consignment to its destination. The quantities actually exported by rail, ship, air or road shall be endorsed on the other copy by the Customs Office through which the consignment is exported and such office shall every fortnight transmit the export authorizations to the Federal Ministry for Social Affairs. Repeated use of export authorizations for parts of export consignments shall not be permitted. A copy of the export authorization shall be sent by the Federal Ministry for Social Administration to the competent authority of the country of destination.

(3) Export authorizations shall not be transferable and shall normally be

valid for a period of two months from the date of issue. After expiry of the period of validity, unused export authorizations shall be returned to the Federal Ministry for Social Affairs.

21. (1) Narcotic drugs exported by post shall be transmitted solely by parcel post: in cases where narcotic drugs are exported by post, it shall be the duty of the despatching post office to perform the functions which, in other cases, are performed by Customs Offices pursuant to Section 20 (2) (endorsement of the export authorization and transmission to the Federal Ministry for Social Affairs).

(2) The import, export and conveyance in transit of narcotic drugs by ordinary or registered letter post is prohibited.

(3) The import or export of narcotic drugs by post to a post office box or to a bank to the account of a third party is prohibited.

22. The import of prepared opium is prohibited.

23. (1) The conveyance in transit of consignments unaccompanied by an export authorization issued by the exporting country shall not be permitted and such consignments shall be returned to the sender. Consignments sent in transit by post and unaccompanied by export authorizations shall be handed over to the nearest Customs Office for safekeeping pending further instructions.

(2) Narcotic drugs may not be withdrawn from bonded warehouses for use in internal trade except by virtue of an import licence issued by the Federal Ministry for Social Affairs and subject to observance of the import regulations. There may be no withdrawal from bonded warehouses for transfer to other countries except by virtue of an export authorization.

(3) If a consignment reaching a Customs Office is to be forwarded to a country other than the original country of destination, application for a diversion certificate shall be made to the Federal Ministry for Social Affairs by submission of the import certificate issued by the new country of destination, together with three copies of the export form which shall be marked "diversion certificates".

(4) Consignments in transit may not, during conveyance in transit through or storage in Austria, be subjected to any process which alters their nature.

Narcotics Control Board

24. The Narcotics Control Board, established as an organ of the Federal Ministry for Social Affairs (Narcotics Law, Section 11), shall be responsible for all matters which are subject to the said Ministry's exclusive jurisdiction and which pertain to narcotic drugs, and in particular:

1. The issue and withdrawal of the permits referred to in Sections 2 and 4, and likewise the issue of import, transit and export licences and import certificates (Sections 18 to 23),
2. the supervision of the dealings of the undertakings, institutes, establishments and persons referred to in Section 2 (1), Section 3 (1), and Section 4 and also of pharmacies and institution dispensaries and of doctor's and veterinary surgeons' dispensaries,
3. giving expert opinions to the courts and opinions on the utilization of narcotic drugs seized or declared confiscated,
4. co-operation in the official acts in these matters of the police,
5. The registration of:
 - (a) the undertakings, institutes, establishments and persons referred to in 2. above,
 - (b) persons receiving regular supplies and persons punished under Sections 6, 8, 9 and 10 of the Narcotic Drugs Law,
6. relations with foreign control authorities.

25. The following information, in particular, shall be transmitted to the Narcotics Control Board:

1. by the undertakings referred to in Section 2, the quantities of narcotic drugs produced, imported and delivered,
2. by the authorities and offices referred to in Section 3 (2), the certificates issued and withdrawn,
3. by pharmacies, the prescriptions marked "*praescriptio indicata*" [Section 13 (2)] and the long-term prescriptions (Section 17),
4. by the district administrative authorities (Police), any penalties imposed under Section 10 of the Narcotic Drugs Law, and by the police, any complaints or information laid under Sections 6 to 9 of the Narcotic Drugs Law,

5. by the Courts, enforceable judgments rendered under Sections 6 to 9 of the Narcotic Drugs Law and likewise decisions relating to stocks of narcotic drugs seized or declared confiscated.

Form 1

No.

Narcotic Drugs Ordinance (Sec. 6 (2))

CERTIFICATE

authorizing the supply of Narcotic Drugs

(Narcotic Drugs Ordinance, Section 6)

(Not Transferable)

Name of Firm

The above-named firm is authorized to obtain the following quantities of the substances and preparations set forth below:

.

.

.

.

from the firm of

.

for the purpose of

.

The above quantities shall be delivered and received in ONE consignment.

.,194 .

L. S.

Signature
(Issuing Authority)

Note: Copies of this form are obtainable
at the Austrian State Printing Works,
Rennweg 12 a, Vienna.

RETURN
of Trade in Narcotic Drugs during 194 . . .
(To be submitted before 25 January)

Form 2
Narcotic Drugs Ordinance (Section 10(1))
Pharmacies

Type of Narcotic Drug	Raw Opium		Opium for medical purposes	in toto in powder	Opium Extract	Opium Tincture	Morphine	Domopon etc.	Paramorphan	Genomorphine	Dilaudide	Dicodide	Acedicone	Eucodal	Thebaine	Benzylmorphine	Dolantin	Aktedron etc.	Pervitin	Coca leaves	Cocaine	Ecgonine	Herba Cannabis	Extract Cannabis	Tinct. Cannabis
Grams																									
Stock at 31 December of previous year _____ Import name of country _____ _____ _____ _____																									
Receipts from pharmacies in Austria _____ _____ _____ _____																									
Receipts from wholesale druggists in Austria _____ _____ _____ _____																									
Doctors' and veterinary-surgeons' prescriptions _____ _____ _____ _____																									
Other vouchers (private dispensaries etc.) _____ _____ _____ _____																									

Form 2 (continued)
 Narcotic Drugs Ordinance (Section 10 (1))
 Pharmacies

RETURN
 of Trade in Narcotic Drugs during 194 .
 (to be submitted before 25 January)

Exports	Name of	Country

Stock at 31 December of year of Return

Pharmacy's stamp and signature

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RETURN
of Trade in Narcotic Drugs during 194 . .
(To be submitted before 25 January)

Type of Narcotic Drug	Raw Opium	Opium for medical purposes	Opium Extract	Opium Tincture	Morphine	Damocon etc.	Paramorphan	Genomorphine	Di'laudide	Dicodide	Acedicone	Eucodal	Thebaine	Benzylmorphine	Dolantin	Akedron etc.	Pervitin	Coca leaves	Cocaine	Ecgonine	Herba Cannabis	Extract Cannabis	Tinct. Cannabis	
		in toto in powder																						
Stock at 31 December of previous year	grams																							
Receipts from pharmacies in Austria																								
Issues to patients																								
Stock at 31 December of year of Return																								
Dispensary Stamp and Signature																								

Form 3

Narcotic Drugs Ordinance (Section 10 (2))

Wholesale Druggists, Factories

RETURN

of Production and Chemical Conversion of Narcotic Drugs

during quarter of 194 . .

(to be submitted within two weeks of the end of the quarter)

Type of Narcotic Drug	Opium for medical purposes				Opium Tincture	In other preparations	Morphine		Domipon etc.	Paramorphin	Genomorphine	Dilaudide	Dicodide	Acedicone	Eucodal	Thebaine	Benzylmorphine	Benzoylmorphine	Codeine (Methyl Morphine)		Ethyl (Ethyl Morphine)		Dolantin	Akedron etc.	Pervitin	Coca leaves	Cocaine		Ecgonine	Herba Cannabis	Extract Cannabis	Tinct. Cannabis
	Raw opium	In toto	In powder	Opium Extract			Salts	Preparations											Salts	Preparations	Salts	Preparations					Salts	Preparations				
Stock at Beginning of quarter	grams																															
Receipts																																
Converted into other narcotic drugs or other substances																																
Narcotic drugs manufactured by the firm																																
Sales of narcotic drugs manufactured by the firm																																
Sales of narcotic drugs not manufactured by the firm																																
Stock at end of quarter																																

Firm's stamp and signature

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RETURN
of trade in Narcotic Drugs during 194.....
(To be submitted before 25 January)

Narcotic Drugs Ordinance (Section 10 (2))
Wholesale Druggists, Factories

Type of Narcotic Drug	Raw opium	Opium for Medical Purposes			Opium Tincture	In Other Preparations	Mor- phine		Domo- pon etc.	Para- morphan	Geno- morphine	Di- laudide	Di- codide	Acedi- cone	Eu- codal	The- baine	Ben- zylmor- phine	Ben- zo- ylmor- phine	Codeine (Methyl Morphine)		Ethyl (Ethyl Mor- phine)		Dolan- tin	Ak- tedron etc	Per- vitin	Coca leaves	Co- Caine		Her- ba Can- nabis	Ex- tract Can- nabis	Tinct. Cannabis
		in toto	in powder	Opium Extract			Salts	Preparations											Salts	Preparations	Salts	Preparations					Salts	Preparations			
Stock at 31 December of the previous year	Grams																														
Production during year of Return																															
Imports Name of Country																															
Receipts from sources in Austria																															
Converted into pharmaceutical preparations																															
Issues in Austria	Pharmacies																														
	Wholesale druggists																														
	Scientific institutes and institutions																														
Exports Name of Country																															
Stock at end of year of Return																															

Firm's stamp and signature

.....

Form 5

Narcotic Drugs Ordinance (Section 10 (2))
Wholesale Druggists, Factories
(estimates)

RETURN
of Estimated Requirements of Narcotic Drugs during 194 . .
(to be submitted before 30 April)

Type of Narcotic Drug	Raw opium	Opium for Medical purposes	Opium Extract	Opium Tincture	In Other Preparations	Morphine		Paramorphan	Genomorphine	Dilaudide	Dicodide	Acedicone	Eucodal	Thebaine	Benzylmorphine	Benzoylmorphine	Codeine (Methyl morphine)		Ethyl (ethyl morphine)		Dolantin	Akedron etc.	Pervitin	Coca leaves	Cocaine		Ecgonine	Herba Cannabis	Extract Cannabis	Tinct. Cannabis
	in toto in powder					Salts	Preparations										Domopon etc.			Salts					Preparations	Salts				
Requirements for issues direct to pharmacies, scientific institutes and public institutions and for production of preparations for whose import or export no <u>special permits</u> are required	grams																													
Requirements for conversion into other substances, whether for use in Austria or for export																														
Reserve stock regarded as necessary in the coming year																														
Reserve stock in current year																														

Firm's stamp and signature
.....

Form 6

Narcotic Drugs Ordinance (Section 17)

Doctor's Name and Address

.....

LONG-TERM PRESCRIPTION

Valid for one month from the date of issue, namely, until

.....

.....

.....

Signed.....

The prescription may be repeated, whilst valid,.....times
at intervals of days.

Issued for

Address.....

Date.....

.....

Doctor's signature.

Registration number of the Federal
Ministry for Social Administration,
Vienna:
.....

APPLICATION FOR IMPORT PERMIT
for substances coming under the Geneva Opium Convention or the
Narcotic Drugs Ordinance

1. Name, address and occupation of the applicant or consignee;
.....
2. Country of origin of the goods:
.....
3. Name and place of residence of the consignor:
.....
4. Description of the goods to be imported and quantity (net weight):
.....
(in figures and words)
5. In the case of preparations, net weight of individual narcotic drugs
contained in the consignment:
.....
6. Number, nature and marking of packages:
7. Gross weight:
(in figures and words)
8. Invoice value:
9. The consignment is intended for (a) use in Austria:.....
(b) wholly (partially) for export.....
.....
(c) for storage in bonded warehouse:.....
.....
10. Method of despatch (a) by post, number of packages:
(b) by other means:
Signature and stamp of the applicant
firm:
.....
....., 19
.....

DECISION

The import of the above goods is.....authorized.
Valid for two months.

Official instructions.

Sheets 2 and 3 (import certificate) are to be sent to the applicant and then
deposited.

Vienna.....19.....

For the Federal Minister for
Social Affairs

Please note instructions on the back
of Sheet 2.

Only for use of the
applicant for clearing
the consignment through the
Customs Office.

Narcotic Drugs Ordinance (Section 18 (2))
Registration number of the Federal
Ministry for Social Affairs, Vienna:
.....

APPLICATION FOR IMPORT PERMIT

for substances coming under the Geneva Opium Convention or the Narcotic
Drugs Ordinance.

1. Name, address and occupation of the applicant or consignee:.....
.....
2. Country of origin of the goods:
.....
3. Name and place of residence of the consignor:
.....
4. Description of the goods to be imported and quantity (net weight).....
(in figures and words)
.....
.....
5. In the case of preparations, net weight of the individual narcotic
drugs contained in the consignment:.....
.....
.....
6. Number, nature and marking of packages:
7. Gross weight:
(In figures and words)
8. Invoice value:
9. The consignment is intended for (a) use in Austria:
(b) wholly (partially) for export:.....
(c) for storage in bonded warehouse:.....
10. Method of despatch: (a) by post, number of packages:.....
(b) by other means:.....

Signature and stamp of the applicant firm
.....

.....19.....

DECISION

The import of the above goods is.....authorized.
Valid for two months.

This permit shall be retained upon customs clearance and shall be sent to the
Federal Ministry for Social Affairs (Department 18) after the quantities imported have
been noted. If not used, this certificate shall be returned to the above Ministry im-
mediately but not later than the date of expiry.

Vienna,19.....

For the Federal Minister
for Social Affairs
.....
.....

(Reverse side of sheet 2)

SPACE FOR ENTRIES BY CUSTOMS OFFICES

Quantity		Description	Date on which cleared	Customs Office Certification
Gross	Net			

N.B. The above forms shall be sent to the Federal Ministry for Social Affairs (Department 18) fortnightly.

NOTES

1. Applications for the import of substances coming under the International Opium Convention shall be addressed to the Federal Ministry for Social Affairs, Hanuschgasse 3, Vienna I.

2. Application shall be made only on the official forms obtainable at the Commerce, Trade and Industry Boards and at the Austrian State Printing Office at Rennweg 12 a, Vienna III.

3. The applicant shall enter exact particulars in the bordered portions of Sheets 1 to 3. The exact total quantity of the individual narcotic drugs contained in the consignment shall be entered in the case of composite preparations.

4. Sheet 2 shall be submitted during customs clearance and shall be returned by the Customs Office clearing the goods to the Federal Ministry for Social Affairs (Department 18) after the quantities imported have been entered thereon. Repeated use of the permit for import of parts of a consignment is not permitted. If not used, this certificate shall be returned to the aforesaid Ministry immediately but not later than the date of expiry. Sheet 3 (import certificate) shall be used by the applicant for clearing the goods exported through the Government authority of the exporting country.

5. Import permits shall not be valid for persons other than the applicant named therein. Transfer of permits to another person is prohibited and such transfers and any other misuse will lead to the cancellation of the permit, without prejudice to penal proceedings (if any).

To be used as a certificate for
the Governmental authority of
the exporting country.

Narcotic Drugs Ordinance (Section 18 (2)),
Registration number of the Federal
Ministry for Social Affairs, Vienna:

.....

Valid for 2 months.

INTERNATIONAL OPIUM CONVENTION

OFFICIAL IMPORT CERTIFICATE

The Federal ministry for Social Administration (National Health Board), being responsible for the application of the legal provisions on Narcotic drugs coming under the International Opium Convention or the Narcotic Drugs Ordinance, hereby certifies that the firm of

(a) Name, address and occupation of the consignee:
.....
.....
is authorized to import

(b) Exact description and amount of the narcotic drug to be imported:
.....
.....
.....
.....
.....
from

(c) Name and address of firm in the exporting country delivering the
narcotic drug:
.....
.....
.....

Issued subject to
.....

The consignment proposed to be imported is required for legitimate purposes and solely for medical (scientific) purposes.

Vienna,19.....

For the Federal Minister for
Social Affairs

.....

.....

APPLICATION FOR EXPORT AUTHORIZATION

for substances coming under the Geneva Opium Convention or the
Narcotic Drugs Ordinance

1. Name and place of residence of the applicant or consignor:
2. Name and place of residence of the consignee:.....
3. Number of, and authority issuing, the import certificate on which
the application for the export authorization is based:.....
4. Description of the goods to be exported and quantity (net weight):.....
(in figures and words)
5. In the case of manufactured goods, the total quantity of the narcotic
drugs contained therein:.....
6. Number, nature and marking of packages:.....
7. Gross weight:.....
(in figures and words)
8. Invoice value:.....
9. Method of despatch and number of packages:.....

Signature and stamp of the
applicant firm:

.....19.....

DECISION

The export of the above goods is.....authorized.

Valid for two months.

OFFICIAL INSTRUCTIONS.

Sheets 2 and 3 will be sent to the applicant and sheet 4 to the foreign government
authority named on the reverse, and then deposited.

Vienna,.....19.....

For the Federal Minister for
Social Affairs

Please note instructions on the back of sheet 2.

of the Federal Ministry

for Social Affairs.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

for substances coming under the Geneva Opium Convention or the Narcotic Drugs Ordinance.

1. Name and place of residence of the applicant or consignor:
2. Name and place of residence of the consignee:
3. Number of, and authority issuing, the import certificate on which the application for the export authorization is based:
4. Description of the goods to be exported and quantity (net weight):
(in figures and words)
5. In the case of manufactured goods, the total quantity of the narcotic drugs contained therein:
6. Number, nature and marking of packages:
7. Gross weight:
(in figures and words)
8. Invoice price:
9. Method of despatch and number of packages:

Signature and stamp of the applicant firm:

..... 19

DECISION

The export of the above goods isauthorized.
Valid for two months

After the weight and description of the goods exported have been entered on the reverse of this authorization, the applicant shall attach it to the accompanying documents and refer to it therein. If not used, this certificate shall be returned to the Federal Ministry for Social Affairs (Dept. 18) immediately but not later than the date of expiry.

Vienna, 19

For the Federal Minister for
Social Affairs

(Reverse side of previous page)

SPACE FOR ENTRIES BY CUSTOMS OFFICES

Quantity		Description	Export certification
Gross	Net		(Customs office or despatching post office)

Note. This permit will be retained by the Customs Office through which the goods are exported or by the despatching post office and sent to the Federal Ministry for Social Affairs (Dept. 18) after certification.

NOTES

1. Applications for the export of substances coming under the International Opium Convention shall be addressed to the Federal Ministry for Social Affairs, Hanuschgasse 3, Vienna I.

2. Application shall be made only on the official forms obtainable at the Commerce, Trade and Industry Boards and at the Austrian State Printing Office, Rennweg 12 a, Vienna III.

3. The applicant shall enter the same and exact particulars in the bordered portions of Sheets 1 to 4. The exact total quantity of the individual narcotic drugs contained in the consignment shall be entered in the case of composite preparations.

4. Sheets 2 and 3 of the export authorization shall be attached to the accompanying documents. Sheet 2 will be returned to the Federal Ministry for Social Affairs (Dept. 18) after the particulars of the exported consignment have been entered thereon by the Customs Office through which the goods are exported or the despatching post office. Sheet 3 will remain attached to the documents accompanying the consignment and will be certified by the Customs Office through which the goods are exported or the despatching post office. If not used, Sheets 2 and 3 shall be returned to the aforesaid Ministry immediately but not later than the date of expiry.

5. ONE export authorization shall not be used for the export in part consignments of substances coming under the Opium Convention.

6. Export authorizations shall not be valid for persons other than the applicants named therein. Transfer of authorizations to another person is prohibited and such transfers and any other misuse will lead to the cancellation of the authorization, without prejudice to penal proceedings (if any).

Registration number
of the Federal Ministry
for Social Affairs,
Vienna:
.....

(Only valid if
attached to Sheet 2)
To be sent with the
consignment to the
importing country.

Narcotic Drugs Ordinance
(Section 18)

DUPLICATE.

APPLICATION FOR EXPORT AUTHORIZATION
for substances coming under the Geneva Opium Convention or the
Narcotic Drugs Ordinance.

1. Name and place of residence of the applicant or consignor:.....
.....
 2. Name and place of residence of the consignee:.....
.....
 3. Number of, and authority issuing, the import certificate on
which the application for the export authorization is based:.....
.....
 4. Description of the goods to be exported and quantity (net weight):.....
.....
(in figures and words)
.....
 5. In the case of manufactured goods, the total quantity of the
narcotic drugs contained therein:.....
.....
 6. Number, nature and marking of packages:.....
.....
 7. Gross weight:.....
(in figures and words)
 8. Invoice value:.....
 9. Method of despatch and number of packages:.....
- Signature and stamp of the
applicant firm:
-19.....

DECISION

The export of the above goods is.....authorized.

Valid for two months -

(Signature of Customs (or Post Office)
official)

Official Stamp

Vienna,19.....

For the Federal Minister for
Social Affairs
.....

Note: The officially signed authorization
is not valid for repeated use.

Narcotic Drugs Ordinance
(Section 18)

Registration number of
the Federal Ministry
for Social Administration,
Vienna:
.....

APPLICATION FOR EXPORT AUTHORIZATION
for substances coming under the Geneva Opium Convention or
the Narcotic Drugs Ordinance.

1. Name and place of residence of the applicant or consignor:.....
.....
2. Name and place of residence of the consignee:.....
.....
3. Number of, and authority issuing, the import certificate on which
the application for the export authorization is based:.....
.....
4. Description of the goods to be exported and the quantity (net weight):.....
.....
(in figures and words)
.....
5. In the case of manufactured goods, the total quantity of
the narcotic drugs contained therein:.....
.....
6. Number, nature and marking of packages:.....
.....
7. Gross weight:.....
(in figures and words)
8. Invoice price:.....
9. Method of despatch and number of packages:.....

Signature and stamp of the
applicant firm:

.....19.....

DECISION

The export of the above goods is.....authorized.

Valid for two months.

For the Federal Minister for
Social Affairs:
.....

Vienna,.....19.....

The Federal Ministry for Social Administration.

No.....

To

.....
.....
.....

at

.....

The copy of the export authorization on the front of this form is transmitted, in conformity with the Geneva Opium Convention of 19 February 1925 (Article 13 (4 and 5)), with the request that the quantity actually imported and the date of receipt be entered thereon and that the form be then returned as soon as possible to the address given below.

Vienna,.....19.....

For the Federal Minister for
Social Affairs:

.....

Quantity of narcotic drugs actually imported:.....

Date of receipt of the consignment:.....

(Signature)

.....19.....

To the
Federal Ministry for Social Affairs (Public Health Board), Dept. 18.

Vienna I.,

Hanuschgasse 3.

A

To be filled in by the applicant in duplicate (write clearly):

1. Name and place of residence of the applicant:
2. Consignor:
3. Consignee:
4. Description:

For decision:

a.e:

p.e:

For noting:

Decision:

Granted:

Rejected:

Despatched:

Registry:

E

To be completed in quadruplicate (with carbon paper) (write clearly):

1. Name and address of applicant:
2. Name and address of the consignee:
3. Name and address of consignor:
4. Country of origin of the goods:
5. Description:
6. Quantity:
7. Value:

For decision:

a.e:

p.e:

For noting:

Decision:

Granted:

Rejected:

Place of origin:

Warehouse:

E/NL. 1949/37

71. Order dated 6 March 1948, issued by the Federal Ministry for Social Administration, in consultation with the Federal Ministries for Commerce and Reconstruction and Agriculture and Forests, amending the Order of 20 December 1946, Bundesgesetzblatt No. 19/1947 (Narcotic Drugs Order) (Narcotic Drugs (1st Amendment) Order)

Pursuant to the Federal Law of 29 October 1946, Bundesgesetzblatt No. 207 (Narcotic Drugs Law), Section 7 of the Law of 18 December 1906, Reichsgesetzblatt No. 5/1907, and Section 24 of the Trade Regulations, it is hereby ordered as follows:

The Order of the Federal Ministry for Social Affairs dated 20 December 1946, Bundesgesetzblatt No. 19/1947, in consultation with the Federal Ministries for Commerce and Reconstruction and Agriculture and Forests, on the Trade in and Handling of Narcotic Drugs (Narcotic Drugs Ordinance) is amended as follows:

1. The words 'establishments or' in the last sentence of Section 3 (2) shall be

deleted.

2. The following sentence shall be added to Section 5 (2): 'The same shall apply to university clinics, public and private hospitals and also to the clinics of the veterinary college and similar establishments.'

3. In the first sentence of Section 9 (1) the word 'Pharmacies' shall be replaced by the words: 'Pharmacies, dispensaries in establishments, doctors' and veterinary surgeons' dispensaries'; in the last sentence, the word 'five' shall be replaced by the word 'three'.

4. In Section 12, first line, the following passage is to be inserted after the word 'medicaments': '(other than registered patent medicines)'.

5. The following sub-section shall be added to Section 13:

'(6) The restrictions contained in sub-sections (1), (2), (4) and (5) shall not apply to prescriptions for the general requirements of university clinics and public hospitals'.

6. Section 14 (2) shall be deleted and sub-sections (3) and (4) shall be numbered (2) and (3) respectively. In the new sub-section (2) the words '20 per cent' shall be replaced by the words 'not more than 20 per cent'. The following new sub-section shall be added:

'(4) The restrictions contained in sub-sections (1) to (3) shall not apply to prescriptions for the general requirements of the clinics of the veterinary college and equivalent establishments, other than private veterinary clinics.'

7. Section 15 (1) shall read as follows: 'Apart from the use for patients, sick animals and requirements for use in practice, medicaments containing narcotic drugs as described in Sections 11 to 14 may be prescribed for the requirements of doctors' and veterinary surgeons' dispensaries'.

8. The words in brackets in Section 15 (3) '(with the exception of ethylmorphine, codeine and thebaine)' shall be deleted. The word 'accounts' in the last sentence of Section 15 (3) shall be replaced by the word 'prescriptions'.

9. The following sub-section shall be added to Section 15:

'(4) The provisions of sub-sections (2) and (3) shall not apply to prescriptions for ethylmorphine, codeine and thebaine.'

10. The columns for thebaine, coca leaves and ecgonine in Forms 2 and 2a shall be deleted.

E/NL. 1949/38

207. Federal Law of 29 October 1946 on the
Trade in and Handling of Narcotic Drugs
(Narcotic Drugs Law)

The National Council has resolved as follows:

1. (1) For the purposes of this Law narcotic drugs are substances and preparations which, owing to their addictive nature, are subject to restrictions on production, trade, import, conveyance in transit, export, handling and use by virtue of international agreement (Hague Opium Convention of 23 January 1912, Bundesgesetzblatt No. 361/1921, Geneva International Opium Convention of 19 February 1925, Bundesgesetzblatt No. 244/1928, Geneva Convention of 13 July 1931, Bundesgesetzblatt No. 198/1934, and future amendments thereto).

(2) Substances and preparations coming under this Law will be enumerated in an order.

2. (1) The production, manufacture, conversion, acquisition and possession of narcotic drugs shall not be permitted except:

1. under a special permit issued by the Federal Ministry for Social Affairs and in the maximum quantities fixed by the said Ministry, to producers of chemical and pharmaceutical preparations who are in possession of a licence under Section 15 (14) of the Trade Regulation and wholesale druggists who either do not carry on any retail trade what-

soever or carry on such a trade entirely separately;

2. to scientific institutes or public educational, experimental, research or similar technical establishments in pursuance of a certificate issued by the competent supervisory authority and stating that they require the narcotic drug for the performance of their tasks.

(2) The cultivation of plants for the purpose of extracting a narcotic drug is permitted only under a permit issued by the Federal Ministry for Social Affairs in consultation with the Federal Ministry for Agriculture and Forests.

(3) The persons or establishments authorized under sub-section (1) 1. and sub-section (2) may not issue narcotic drugs except to persons and establishments authorized under sub-section (1), pharmacies and institution dispensaries.

3. (1) In accordance with regulations governing pharmacies and subject to the restrictions set forth in the executive regulations made for applying this Law, pharmacies may issue medicaments containing narcotic drugs to one another and, against prescriptions, to hospitals, doctors, veterinary surgeons and dentists for the requirements of their practice and also to persons for whom such medicaments have been prescribed.

(2) The provisions of Section 2 (1) shall not apply to the acquisition and possession of medicaments containing narcotic drugs by persons to whom they have been issued under sub-section (1).

4. Medicaments containing narcotic drugs may be prescribed only when their use is based on the principles of medical or veterinary science and when other medicaments will not suffice.

5. More detailed provisions regarding the following will be issued by order:

1. the production, conversion and manufacture, limitation of production to prescribed quantities and sources of supply, import, conveyance in transit and export, trade in and handling of narcotic drugs;
2. issue of supply permits and requirement certificates in respect of narcotic drugs;
3. the keeping of registers and submission of continuous information on the production, conversion and manufacture, import, conveyance in transit and export, trade, existing stocks and delivery of narcotic drugs;
4. the prescription and issue of medicaments containing narcotic drugs.

6. (1) Persons who wittingly and in violation of these provisions produce, import or trade in narcotic drugs in such quantities as to constitute a general danger to human life or health, shall be guilty of an offence against the public health and shall be liable to terms of hard labour of 1 to 5 years or, in the case of aggravating circumstances, and in particular when the offender is a member of a ring, to terms of hard labour not exceeding 10 years. Fines not exceeding 25,000 schillings shall be imposed in addition to such imprisonment.

(2) The amount of the fine shall be so assessed as to exceed the profit which derived or was intended to be derived from the punishable offence. If the maximum fine imposable by law does not suffice, it may be exceeded, but shall not exceed twice the amount of the profit. A term of imprisonment imposed in default of payment of a fine may not exceed one year.

(3) The objects used in the punishable act or the proceeds therefrom shall be declared confiscated if they are owned by the offender, an accomplice or accessory to the offence or if they were owned by such persons at the time of seizure. In other cases they may be declared confiscated. Similarly, materials and apparatus used for production and manufacture, and likewise vehicles used for transport, other than vehicles owned by a public transport undertaking, may be declared confiscated, if, in the case of vehicles, the owner or operator of the vehicle was aware that it was to be misused for unlawful purposes.

(4) If the objects or their proceeds cannot be seized or are not declared confiscated, a fine equal to the value of such objects or their proceeds shall be imposed. The fine shall be imposed in the judgment, but if it only subsequently transpires that the confiscation cannot be executed, the fine shall be imposed without argument in court. The parties shall be informed of the decision; an appeal may be lodged within three days.

(5) The term of imprisonment imposed in default of payment of a fine if cumulative to a term of imprisonment, and terms of imprisonment in default of payment of a fine imposed in lieu of confiscation, may not exceed a total of 18 months.

(6) Tradespeople are also liable to forfeiture of trading licences.

(7) Foreign nationals are liable to deportation.

7. If no specific person can be prosecuted or convicted, the objects used in the punishable offence or the proceeds from such objects may be declared confiscated, provided that grounds for such action exist.

8. (1) Any person who conspires with another for the purpose of committing the offence referred to in Section 6, shall, even if no act has been begun leading to the actual commission of an offence under Section 6, be deemed to have committed an offence and shall be liable to 1 to 5 years imprisonment.

(2) Persons who withdrew from such conspiracy of their own free will, before committing or attempting to commit an offence under Section 6, shall not be punishable under this provision.

9. (1) The following shall be deemed to have committed a contravention:

1. any person who delivers narcotic drugs to another person who is not authorized to obtain such drug;
2. any person who produces, manufactures, acquires or possesses a narcotic drug for the purpose of placing it into circulation in violation of the provisions in force;
3. any person who in the practice of medicine prescribes a narcotic drug for, or issues such drug to, another person, except in accordance with the principles of medical or, if applicable, veterinary science;
4. any person who delivers a certificate authorizing the supply of narcotic drugs to a person for whom the certificate is not intended;
5. any person who falsifies or forges a certificate purporting to authorize the supply of narcotic drugs;
6. any person who delivers to another person a false or forged certificate purporting to authorize the supply of a narcotic drug.

(2) Offenders shall, if the act is not punishable by a severer penalty, be sentenced by the court to 1 to 6 months' detention for the contravention, or if the offence was committed in the course of business, to a similar term of rigorous detention. If the offence results in grievous bodily harm or causes the death of a person, the offender shall be punished under Section 337 of the Penal Code. A fine not exceeding 2,500 schillings may be imposed in addition to the term of imprisonment and, if the offence is committed in the course of business, a fine not exceeding 25,000 schillings shall be imposed. Tradespeople are liable to forfeiture of trading licences and foreign nationals to deportation.

(3) The stock of narcotic drugs discovered shall be declared confiscated.

10. (1) Any person who contravenes the provisions of the present Law, or an order pursuant to the present Law, shall, if the act is not punishable by the courts, be liable to a fine not exceeding 5,000 schillings or a term of detention not exceeding 3 months to be imposed by the district administrative authority or, in places within the local jurisdiction of a Federal Police Authority, by the said Police Authority.

(2) When the offender is convicted, the goods and apparatus involved in the offence may be declared confiscated, whether or not they are the property of the accused. In appropriate cases the proceeds of the goods and apparatus declared confiscated may be handed over to the owner.

11. A Narcotics Control Board acting as an organ of the Federal Ministry for Social Affairs shall be established at the Head Office of the aforesaid Ministry and shall be responsible for the control of the trade in and handling of narcotic drugs. More detailed regulations concerning this matter will be issued by order.

12. (1) Section 361 of the Penal Code is hereby repealed.

(2) The present law shall come into force simultaneously with the Executive Order thereto. At the same time, the provisions hitherto in force in respect of narcotic drugs shall cease to be operative.

13. The Federal Ministry for Social Affairs shall be responsible, in consultation with the Federal Ministries concerned, for the enforcement of the present Law.