



DANGEROUS DRUGS ACT

ARRANGEMENT OF SECTIONS

Preliminary

1. Short title.
2. Interpretation.

PART I - Raw opium, coca leaves and Indian hemp

3. Power to make regulations controlling drugs to which this Part applies.
4. Drugs to which Part I applies.

PART II - Prepared opium

5. Prohibition of exportation or importation of prepared opium.
6. Penalty for dealing in prepared opium.

PART III - Cocaine, morphine and other drugs to which this Part applies

7. Power to make regulations controlling the handling of cocaine and certain other drugs.
8. Drugs to which Part III applies.

PART IV – Prohibition of trade in new drugs and power to apply Part III, with or without modifications, to certain drugs.

9. Prohibition of trade in new drugs, and power to apply Part III, with or without modifications, to certain drugs.

PART V - Control of external trade in dangerous drugs

10. Definitions for purpose of Part V.
11. Export of dangerous drugs.
12. Import of dangerous drugs.
13. Dangerous drugs in transit.
14. Removal licences.
15. Drugs not to be tampered with.
16. Diversion of dangerous drugs.

PART VI - General

17. Powers of inspection.
18. Fees for licences and authorities.
19. Offences and penalties.
20. Burden of proof.
21. Power of arrest.

SCHEDULE

DANGEROUS DRUGS ACT

An Act to regulate the importation, exportation, manufacture, sale and use of opium and other dangerous drugs.

[1st July, 1935]

[Commencement.]

Preliminary

1. Short title

This Act may be cited as the Dangerous Drugs Act.

2. Interpretation

In this Act, unless the context otherwise requires-

"Coca leaves" means the leaves of any plant of the family erythroxylaceae from which cocaine can be extracted either directly or by chemical transformation;

"Cocaine" means methyl-benzoyl-*laevo*-ecgonine ($[\alpha]_{D20} = -16^{\circ}4$) in 20 per cent solution of chloroform having the formula $C_{17}H_{21}NO_4$;

"Corresponding law" means any law stated in a certificate purporting to be issued by or on behalf of the Government of any country outside Nigeria to be a law providing for the control and regulation in that country of the manufacture, sale, use, export, import and transit of drugs in accordance with the provisions of the Hague Convention or of the Geneva Convention (No.1) or of the Geneva Convention (No.2), and any statement in any such certificate as to the effect of the law mentioned in the certificate, or any statement in any such certificate that any facts constitute an offence against that law, shall be conclusive;

"Diacetylmorphine" means diamorphine or heroin having the chemical formula $C_{21}H_{23}NO_5$;

"Ecgonine" means *laevo*-ecgonine ($[\alpha]_{D20} = -45^{\circ}6$ in 5 per cent solution of water) having the formula $C_8H_{15}N_3O_3 \cdot H_2O$ and all derivations of *laevo*-ecgonine which might serve industrially for its recovery;

"Export", with its grammatical variation and cognate expressions in relation to Nigeria, means to take or cause to be taken out of Nigeria by land, air, or water, otherwise than in transit;

"Import", with its grammatical variations and cognate expressions in relation to Nigeria, means to bring or cause to be brought into Nigeria by land, air, or water, otherwise than in transit;

"Indian hemp" means-

- (a) any plant or part of a plant of the genus cannabis; or
- (b) the separate resin, whether crude or purified, obtained from any plant of the genus cannabis; or
- (c) any preparation containing any such resin, by whatever name that plant, part, resin, preparation may be called;

"In transit" means taken or sent from any country and brought into Nigeria by land, air, or water (whether or not landed or trans-shipped in Nigeria) for the sole purpose of being carried to another country either by the same or another conveyance and "transit" has a corresponding meaning;

"Medicinal opium" means raw opium which has undergone the processes necessary to adapt it for medicinal use in accordance with the requirements of the British pharmacopoeia, whether it is in the form of powder or is granulated or is in any other form, and whether it is or is not mixed with neutral substances;

"Morphine" means the principal alkaloid of opium, having the chemical formula $C_{17}H_{19}NO_3$;

"Prepared opium" means opium prepared for smoking and includes dross and any other residues remaining after opium has been smoked;

"Raw opium" means the spontaneously coagulated juice obtained from the capsules of the *Papaver somniferum* L. which has only been submitted to the necessary manipulations for packing and transport, whatever its contents of morphine, and includes powdered or granulated opium, but does not include medical opium;

"The Geneva Convention (No.1)" means the Convention signed on behalf of the Federal Republic of Nigeria on the 19th day of February, 1925, at a conference held at Geneva for the purpose of completing and strengthening the provisions of the Hague Conference;

"The Geneva Convention (No.2)" means the Convention signed on behalf of the Federal Republic of Nigeria on the 13th day of July, 1931, for the purposes of limiting the manufacture and regulating the distribution of narcotic drugs;

"The Hague Convention" means the International Opium Convention signed at the Hague on the 23rd day of January, 1912.

PART I

Raw opium, coca leaves and Indian hemp

3. Power to make regulations controlling drugs to which this Part applies
The President may make regulations for controlling or restricting the importation, exportation, transit, production, possession, sale and distribution of drugs to which this Part applies, and in particular, but without prejudice to the generality of the foregoing power, for prohibiting the production, possession, sale or distribution of such drugs except by persons licensed or otherwise authorised in that behalf.

4. Drugs to which Part I applies

The drugs to which this applies are raw opium, coca leaves and Indian hemp.

PART II - Prepared opium

5. Prohibition of exportation or importation of prepared opium

It shall not be lawful for any person to import or bring into, or to export from Nigeria, any prepared opium.

6. Penalty for dealing in prepared opium

If any person-

- (a) manufactures, sells or otherwise deals in prepared opium; or
- (b) has in his possession any prepared opium; or

- (c) being the occupier of any premises permits those premises to be used for the purpose of the preparation of opium for smoking or the sale or smoking of prepared opium; or
- (d) is concerned in the management of any premises used for any such purpose as aforesaid; or
- (e) has in his possession any pipes or other utensils for use in connection with the smoking of opium or any utensils used in connection with the preparation of opium for smoking; or
- (f) smokes or otherwise uses prepared opium, or frequents any place used for the purpose of opium smoking, he shall be guilty of an offence under this Act.

PART III - Cocaine, morphine and other drugs to which this Part applies

7. Power to make regulations controlling the handling of cocaine and certain other drugs

- (1) For the purpose of preventing the improper use of the drugs to which this Part applies, the President may make regulations for controlling the importation, exportation, transit, manufacture, sale, possession and distribution of those drugs and in particular, but without prejudice to the generality of the foregoing power, for-
 - (a) prohibiting the manufacture of any drug to which this part applies except on premises licensed for the purpose and subject to any conditions specified in the licence; and
 - (b) prohibiting the manufacture, sale or distribution of any such drug except by persons licensed or otherwise authorised under the regulations and subject to any conditions specified in the licence or authority; and
 - (c) regulating the issue by medical and dental practitioners, and veterinary surgeons of prescriptions containing any such drug and the dispensing of any such prescriptions; and

- (d) requiring persons engaged in the manufacture, sale or distribution of any such drug to keep such books and furnish such information either in writing or otherwise as may be prescribed.
- (2) The regulations under this section shall provide for authorising any person who lawfully keeps open shop for the retailing of poisons in accordance with the provisions of the Pharmacists Council of Nigeria Act-
 - (a) to manufacture at the shop in the ordinary course of his retail business any preparation, admixture, or extract of any drug to which this Part applies; or
 - (b) to carry on at the shop the business of retailing, dispensing, or compounding any such drug, subject to the power of the Minister of Health to withdraw the authorisation in the case of a person who has been convicted of an offence against this Act, and who cannot, in the opinion of the Minister of Health, properly be allowed to carry on the business of manufacturing or selling or distributing, as the case may be, any such drug.
- (3) Nothing in any regulations made under this section shall be taken to authorise the mixing, compounding, preparing, dispensing or selling of poisons by any person who is not qualified in that behalf under, or otherwise in accordance with, the provisions of the Pharmacists Council of Nigeria Act or be in derogation of the provisions of that Act, for prohibiting, restricting or regulating the mixing, compounding, preparing, dispensing and selling of poisons.
- (4) Without prejudice to the provisions of the Indian Hemp Act relating respectively to medical preparations of Indian hemp and to Indian hemp in transit and its diversion, nothing in any regulations made under this section shall render lawful anything which is an offence under the Indian Hemp Act.

8. Drugs to which Part III applies

- (1) The drugs to which this Part of this Act applies are -

- (a) medical opium;
 - (b) any extract or tincture of Indian hemp;
 - (c) morphine and its salts, and diacetylmorphine (commonly known as diamorphine or heroin) and the other esters of morphine and their respective salts;
 - (d) cocaine (including synthetic cocaine) and ecgonine and their respective salts, and the esters of ecgonine and their respective salts;
 - (e) any solution or dilution of morphine or cocaine or their salts in an inert substance, whether liquid or solid, containing any proportion of morphine or cocaine, and any preparation, admixture, extract or other substances (not being such a solution or dilution as aforesaid) containing not less than one-fifth per cent of morphine or one-tenth per cent of cocaine or of ecgonine;
 - (f) any preparation, admixture, extract or other substance containing any proportion of diacetyl morphine;
 - (g) dihydrohydroxycodeinone, dihydrocodeinone, dihydromorphinone, acetyldihydrocodeinone, dihydromorphine, their esters and the salts of any of these substances and of their esters, morphine-N-oxide (commonly known as nemorphine) the morphine-N-oxide derivatives, and any other pentavalent nitrogen morphine derivatives;
 - (h) the baine and its salts, and (with the exception of methylmorphine, commonly known as codeine, and ethylmorphine, commonly known as diacetylmorphine, and their respective salts) benzylmorphine and the other ethers of morphines and their respective salts;
 - (i) any preparation, admixtures, extract or other substances containing any proportion of any of the substances mentioned in paragraph (g) or in paragraph (h) of this subsection.
- (2) For the purpose of subsection (1) of this section-
- (a) the percentage in the case of morphine shall be calculated in respect of anhydrous morphine; and

- (b) percentages in the case of liquid penetrations shall, unless other provisions in that behalf is made by regulations, be calculated on the basis that a preparation containing one per cent of any substance means a preparation in which one gramme of the substance, if a solid, or one millilitre of the substance, if a liquid, is contained in every one hundred millilitres of the preparation, and so in proportion for any greater or less percentage;
- (c) "Ecgonine" means laevo-ecgonine and includes any derivatives of ecgonine from which it may be recovered industrially.
- (3) If it appears to the President that any new derivative or morphine or cocaine or of any salts of morphine or cocaine or any other alkaloid of opium or any other drug of whatever kind is or is likely to be productive, if improperly used, or is capable of being converted into a substance which is or is likely to be productive, if improperly used, of ill effects, substantially of the same character or nature as or analogous to those produced by morphine or cocaine, the President may, by order, declare that this Part shall apply to that new derivative or alkaloid or other drug in the same manner as it applies to the drugs mentioned in subsection (1) of this section, and make any verbal alterations in the lists of drugs specified in subsection (1) incidental to the declaration contained in such order.
- (4) If the President thinks fit, by order, to declare that a finding with respect to any preparation containing any of the drugs to which this Part applies has in pursuance of Article 8 of the Geneva Convention (No.1) been communicated by the Secretary-General of the United Nations to the parties to the said Convention, the provisions of this Part shall, as from such date as may be specified in the order, cease to apply to the preparations specified therein.

PART IV -

Prohibition of trade in new drugs, and power to apply Part III, with or without modifications, to certain drugs

9. Prohibition of trade in new drugs, and power to apply Part III, with or without modifications, to certain drugs
 - (1) It shall not be lawful for any person in Nigeria to trade in or manufacture for the purpose of trade any products obtained from any of the phenanthrene alkaloids of opium or from the ecgonine alkaloids of the coca leaf, not being a product which was on the 13th day of July, 1931, being used for medical or scientific purposes:

Provided that if the President is at any time satisfied as respects any such product that it is of medical or scientific value, he may by order direct that this section shall cease to apply to that product.

- (2) If any person acts in contravention of the provisions of subsection (1) of this section, he shall be guilty of an offence against this Act.
- (3) If it is made to appear to the President that a decision with respect to any such product as is mentioned in subsection (1) of this section has in pursuance of Article 11 of the Geneva Convention (No.2) been communicated by the Secretary-General of the United Nations to the parties to the said Convention, the President may by order, as the case requires, either declare the provisions of the said Part III shall apply to that product in the same manner as they apply to the drugs mentioned in subsection (1) of section 9 of this Act, or apply the said Part III to that product with such modifications as may be specified in the order.
- (4) The President may by order apply Part III of this Act, with such modifications as may be specified in the order, to any of the following drugs, that is to say, methyilmorphine (commonly known as codeine), ethylmorphine (commonly known as dionin) and their respective salts.

PART V

Control of external trade in dangerous drugs

10. Definitions for purpose of Part V

For the purposes of this Part-

"Convention" in relation to any international procedure in respect of any drug means the Geneva Convention (No.1) and the Geneva Convention (No.2) or such one of these Conventions as allows of such procedure being reciprocally adopted in respect of such drug by the parties to the Convention;

"Conveyance" includes ship, motor, aircraft, train, and any other means of transport by which goods may be brought into or taken from Nigeria;

"Dangerous drug" means-

- (a) raw opium, cocoa leaves, and Indian hemp;
- (b) any drug to which Part III applies at the commencement of this Act or to which the said Part may hereafter be applied under subsection (2) of section 9 or, with or without modifications, under subsection (3) of section 9 of this Act:

Provided that the expression shall not be deemed to include any drug mentioned in paragraph

- (a) where such inclusion would involve a conflict between any provision of this Part and any provision of the Indian Hemp Act;

"Diversion certificate" means a certificate issued by the competent authority of a country through which a dangerous drug passes in transit, authorising the diversion of such drug to a country other than that specified as the country of ultimate destination in the export authorisation, and containing all the particulars required to be included in an export authorisation, together with the name of the country from which the consignment was originally exported;

"Export authorisation" means an authorisation issued by a competent authority in a country from which a dangerous drug is exported, containing full particulars of such drug, and the quantity is authorised to be exported, together with the names and addresses of the exporter and the person to whom it is to be sent, and stating the country to which, and the period within, it is to be exported;

"Import authorisation" means a licence, issued by a competent authority, authorising the importation of a specified quantity of a dangerous drug and

containing full particulars of the drug, together with the name and address of the person authorised to import the drug, the name and address of the person from whom the drug is to be obtained, and specifying the period within which the importation must be effected;

"Import certificate" means a certificate substantially as in Form A in the Schedule to this Act, issued by a competent authority in a country into which it is intended to import dangerous drugs.

11. Export of dangerous drugs

- (1) Upon the production of an import certificate duly issued by the competent authority in any country, it shall be lawful for the Comptroller-General of the Customs Services to issue an export authorisation as in Form B in the Schedule to this Act, in respect of any drug referred to in the import certificate, to any person who is named as the exporter in such certificate, and is, under the provisions of this Act, otherwise lawfully entitled to export such drug from Nigeria.
- (2) The export authorisation shall be prepared in triplicate; two copies shall be issued to the exporter who shall send one copy with the drug to which it refers when such drug is exported and the Comptroller-General of the Customs Services shall send the third copy direct to the appropriate authority of the country of ultimate destination but where the intended exportation is to a country which is not a party to the Convention, it shall not be necessary to produce an import certificate as aforesaid.
- (3) In all cases it shall be in the absolute discretion of the Comptroller-General of the Customs Services to issue or refuse an export authorisation, as he may see fit.
- (4) No dangerous drug shall be exported from Nigeria unless the consignor is in possession of a valid and subsisting export authorisation relating to such drug granted under this Act.
- (5) At the time of exportation of any dangerous drug the exporter shall produce to the Comptroller-General of the Customs Services the dangerous drug, the export authorisation relating thereto, and such other evidence as the Comptroller-General of the Customs Services may

require to satisfy him that the drug is being lawfully exported to the place and person named in the authorisation which refers to it.

- (6) No person shall export, cause to be exported, or take any steps preparatory to exporting any dangerous drug from Nigeria except in pursuance of and in accordance with provisions of this Act.

12. Import of dangerous drugs

- (1) An import authorisation as in Form C in the Schedule to this Act permitting the importation into Nigeria of any dangerous drug specified therein, may be granted by the Minister of Health, subject to such conditions as he shall deem fit, to any person who may lawfully import such drug and in all cases it shall be within the absolute discretion of the Minister of Health to issue or refuse an import authorisation, as he may see fit.
- (2) Every import authorisation shall be issued in duplicate of which one copy shall be forwarded by the intending importer to the person from whom the drug is to be obtained.
- (3) No dangerous drug shall be imported into Nigeria unless the person to whom the drug is consigned is in possession of a valid and subsisting import authorisation granted in pursuance of this section.
- (4) Every dangerous drug imported into Nigeria from a country which is a party to the Convention shall be accompanied by a valid subsisting export authorisation or diversion certificate.
- (5) No person shall import, cause to be imported, or take any steps preparatory to importing, any dangerous drug into Nigeria except in pursuance of and in accordance with the provisions of this Act.

13. Dangerous drugs in transit

- (1) No person shall bring any dangerous drug to Nigeria in transit unless -
 - (a) the drug is in course of transit from a country from which it may lawfully be exported, to another country into which such drug may lawfully be imported; and

- (b) except where the drug comes from a country not a party to the Convention, it is accompanied by a valid and subsisting export authorisation or diversion certificate, as the case may be.
- (2) Where any dangerous drug in transit is accompanied by an export authorisation or diversion certificate and the Comptroller-General of the Customs Services has reasonable grounds for believing that such authorisation or certificate is false, or that it has been obtained by fraud or willful misrepresentation of a material particular, it shall be lawful for the Comptroller-General of the Customs Services to seize and detain the drug to which such authorisation or certificate relates and upon being satisfied that such authorisation or certificate is valid or has not been obtained by fraud or misrepresentation as aforesaid, the Comptroller-General of the Customs Services shall release the drug.
- (3) Where the dangerous drug in transit is not accompanied by an export authorisation or diversion certificate by reason of the fact that the drug comes from a country not a party to the Convention and the Comptroller-General of the Customs Services has reasonable grounds for believing that such drug is being conveyed in an unlawful manner or for an unlawful purpose or is in course of transit for the purpose of being imported into another country in contravention of the laws of that country, it shall be lawful for the Comptroller-General of the Customs Services to seize and detain the drug.
- (4) Where a dangerous drug brought into Nigeria in transit is landed, or trans-shipped in Nigeria, it shall remain under the control of the Comptroller-General of the Customs Services and shall be moved only under and in accordance with a removal licence granted in pursuance of section 14 of this Act.
- (5) Nothing in this section contained shall be deemed to apply to any dangerous drug in transit by post or in transit by air if the aircraft passes over Nigeria without landing, or to such quantities of dangerous drugs as may, bonafide, reasonably form part of the medical stores of any ship or aircraft.

14. Removal licences

- (1) No person shall-
 - (a) remove any dangerous drug from the conveyance by which it is brought into Nigeria in transit; or
 - (b) in any way move any such drug in Nigeria at any time after removal from such conveyance except under and in accordance with a licence as in Form D in the Schedule to this Act (in this Act referred to as a removal licence) issued by the Comptroller-General of the Customs Services; in all cases it shall be in the absolute discretion of the Comptroller-General of the Customs Services to issue or refuse a removal licence as he shall deem fit.
- (2) No removal licence for the transfer of any such drug to any conveyance for removal out of Nigeria shall be issued unless and until a valid and subsisting export authorisation or diversion certificate relating to it is produced to the Comptroller-General of the Customs Services, save that where the drug has come from a country not a party to the Convention, this subsection shall not apply.
- (3) The provisions of this section shall not apply to dangerous drugs in transit by post.

15. Drugs not to be tampered with

It shall be unlawful for any person to cause any dangerous drug in transit to be subjected to any process, which would alter its nature, or wilfully to open or break any package containing a dangerous drug in transit except upon the instructions of the Comptroller-General of the Customs Services and in such manner as he may direct.

16. Diversion of dangerous drugs

- (1) No person shall, except under the authority of a diversion certificate as in Form E in the Schedule to this Act, cause or procure any dangerous drug brought into Nigeria in transit to be diverted to any destination other than that to which it was originally consigned and in the case of any drug in transit accompanied by an export authorisation or a diversion certificate issued by a competent authority of some other

country, the country to which the drug was originally consigned shall be deemed to be the country stated in such export authorisation or diversion certificate to be the country of destination.

- (2) The Comptroller-General of the Customs Services may in his absolute discretion issue a diversion certificate in respect of any dangerous drug in transit upon production to him of a valid and subsisting import certificate issued by a competent authority in the country to which it is proposed to divert the drug, or if that country is not a party to the Convention upon such evidence as may satisfy him that the drug is to be sent in a lawful manner and for a proper purpose.
- (3) A diversion certificate shall be issued in duplicate; one copy thereof shall accompany the drug when it is exported from Nigeria and another copy shall be dispatched by the Comptroller-General of the Customs Services direct to the proper authority in the country to which the consignment has been diverted.
- (4) Upon the issue of a diversion certificate, the export authorisation or diversion certificate (if any) accompanying the drug on its arrival in Nigeria, shall be detained by the Comptroller-General of the Customs Services and returned to the authority issuing such authorisation or diversion certificate, together with a notification of the name of the country to which such drug has been diverted. PART VI

General

17. Powers of inspection

- (1) Any police officer or other person authorised in that behalf by any general or special order of the Minister of Health of the Federal Government of Nigeria shall, for the purposes of the execution of this Act, have power to enter the premises of any person carrying on the business of a producer, manufacturer, seller or distributor of any drugs to which any Part of this Act applies, and to demand the production of and to inspect any book or documents relating to dealings in any such drugs and to inspect any stocks of any such drugs.

- (2) If a magistrate is satisfied by information on oath that there is reasonable ground for suspecting that any drugs to which any Part of this Act applies are, in contravention of the provisions of this Act or any regulations made hereunder, in the possession or under the control of any person in any premises or vessel, or that any document directly or indirectly relating to or connected with any transaction or dealing which was, or any intended transaction or dealing which would if carried out be, an offence under this Act, or in the case of a transaction or dealing carried out or intended to be carried out in any place outside Nigeria, an offence under the provisions of any corresponding law in force in that place, is in the possession or under the control of any person in any premises or vessel, he may grant a search warrant authorising any police officer named in the warrant, at any time or times within one month from the date of the warrant, to enter, if need be by force, the premises or vessel named in the warrant, and to search the premises or vessel and any persons found therein, and, if there is reasonable ground for suspecting that an offence under this Act has been committed in relation to any such drugs which may be found in the premises or vessel in the possession of any such persons, or that any document which may be so found is such a document as aforesaid, to seize and detain those drugs or that document, as the case may be.
- (3) If any person wilfully delays or obstructs any person in the exercise of his powers under this section or fails to produce or conceals or attempts to conceal any such books, stocks, drugs or documents as aforesaid, he shall be guilty of an offence under this Act.

18. Fees for licences and authorities

For any licence or other authority issued under this Act by the Minister of Health or the Comptroller-General of the Customs Services there shall be paid such fee, if any, as the regulations relating to such licence, certificate or other authority may prescribe or, subject to such regulations, if any, as the Minister of Health or the Comptroller-General of the Customs Services, as the case may be, shall deem proper.

19. Offences and penalties

- (1) Any person-

- (a) who does any act declared by this Act or by any regulation hereunder not to be lawful or who acts in contravention of, or fails to comply with, any of the provisions of this Act or of any regulation hereunder; or
- (b) who acts in contravention of, or fails to comply with, the conditions of any licence issued or authority granted under or in pursuance of this Act; or
- (c) who for the purpose of obtaining, whether for himself or for any other person, the issue, grant or renewal of any such licence or authority as aforesaid, makes any declaration or statement which is false in any particular, or knowingly utters, produces or makes use of any such declaration or statement or any document containing the same; or
- (d) who in Nigeria aids, abets, counsels or procures the commission in any place outside

Nigeria of any offence punishable under the provisions of any corresponding law in force in that place, or does any act preparatory to, or in furtherance of, any act which if committed in Nigeria would constitute an offence under this Act, shall be guilty of an offence under this Act.

- (2) Every person guilty of an offence under this Act, shall, in respect of each offence, be liable to a fine of two thousand naira, or to imprisonment for a term of ten years, or to both; and shall, in every case on conviction for the offence, forfeit all articles in respect of which the offence was committed, and the court before which the offender was convicted may order any forfeited articles to be destroyed or otherwise disposed of as the court deems fit.
- (3) No person shall, on conviction for any offence of contravening or failing to comply with any regulation under this Act relating to the keeping of books or the issuing or dispensing of prescriptions containing drugs to which this Act applies, be sentenced to imprisonment without the option of a fine or to pay a fine exceeding one hundred naira, if the court dealing with the case is satisfied that the offence was committed through inadvertence and was not preparatory to, or committed in the course of, or in connection with, the commission or intended commission of any other offence under this Act.

- (4) If any person attempts to commit an offence against this Act, or solicits or incites another person to commit such an offence, he shall, without prejudice to any other liability, be liable to the same punishment and forfeiture as if he had committed an offence under this Act.
- (5) Where a person convicted of an offence under this Act is a company, the chairman and every director and every officer concerned in the management of the company shall be guilty of the like offence unless he proves that the act constituting the offence took place without his knowledge or consent.
- (6) Every magistrate, whether in Federal Capital Territory, Abuja or in any State, shall, notwithstanding anything contained in any enactment, have jurisdiction for the summary trial of any offence under this Act and may impose the punishment provided by this section for that offence. 20.
Burden of proof

In any proceedings against any person for an offence under this Act, it shall not be necessary to negative by evidence any licence, authority or other matter of exception or defence, and the burden of proving any such matter shall lie on the person seeking to avail himself thereof.

21. Power of arrest

Any police officer may arrest without warrant any person who has committed, or attempted to commit, or is reasonably suspected by the police officer of having committed or attempted to commit an offence under this Act.

SCHEDULE

FORM A

[Section 10.]

IMPORT CERTIFICATE issued by the Government of Nigeria.

Serial No.....

File No

INTERNATIONAL OPIUM CONVENTIONS

Certificate of official approval of import

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

.....
..... (a) Name, address and business of importer.

.....
.....

(b) Exact description and amount of drug to be imported of (b)

.....
.....

(c) Name and address of firm in exporting country from which the drug is to be obtained from

.....
subject to the following conditions

(d) State any special conditions to be observed, e.g., not to be imported through the post.

(d)
.....

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

- (1) *For legitimate purposes
(in the case of raw opium, the coca leaf or preparations of which resins from Indian hemp form the base); or
- (2) *Solely for medicinal or scientific purposes

(in the case of drugs to which Chapter III of the International Opium Convention, 1925, applies).

(Signature)

(Minister of Health)

(Date)



FORM B [Section 11.]

File No.....

Applicant's

Serial No.....

LAWYARD®

Export authorisation

In pursuance of the Dangerous Drugs Act, the Comptroller-General of the Customs Services hereby authorises

..... (hereinafter called "the exporter") to export from.....

.....

(1) *the port
of.....
.....by

S.S

(2) *Nigeria by parcel post in parcels from the.....

in..... Post Office
.....

.....to.....

.....

in virtue of Import Certificate
No.....

issued

by.....

.....

the following drugs:-

.....

.....

This authorisation (see note (1) below) is issued subject to the following conditions-

1. This authorisation is not a licence to obtain or be in possession of the drugs named herein.
2. This authorisation is available only for drugs of the exact quantity, kind and form specified above.
3. This authorisation does not relieve the exporter from compliance with any Customs Regulations in force for the time being relating to the exportation of goods from Nigeria nor from any provision of the Nigerian Postal Services Act or of any Nigerian Postal Service Department Regulations for the time being in force, nor from any rules or regulations respecting the transmission of articles by post which may for the time being be in force, whether within Nigeria or elsewhere.

4. If the drugs are authorised to be exported by ship the duplicate copy, which is attached, shall accompany the consignment to the place of destination, and for this purpose the exporter shall cause it to be delivered to the master of the vessel by which the consignment is despatched. (See note (2) below.)
5. If the drugs are authorised to be exported by post the attached duplicate copy shall be placed inside the outer wrapper of the parcel containing the drugs. If the drugs are contained in more than one parcel, the duplicate copy shall be placed inside the outer wrapper of one of them; the parcels shall be consecutively numbered on the outer wrapper, and on each parcel there shall be legibly stated the number of the parcel in which the duplicate copy is to be found. (See note (3) below.)
6. The exporter, if so required by the Comptroller-General of the Customs Services, shall produce to him within such time as he may allow, proof to his satisfaction that the said drugs were duly delivered at the destination named in this authorisation, and in the event of non-compliance with this condition the authorisation shall be deemed void and of no effect.
7. The exporter shall furnish to the Comptroller-General of the Customs Services such returns of the goods exported by him in pursuance of this authorisation as may from time to time be required.
8. This authorisation is valid only for the exporter named above and may be revoked at any time by the Comptroller-General of the Customs Services. It shall be produced for inspection when require by any duly authorised person.
9. This authorisation, unless sooner revoked, shall continue in force for three calendar months from the date hereof. It must be produced, at the time of export, to an officer of:

.....

(1) *the Nigerian Customs Service,

(2) *the Nigerian Postal Service, who will retain it.

If not used, it shall be surrendered to the Comptroller-General of the Customs Services within seven days of the date of its expiry.

.....
(Signature and stamp of Comptroller- General of the Customs Services)

(Date)

NOTES

- (1) If any alteration is desired in this authorisation it must be returned with a request for amendment and a statement of the reasons therefore. No unauthorised alteration is permissible.
- (2) In the case of drugs exported by ship this document is required in pursuance of the International Opium Convention, 1925, Article 15, to be produced to the competent authorities of any country through which the consignment passes, whether it is transshipped or not. Failure to comply with the condition may lead to delay or confiscation of the consignment.
- (3) In the case of drugs exported by post, failure to comply with this condition may lead to delay or confiscation of the parcels in the country of destination.

FORM C [Section 12.]

INTERNATIONAL OPIUM CONVENTIONS

Import authorisation and certificate of official approval of import

*Here insert name and full postal address of importer.

I, being the person charged with the administration of the law relating to the dangerous drugs to which the International Opium Conventions apply, hereby certify that I have authorised*

.....
(hereinafter called "the importer") to import the drugs specified in the Schedule hereto, which I am satisfied are required-

- (1) *for legitimate purposes
(in the case of raw opium, the coca leaf or preparations of which resins from Indian hemp form the base); or
- (2) *Solely for medical or scientific purposes
(in the case of drugs to which Chapter III of the International Opium Convention, 1925, applies)

from:

.....
.....

(Here insert name and full postal address of exporter) This authorisation is issued subject to the following conditions-

1. The drugs shall be imported before [date].
2. This authorisation is not a licence to be in possession of or to supply the drug imported.
3. This authorisation does not relieve the importer from compliance with any Customs Regulations in force for the time being relating to the importation of goods into or trans-shipment of goods in Nigeria or any Nigerian Postal Service Regulations for the time being in force in Nigeria.
4. This authorisation is valid for the importer and may be revoked at any time by the Minister of Health to whom it shall in that event be immediately surrendered. It shall be produced for inspection when required by any duly authorised person.
5. This authorisation, unless sooner revoked, shall be surrendered to the customs officer at the time of importation, or, if the importation is not effected before the date specified in condition No.1, shall immediately after that date be surrendered to the Minister of Health.

6. The copy of the export authorisation, if any, which accompanied the consignment shall be forwarded to the Minister of Health immediately the importation of the consignment has been effected.

.....

(Signature and stamp of the
Minister of Health)

(Date)



SCHEDULE

specifying the drugs and quantities thereof to be imported.

One copy of this authorisation is to be retained by the importer and is not to leave his possession until it is surrendered to the Minister of Health or to the customs officer, who will complete the certificate on the back and return it to the Minister of Health.

The duplicate copy is solely for production to the Government of the country from which the drug is proposed to be obtained.

Endorsement by customs officer at the time of importation

I hereby certify that the person named overleaf has today imported the consignment thereon specified.....
under Customs Entry No.

Dated..... †by registered parcel post or insured box post
(Parcel No..... dated.....).

.....

(Signature of Customs Officer)

Port Stamp..... Rank
.....

Port..... Date
.....

If the whole of the drugs for which this authorisation has been granted is not imported, the customs officer should suitably amend the certificate above, and insert below the actual amount or items imported.

AMOUNT

DESCRIPTION OF ITEMS

This authorisation, when completed, must be returned by the customs officer to the Minister of Health.

FORM D
[Section 14.]

Licence for the removal of dangerous drugs in transit

..... is hereby authorised to move the
dangerous drugs described

hereunder from.....
to.....

Nature and quantity of dangerous drugs.....Particulars of export authorisation (or diversion certificate), if any, relating theretoName of ship on which the drugs were brought into Nigeria.....

Date of arrival.....

Number of packages.....

Marks and numbers on packages.....

This licence is issued subject to the following conditions-

- (1) This licence is valid only for the removal of the drugs specified above.
- (2) The removal of the drugs shall take place between..... a.m. /p.m. and- a.m./p.m. on the..... 20
- (3) If the removal of the drugs does not take place within the hours and on the day specified, this licence must be returned to the Comptroller-General of the Customs Services forthwith; and in any case shall be surrendered when the removal has taken place.
- (4) The drugs must not be moved unless an officer of the Nigeria Customs Service is present.
- (5) This licence does not authorise the person named above to be in possession of the drugs otherwise than for the purpose of removing them in accordance with this licence.
- (6) The packages containing the drugs are not to be opened or broken in the course of the removal.
- (7) This licence shall be produced at any time when required by a duly authorised person.

.....

(Signature and stamp of Comptroller-
General of the Customs Services)

(Date).....

FORM E

[Section 16.]

INTERNATIONAL OPIUM CONVENTIONS

Diversion certificate

I, being the person charged with the administration of the law relating to the dangerous drugs to which the International Opium conventions apply, hereby certify that I have authorised the diversion of the consignment of drugs, of which particulars are given below, to the destination stated below:

Description and quantities of drugs.....

Name of vessel on which the consignment was brought to Nigeria.....

Name and address of the exporter.....

Number and date of export authorisation and authority by whom issued
..... Name and address of original consignee named
in the export authorisation.....

Name and address of consignee to whom the consignment is authorised to be
diverted.....
.....

Number and date of import certificate (and authority by whomissued) by virtue of which this diversion is authorised

Name of vessel on which the consignment is authorised to be carried

.....
from (name of port in Nigeria).

Period within which the consignment is to be carried from Nigeria

This certificate is issued subject to the following conditions-

- (1) The duplicate copy of this certificate shall accompany the consignment to the place of destination, and for this purpose shall be delivered to the Master of the vessel by which the consignment is despatched.
- (2) This certificate does not relieve any person who may be concerned with the carriage of the consignment of drugs specified above from compliance with any Customs Regulations in force for the time being relating to the exportation of goods from Nigeria.
- (3) This certificate is valid only for the consignment and for the period specified above, and may be revoked at any time.
- (4) If the consignment of drugs is not carried from Nigeria within the period specified above, this certificate shall be surrendered to the Comptroller-General of the Customs Services.
- (5) This certificate shall be produced at any time when required by a duly authorised person.

(Signature and stamp of Comptroller-General of the Customs Services) (Date)

NOTES

- (1) If any alteration is desired in this authorisation it must be returned with a request for amendment and a statement of the reasons therefore. No unauthorised alteration is permissible.
- (2) This document is required in pursuance of the International Opium Convention, 1925, Article 15, to be produced to the competent authorities of any country through which the consignment passes, whether it is trans-shipped or not. Failure to comply with the conditions may lead to delay or confiscation of the consignment.

DANGEROUS DRUGS ACT



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