

Tanzania

## Drug Control and Enforcement Act Chapter 95

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# Tanzania

## Drug Control and Enforcement Act

### Chapter 95

Commenced on 15 September 2015

*[This is the version of this document at 30 November 2019.]*

**An Act to make robust legislative rules for efficient and effective control of narcotic drugs and psychotropic substances; to provide for the establishment of the Drug Control and Enforcement Authority for the prevention and control of drug trafficking; to repeal the Drugs and Prevention of Illicit Traffic in Drugs Act and to provide for other related matters.**

### Part I – Preliminary provisions

#### 1. Short title and application

- (1) This Act may be cited as the Drug Control and Enforcement Act.
- (2) This Act shall apply to Mainland Tanzania.
- (3) In respect of Part III and IV, it shall also apply to conduct—
  - (a) inside or outside Mainland Tanzania on-board a Tanzania ship or any other conveyance;
  - (b) outside Mainland Tanzania, to—
    - (i) a citizen or a person who ordinarily resides in the United Republic;
    - (ii) a body corporate incorporated in or carrying on business in Mainland Tanzania;
    - (iii) any other person, in relation to the supply or possible supply by that person of any narcotic drug or psychotropic substance to a person in Mainland Tanzania;
    - (iv) a conveyance registered in or having a nationality of a Convention State other than Tanzania;
    - (v) a conveyance not registered in any state; or
    - (vi) on a ship assimilated under the international law of the sea, a ship of no nationality.

*[Act No. 15 of 2017 s. 2]*

#### 2. Interpretation

In this Act, unless the context requires otherwise—

"**addict**" means a person with a condition such that—

- (a) administration of a drug results in the person demonstrating impaired control in relation to use of that drug, or drug-seeking behavior suggesting such impaired control; and
- (b) cessation of the administration of the drug is likely to result in the person experiencing symptoms of mental or physical distress or disorder;

*[Act No. 15 of 2017 s. 3]*

"**Authority**" means the Drug Control and Enforcement Authority established under [section 3](#);

"**authorised officer**" means any person authorized to perform duties and functions conferred to him under this Act;

"**cannabis**" means any part of the plant of the genus cannabis, excluding the seeds, the mature stock, or fibre produce from the cannabis plant or cannabis resin;

"**cannabis plant**" means a plant of the genus cannabis by whatever name called and includes any part of that plant containing tetrahydro-cannabinol;

"**cannabis resin**" means the separated resin where the crude or purified is obtained from the cannabis plant;

"**coca leaf**" means—

- (a) the leaf of the coca plant except a leaf from which all ecgonine, cocaine and any other ecgonine alkaloids have been removed;
- (b) any mixture with or without any neutral material, which does not include any preparation containing no more than 0.1 percent of cocaine;

"**coca plant**" means the plant of any species of the genus erythroxyton;

"**Council**" means the National Drug Control Council established under [section 5](#);

"**conveyance**" means a conveyance of any description whatsoever and includes an aircraft, vehicle or vessel;

"**Convention State**" means any state which is a signatory to the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988, or any other related international conventions or protocol or other instrument amending it;

"**court**" means—

- (a) in respect of an offence for contravention of [section 7](#), [11](#), [15A](#), [17](#), [18](#), [19](#), [20](#), [21](#), [22](#), [25](#), [34](#), [39](#), [42](#), [47](#), [51A](#), [54](#) or [65](#) means subordinate court;
- (b) in respect of an offence for contravention of [section 15](#), [16](#) or [23](#), means the High Court;

"**cultivate**" includes planting, saving, scattering the seed, graving, mortaring, lending or harvesting;

"**dentist**" means a person registered or licenced under the Medical Practitioners and Dentists Act;

[Cap. 152]

"**drug**" means a narcotic drug or psychotropic substance set out in the First Schedule to this Act;

"**export from the United Republic**" with its grammatical variations and cognate expressions, means taking out of the United Republic to a place outside United Republic;

"**import into Mainland Tanzania**" with its grammatical variations and cognate expressions, means to bring into the Mainland Tanzania from a place outside Mainland Tanzania and it includes an act to bring into any port or airport or other place in Mainland Tanzania a narcotic drug or psychotropic substance with intention of taking such narcotic drug or psychotropic substance outside Mainland Tanzania without being removed from the vessel, air craft, vehicle or any other conveyance in which it is carried;

"**International Convention**" means—

- (a) a Single Convention on Narcotic Drugs, 1961, adopted by the United Nations Conference at New York in March, 1961;
- (b) a Protocol amending the Convention mentioned in subclause (a), adopted by the United Nations Conference at Geneva in March, 1972;

- (c) a Convention on Psychotropic Substances, 1971, adopted by the United Nations Conference at Vienna in February 1971;
- (d) the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, adopted at Vienna on 19th December, 1988; and
- (e) any other international Convention or protocol or other instrument amending an international Convention, relating to narcotic drugs or psychotropic substances, which may be ratified or acceded to by the United Republic after the commencement of this Act;

"**khat**" means leaves and young shoots of a plant *cathaedulisforsk*, a species belonging to a plant family *celastraceae*;

"**khat plant**" means a flowering green leaf plant of the family *celastraceae* which contains the alkaloid chemical compounds named cathinone and cathine;

"**manufacture**" in relation to narcotic drugs or psychotropic substances, includes—

- (a) all processes other than production by which such drugs or substances may be obtained;
- (b) refining of such drugs or substances;
- (c) transformation of such drugs or substances; and
- (d) making of preparation otherwise than in a pharmaceutical industry or pharmacy on prescription with or containing such drugs or substances;

"**manufactured drug**" means—

- (a) all coca derivatives, medicinal cannabis, opium derivatives and poppy straw concentrate;
- (b) any other narcotic substance or preparation which the Authority may, having regard to the available information as to its nature or to a decision, if any, under any International Convention, by notice in the *Gazette*, declared to be a manufactured drug, but shall not include any narcotic substance or preparation which the Authority may, having regard to the available information as to its nature or to a decision, if any, under any International Convention, by notice in the *Gazette*, declare not to be a manufactured drug;

"**medical practitioner**" means a person registered or licensed under the Medical Practitioners and Dentists Act;

[Cap. 152]

"**medicinal cannabis**" means any extract or tincture of cannabis;

"**Minister**" means the Minister responsible for drug control;

"**narcotic drug**" means any substance specified in the First Schedule or anything that contains any substance specified in that First Schedule to this Act;

"**officer**" means a person appointed or employed in accordance with [section 8\(1\)](#) or any other law enforcement officer under other laws of Tanzania enforcing or performing powers and duties under this Act;

"**opium**" means—

- (a) the coagulated juice of the opium poppy; and
- (b) any mixture, with or without any neutral material, of the coagulated juice of the opium poppy which does not include preparation containing no more than 0.2 percent of morphine;

"**opium derivative**" means—

- (a) medicinal opium, that is, opium which has undergone the processes necessary to adapt it for medicinal use in accordance with the requirements of the Tanzania Medicine and Medical Devices Act or any other pharmaceutical notified in this behalf by the Government, whether in powder form or granulated or otherwise or mixed with neutral materials;

[Cap. 219]

- (b) prepared opium, that is, any product of opium obtained by any series of operations designed to transform opium into an extract suitable for smoking and the other residue remaining after opium is smoked;
- (c) phenantrene alkaloids, namely, morphine, codeine, the baine and their salts;
- (d) iacetylmorphine, that is, the alkaloid also known as diamorphine or heroin and its salt; and
- (e) all preparations containing more than two percent of morphine or containing any diacetylmorphine;

**"opium poppy"** means—

- (a) a plant of the species *papaver somniferum* L; and
- (b) a plant of any other species of *papaver* from which opium or any phenanthrene alkaloid can be extracted and which the Authority may, by notice in the *Gazette*, declare to be opium poppy for the purposes of this Act;

**"place"** includes vacant land, premises, vehicle, vessel or aircraft;

**"poppy straw"** means all parts except seeds of the opium poppy after harvesting, whether in their original form or cut, crushed or powdered and whether or not juice has been extracted therefrom;

**"preparation"** in relation to a narcotic drug or psychotropic substance, means any one or more of such drugs or substances in dosage form or any solution or mixture, in whatever physical state, containing one or more of such drugs or substances;

**"precursor chemicals"** means a chemical used in the process of manufacturing of narcotic drugs or psychotropic substance as defined in Article 12 of the United Nations Convention Against Illicit Trafficking of Narcotic Drugs and Psychotropic Substances, 1988 mentioned in Table I and Table II as set out in the Second Schedule to this Act;

**"production"** means the separation of opium, poppy straw, coca leaves, cannabis or khat from the plants from which they are obtained;

**"prohibited plant"** means cannabis plant, khat plant, coca plant, *papaver somniferum* or opium poppy and *papaver setigerum*;

**"psychotropic substance"** means any substance, natural or synthetic, or any natural material or any salt or preparation of such substance or material included in a list of psychotropic substances specified in the First Schedule to this Act;

**"sell"** includes offer or expose for sale;

**"supply"** includes consignment, dispatch, transport, delivery, distribution as well as offer to supply;

**"transport"** means taking from one place to another within the United Republic;

**"trafficking"** means the importation, exportation, buying, sale, giving, supplying, storing, possession, production, manufacturing, conveyance, delivery or distribution, by any person of narcotic drug or psychotropic substance any substance represented or held out by that person to be a narcotic drug or psychotropic substance or making of any offer but shall not include—



- (a) importation or exportation of any narcotic drugs or psychotropic substance or the making of any offer by or on behalf of any person who holds a licence under this Act in accordance with the licence;
- (b) manufacturing, buying, selling, giving, supplying, administering, conveying, delivery or distribution of any narcotic drug or psychotropic substance or the making of any offer by or on behalf of any person who has a licence under this Act;
- (c) selling or supplying or administering for medical purposes, and in accordance with the provisions of this Act, or the making of any offer by a medical practitioner or veterinary surgeon or dentist or by any other person qualified to do so on the instructions of the medical practitioner, veterinary surgeon or dentist;
- (d) selling or supplying in accordance with the provisions of this Act of a narcotic drugs or psychotropic substance by a registered pharmacist;
- (e) when used in relation to narcotic drugs and psychotropic substances, means any substance specified in the First Schedule to this Act or anything which contains any substance specified in the First Schedule to this Act;

"user" means a person who smokes, inhales, ingests, injects or otherwise consumes any narcotic drug or psychotropic substance for other than medical or scientific purposes.

## **Part II – Establishment of an authority for control and combating drugs**

### **3. Establishment of Authority**

There shall be a Drug Control and Enforcement Authority.

### **4. Functions of Authority**

- (1) The functions of the Authority shall be to define, promote, coordinate and implement all measures geared towards control of drugs, drug abuse and trafficking in drugs.
- (2) In performing its functions, the Drug Control and Enforcement Authority shall—
  - (a) implement the provisions of international conventions, bilateral and multilateral agreements on control of narcotic drugs and psychotropic substances;
  - (b) develop and implement a national plan of action for drug control;
  - (c) develop guidelines for addressing drug problem and its consequences to the general public;
  - (d) update and adapt drug control laws and regulations;
  - (e) promote the prevention of drug abuse and trafficking including education, dissemination of information to the general public and other drug initiatives;
  - (f) take measures to combat drug trafficking including arrest, search, seize and investigate drug offences and other related offences;
  - (g) prevent, detect, and investigate the diversion of controlled pharmaceuticals and listed chemicals from legitimate sources while ensuring an adequate and uninterrupted supply for legitimate medical, commercial and scientific needs;
  - (h) establish a viable data collection and analysis system at the national level on drug abuse and drug trafficking;
  - (i) promote and ensuring international cooperation in drug control measures;

- (j) undertake, support and coordinate research on drug related issues;
  - (k) coordinate and support stakeholders on control of drug abuse and trafficking;
  - (l) sensitize and mobilize the community to participate in the fight against drug abuse and trafficking; and
  - (m) train personnel dealing with control of drug abuse, trafficking, money laundering and chemical precursors;
  - (n) conduct forensic investigation.  
*[Act No. 15 of 2017 s. 4]*
- (3) The Authority shall, in performing its functions and, where circumstances require, collaborate with other relevant authority of national or international bodies established or formed for purposes of carrying out functions or activities relating to preventing, combating or controlling drugs in Mainland Tanzania.
- (4) The Authority shall ensure that the requirements of the International Conventions are effectively fulfilled by the Government both at the national level and its relations with other states and international bodies in charge of drug control, as well as the implementation, at the national and international level of the drug control machinery are strengthened.
- (5) For purposes of controlling drug, drug abuse and trafficking in drugs, diversion of precursor chemicals and controlled pharmaceuticals, any other authority vested with powers to issue permit or licence to deal or engage in drug, chemicals, precursor chemicals or substances with drug related effects, shall consult the Authority before issuing import or export permit, licence or certificate.
- (6) The Authority may, by notice published in the Gazzete, make rules prescribing procedures for implementation of subsection (5).

## 5. National Drug Control Council

- (1) There shall be a National Drug Control Council.
- (2) The Council shall consist of eleven members namely—
- (a) the Prime Minister who shall be a Chairman;
  - (b) other Members shall be—
    - (i) the Minister responsible for legal affairs;
    - (ii) the Minister responsible for home affairs;
    - (iii) the Minister responsible for health;
    - (iv) the Minister responsible for community development;
    - (v) the Minister responsible for foreign affairs;
    - (vi) the Minister responsible for finance;
    - (vii) the Minister responsible youth development;
    - (viii) the Minister responsible for education;
    - (ix) the Minister responsible for agriculture; and
    - (x) the Minister responsible for transport.

- (3) Other Ministers may be called upon to serve to the Council in accordance with the agenda discussed and the Council may invite any other person to attend, if it is deemed necessary to do so.
- (4) The principal function of the Council shall be to oversee the implementation of the National Drug Control Policy.
- (5) The Council shall meet at least twice a year in regular session and whenever necessary in special session.
- (6) Where the Prime Minister is unable to discharge his functions under this section for any other reason, the Council shall be chaired by the Minister responsible for legal affairs and in his absence the Minister responsible for home affairs and, in the absence of the latter the Minister responsible for health.

## 6. Appointment of Commissioner General

- (1) There shall be a Commissioner General of the Authority who shall be appointed by the President from amongst qualified public servants.
- (2) The Commissioner General shall be the chief executive officer and accounting officer of the Authority and shall be responsible to the Council in the discharge of functions of the Authority.
- (3) The Commissioner General shall be the Secretary to the Council and be responsible for implementation of decisions of the Council.

## 7. Functions and powers of Commissioner General

- (1) The Commissioner General shall perform the following functions—
  - (a) represent the Authority within the international authorities competent in the matters related to drug control;
  - (b) encourage and coordinate drug control action implemented by relevant stakeholders;  
*[Act No. 15 of 2017 s. 5]*
  - (c) liaise with relevant international organisations on matters relating to drug control; and
  - (d) ensure or facilitate the transmission of information and data to the competent international bodies as required by the treaties.
- (2) The powers conferred on the Commissioner General shall include powers to order information from and to summon attendance of any person for the purpose of answering any question relating to drug abuse and trafficking.
- (3) The Commissioner General may, in the course of performing duties under this Act and in accordance with other relevant laws, demand, access and obtain any information from public institutions including information collected or maintained by or on behalf of other public institutions and such institution shall be obliged to provide information as may be required.
- (4) Any institution which fails to comply with the requirements of this section commits an offence under this Act.
- (5) Subject to subsection (4), where an offence is committed under this Act by an institution, every person who, at the time the offence was committed, was in charge of, and was responsible to the institution for the conduct of the business of the institution, shall be deemed to have committed an offence and be liable to be proceeded against and punished accordingly.

- (6) Nothing in subsection (5) shall render a person liable for punishment, if the person proves that the offence was committed without his knowledge or has exercised all due diligence to prevent the commission of the offence.

## 8. Staff of Authority

- (1) The Commissioner General may, with the approval of the Council, appoint or employ such number of officers and other employees of the Authority as may be necessary for the proper and efficient discharge of the functions under this Act.
- (2) The terms and conditions of service, remunerations and allowances of officers and other employees of the Authority shall, after recommendation of the Council, be submitted to the President for approval.

## 9. Advisory Committee

- (1) There is established a committee, which shall be known as the Advisory Committee.
- (2) The Committee shall have a duty of advising the Commissioner General on matters relating to drug control.
- (3) The Committee shall consist of not more than nine members drawn from Ministries, Government Departments, law enforcement agencies, Non-Governmental Organisations and other stakeholders.
- (4) The Minister shall appoint the chairman and such other persons with experience and knowledge on matters relating to drug abuse or persons whose contributions may be of significant value to the formulation and execution of national policy on illicit drugs to be members of the Advisory Committee.
- (5) The Chairman may co-opt any person to attend any of its meetings for purposes of assisting the Committee on the deliberation of its business, but that person shall have no right to vote.
- (6) The Advisory Committee shall meet at least twice a year in regular sessions and whenever necessary, in special sessions.
- (7) A representative from the Authority shall be the Secretary to the Committee.
- (8) Tenure of office for each member of the Committee shall be three years and may be eligible for another term.

*[Act No. 15 of 2017 s. 6]*

## 10. Obligation to take measures for preventing drug abuse

- (1) The Government shall endeavour to take such measures as necessary or expedient for the purpose of preventing and combating abuse of narcotic drugs, psychotropic substances and the illicit traffic.
- (2) Measures which the Government may take pursuant to subsection (1) shall include—
  - (a) co-ordination of activities done by various officers and authorities under this Act or under any other written law for the time being in force in connection with the enforcement of the provisions of this Act and obligations under International Conventions;
  - (b) render assistance to authorities in foreign countries and international organisations with a view to facilitate co-ordination and universal action for prevention and suppression of illicit traffic in narcotic drugs and psychotropic substances;

- (c) identification, treatment, education, after care, rehabilitation and social integration of drug addicts; and
- (d) such other matters as the Government deems necessary or expedient for effective preventing and combating the abuse of narcotic drugs, psychotropic substances and illicit trafficking of drugs.

### **Part III – Prohibition of possession and trafficking of narcotic drugs and psychotropic substances**

#### **11. Prohibition of cultivation of certain plants and substances**

- (1) Any person who—
  - (a) cultivates any prohibited plant;
  - (b) possesses or supplies seeds in production of drugs;
  - (c) being the owner, occupier or concerned in the management of any land or piece of land, permits the land to be used for purpose of cultivation of any prohibited plant;
  - (d) produces, possesses, sells, purchases, transports, imports into Mainland Tanzania, exports, use or does any act or omits to do anything in respect of prohibited plants which act or omission amounting to contravention of the provisions of this Act, commits an offence and upon conviction shall be liable to imprisonment for a term of not less than thirty years.
- (2) For purposes of this section, the word "cultivation" includes gathering

#### **12. Power of Authority to permit, control and regulate cultivation, production or sale of opium or coca leaves**

- (1) The Authority may, by regulations—
  - (a) permit and regulate—
    - (i) cultivation or gathering of any portion of coca plant, cannabis plant, khat plant, production, possession, sale, purchase, transport, import into the Mainland Tanzania, use or consumption of cocaleaves only on the account of government;
    - (ii) cultivation of opium poppy only on account of the Government;
    - (iii) production and manufacture of opium and production of poppy straw;
    - (iv) sale of opium and opium derivatives from Government factories for export from the Mainland Tanzania or to manufacturing chemists;
    - (v) manufacture of drugs other than prepared opium but not including manufacture of medicinal opium or any preparation containing any manufactured drugs from materials which the maker is lawfully entitled to possess;
    - (vi) manufacture, possession, transport, sale, purchase, consumption or use of psychotropic substances; or
    - (vii) importation in the Mainland Tanzania and transshipment of narcotic drugs and psychotropic substances;

- (b) prescribe any other matter requisite to render effective the control by the Government over any of the matters specified in paragraph (a).
- (2) Regulations made by the Authority may provide for regulating licensing, permits or otherwise the production, manufacture, possession, transport, import into and export from the Mainland Tanzania, sale, purchase, consumption, use, storage, distribution, disposal or acquisition of any narcotic drug or psychotropic substance.

### **13. Narcotic drugs and psychotropic substances not to be subject to distress or attachment**

Notwithstanding anything to the contrary contained in any written law or contract, no narcotic drug, psychotropic substance or prohibited plant, shall be liable for detention or attachment by any person for the recovery of money under any order of a court or authority otherwise.

### **14. List of prohibited narcotic drugs, psychotropic substances or precursor chemicals**

- (1) The list of prohibited narcotic drugs, psychotropic substances or precursor chemicals shall be as set out in the First and Second Schedules to this Act.
- (2) Subject to subsection (1), the Minister may, by notice published in the *Gazette*, amend the list set out in the First and Second Schedules.

*[Act No. 15 of 2017 s. 17]*

### **15. Prohibition of possession, trafficking, purchasing or manufacturing of narcotic drugs or psychotropic substance and precursor chemicals**

- (1) Any person who—
  - (a) trafficks in narcotic drug or psychotropic substance;
  - (b) traffics, diverts or illegally deals in any way with precursor chemicals, substances with drug related effects and substances used in the process of manufacturing of drugs; and
  - (c) directly or indirectly facilitates or causes any other person to be used as bondage for the purposes of drug trafficking, commits an offence and upon conviction shall be sentenced to life imprisonment.
- (2) Any person who produces, possesses, transports, exports, imports into the United Republic, sales, purchases or does any act or omits anything in respect of drugs or substances not specified in the Schedule to this Act but have proved to have drug related effects, or substances used in the process of manufacturing of drugs commits an offence, and upon conviction shall be sentenced to life imprisonment.
- (3) For purposes of this section, a person commits an offence under subsection (1) if such person traffics—
  - (i) narcotic drugs, psychotropic substances weighing more than two hundred grams;
  - (ii) precursor chemicals or substance with drug related effect weighing more than 100 litres in liquid form or 100 kilogram in solid form, or
  - (iii) cannabis and or khat weighing more than fifty kilogram.

*[Act No. 15 of 2017 s. 8]*

**15A. Prohibition on trafficking of narcotic drug or psychotropic substances or illegal dealing or diversion of precursor chemicals of less amount**

- (1) Any person who traffics in narcotic drugs, psychotropic substances or illegally deals or diverts precursor chemicals or substances with drug related effects or substances used in the process of manufacturing drugs of the quantity specified under this section, commits an offence and upon conviction shall be liable to imprisonment for a term of thirty years.
- (2) For purposes of this section, a person commits an offence under subsection (1) if such person traffics in—
  - (a) narcotic drugs, psychotropic substances weighing two hundred grams or below;
  - (b) precursor chemicals or substance with drug related effect weighing 100 litres or below in liquid form, or 100 kilogram or below in solid form;
  - (c) cannabis or khat weighing not more than fifty kilogram.

[Act No. 15 of 2017 s. 9]

**16. Possession of machines, equipment and laboratory for narcotic drugs and psychotropic substances**

Any person who is found in possession of a machine, equipment, laboratory or any other utensil intended for preparation, production or manufacturing of narcotic drugs or psychotropic substances, commits an offence, and upon conviction, shall be sentenced to life imprisonment in addition to a fine of not less than two hundred million shillings.

**17. Prohibition in respect of possession, use of small quantity of narcotic drugs or psychotropic substances**

- (1) Any person who in contravention of any provisions of this Act or permit issued under this Act, possesses in a small quantity any narcotic drug or psychotropic substance which is proved to have been intended for personal consumption or consumes any narcotic drug or psychotropic substance shall on conviction, notwithstanding anything contained in this Part, be liable, if—
  - (a) the narcotic drug or psychotropic substance in question is cocaine, morphine, diacetyl-morphine or any other narcotic drug or any psychotropic substance specified by the Minister by notice in the *Gazette* to a fine of not less than one million shillings, or to imprisonment for a term of five years or to both;
  - (b) the narcotic drug or psychotropic substance in question is other than those specified under paragraph (a), to a fine of not less than five hundred thousand shillings or to imprisonment for a term of three years or to both.
- (2) Where a person possesses a small quantity of narcotic drug or psychotropic substance, the burden of proving that it was intended for the personal consumption and not for sale or distribution shall lie to that person.
- (3) A term "small quantity" as used in this section means a quantity prescribed by the Minister in the regulations.

**18. Prohibition in respect of smoking, inhaling, sniffing or otherwise using narcotic drugs or psychotropic substance**

A person who—

- (a) smokes, inhales, sniffs, injects or otherwise uses any narcotic drug or psychotropic substance;
  - (b) without lawful and reasonable excuse, is found in any house, room or place illegally used for smoking, injecting inhaling, sniffing any narcotic drug or psychotropic substance; or
  - (c) without lawful and reasonable excuse, is found in possession of any pipe or other utensil for use in connection with smoking, inhaling, sniffing or otherwise using narcotic drugs or psychotropic substance,
- commits an offence, and upon conviction shall be sentenced to a fine of not less than one million shillings or to imprisonment for a term of three years or to both.

## 19. Prohibition in respect of owner or occupier of premises

- (1) A person who being the owner, occupier or person concerned with the management of any premises, enclosure or conveyance shall not permit such a premises, enclosure or conveyance to be used for the purpose of preparation of narcotic drug or psychotropic substance or for smoking, selling, injecting, inhaling, sniffing, or otherwise use such drug, unless such person has a permit from a relevant authority.
- (2) Any person who contravenes subsection (1), commits an offence and upon conviction shall be liable to a fine of not less than five million shillings or imprisonment for a term of not less than three years, or to both.

## 20. Prohibition of administering narcotic drug or psychotropic substance

- (1) Any person who—
  - (a) administers a narcotic drug or psychotropic substance or causes or permits it to be administered except where an authorised person or a medical practitioner or dentist acting in his professional capacity and in accordance with the prevailing norms and standards or professional practice, authorised;
  - (b) adds a narcotic drug or psychotropic substance to a food or drink or uses any other method to administer such drugs without the knowledge of the consumer; or
  - (c) sells, supplies or acquires a narcotic drug or psychotropic substance on presentation of prescription knowing or having reasons to believe that the prescription is forged, unlawfully obtained or acquired or was issued more than six months before presentation, commits an offence and upon conviction shall be sentenced to a fine of not less than fifty million shillings or to imprisonment for a term of not less than thirty years or to both.
- (2) Where an offence under subsection (1) is committed—
  - (a) in school or other education institutions, social service facilities or in their vicinities; or
  - (b) the victims are persons under the age of eighteen years, the person upon conviction shall be sentenced to imprisonment for a term of not less than thirty years.

*[Act No. 15 of 2017 s. 10; Cap. 4 s. 8]*

## 21. Embezzlement by authorized cultivators

Any person licensed to cultivate opium poppy by the Government and illegally disposes of opium produced or any part of it commits an offence and upon conviction shall be liable to a fine of fifteen million shillings or to imprisonment for a term of not less than thirty years or both, and the court may, for reasons to be recorded in the judgment, impose a fine of not less than thirty million shillings if the offender repeats the offence.



## 22. Breach of terms, licence or permit

Where a holder of a licence, permit or other kind of authorisation granted in accordance with the provisions of this Act—

- (a) omits, without any reasonable cause, to maintain accounts or to submit returns in accordance with this Act;
- (b) fails to produce, maintain or to submit without any reasonable cause, accounts returns in accordance with this Act;
- (c) keeps any accounts or makes any statement which is false or which he knows or has reason to believe to be incorrect; or
- (d) wilfully does any act in breach of any of the conditions of the licence, permit or authorization for which a penalty is provided in this Act, commits an offence and upon conviction shall be liable to a fine of not less than twenty five million shillings or to imprisonment for a term of not less than thirty years or to both, and in addition, his licence or permit shall be revoked.

## 23. Finance of illegal activities

Any person who knowingly directly or indirectly finances activities specified in [section 15](#) or harbours any person engaged in such activities, commits an offence and upon conviction shall be liable to a fine of not less than one billion shillings in addition to life imprisonment.

## 24. Prohibition in respect of aiding to commit offences under this Act

Notwithstanding anything contained in any other written laws, any person who—

- (a) conspires with another person to commit;
- (b) solicits, incites, aids, conceals or attempts to solicit, incite, aid, abet or conceal any other person to commit;
- (c) causes, procures or attempts to cause or procure the commission of an offence under this Act;
- (d) is otherwise directly or indirectly concerned in the commission of an offence under this Act, may be charged with in all respects as if he were the principal offender.

## 25. Preparation or attempt to commit offence

Where a person attempts to do or omits to do anything which constitutes an offence under this Part and from the circumstances of the case it may be reasonably inferred that he intended to carry out the intention to commit an offence but was prevented by circumstances independent of his will, that person shall be liable to imprisonment for a term of not less than the half of the maximum term of imprisonment with which he would have been punishable in the event of his having committed such offence, with fine of not less than half of the maximum amount of fine which that person would have been punished, had that person committed the offence.

## 26. Subsequent offence

- (1) Any person who is convicted of an offence under this Act, upon conviction shall be sentenced for the second and every subsequent offence to fine of ten million shillings or to imprisonment for life.

- (2) Where a person is convicted for offence under sections 19, 20 and 25 by the competent court outside the United Republic under any law corresponding to the provisions of our law that person in respect of the conviction, shall be dealt with for the purpose of subsection (1), as if he was convicted by a court in the United Republic.

## 27. Penalty for offences for which no penalty is provided

Any person who contravenes any provision of this Act or any condition of a licence, permit or authorisation issued under this Act, for which no punishment is specifically provided in this Part shall, upon conviction, be sentenced to a fine of not less than five million shillings but not exceeding fifty million shillings or to imprisonment for a term of not less than five years and not exceeding thirty years or to both.

*[Act No. 15 of 2017 s. 11]*

## 28. Burden of proof

- (1) In prosecution for an offence of possessing, dealing in, trafficking, selling, cultivating, purchasing, using or financing of any narcotic or psychotropic substance, the burden of proof that the narcotic or psychotropic substance, was possessed, dealt in, trafficked, sold, cultivated, purchased, used or financed pursuant to the terms of a licence, permit or authority granted under this Act or any other written law shall lie on the person charged.
- (2) Notwithstanding the provisions of subsection (1), it shall be a defence for a person charged for an offence involving possession of narcotic or psychotropic substance to prove to the satisfaction of the court that the possession of such narcotic or psychotropic substance was, considering all circumstances of the case, not conscionable.

*[Act No. 15 of 2017 s. 12]*

## 29. Unbailable offences

- (1) A police officer in charge of a police station or an officer of the Authority or a court before which an accused is brought or appear shall not admit the accused person to bail if—
- (a) that accused is charged of an offence involving trafficking of Amphetamine Type Stimulant (ATS), heroin, cocaine, mandrax, morphine, ecstasy, cannabis resin, prepared opium and any other manufactured drug weighing twenty grammes or more;
  - (b) that accused is charged of an offence involving trafficking of cannabis, khat and any other prohibited plant weighing twenty kilogram or more;
  - (c) that accused person is charged of an offence relating to precursor chemical, other substances proved to have drug related effect or substances used in the process of manufacturing drugs, thirty litres in liquid form and thirty kilograms in solid form or more; and
  - (d) a person is charged under the provision of sections 16, 20 or 23.
- (2) Where there is any inconsistency in matters relating to weight, type of chemical concerned or any other matter of similar nature provided in this section, the weight, type of chemical or that other matter determined by the Government Analyst shall prevail.

- (3) The conditions on granting bail specified in section 148 of the Criminal Procedure Act, shall *mutatis mutandis* apply to all bailable offences under this Act.

[Cap. 20]

[Act No. 15 of 2017 s. 13; Cap. 4 s. 8]

### 30. Offences by companies

- (1) Where an offence is committed under this Act by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to the company for the conduct of the business of the company, shall be deemed to have committed an offence and shall be liable to be proceeded against and punished accordingly.
- (2) Nothing in subsection (1) shall render a person liable for punishment, if the person proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of the offence.
- (3) Notwithstanding subsection (2), where any offence under this Part is committed by a company and it is proved that the offence was committed with consent or connivance of, or is attributed to any negligence on part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer of the company shall be proceeded against and punished and the company be de-registered or confiscated.

### 31. Release to certain addicts

- (1) Where a person is convicted of an offence under [section 18](#) and the court is satisfied that—
- (a) the person is a drug addict;
  - (b) the addiction resulted or caused or motivated him to commit the offence he is charged with;
  - (c) the addiction can be medically treated within a reasonable time; and
  - (d) it is in the interest of justice notwithstanding anything contained in this Act or any other written law,
- the court may record the finding, and instead of sentencing that person immediately to imprisonment, or such other sentence as it could otherwise pass, upon his consent, direct that he be released for detoxification or deaddiction to the hospital or an institution maintained or recognized by the Government.
- (2) The court shall not make any findings under subsection (1) without receiving a written report from a medical expert providing relevant information to the court which shall include—
- (a) examination of the convicted person;
  - (b) medical assessment regarding the presence and level of any addiction;
  - (c) the nature and availability of any treatment;
  - (d) the likelihood of successful treatment and time scales; and
  - (e) any other information that the medical expert or the court considers relevant.
- (3) In making a determination under subsection (1), it shall not be in the interests of justice to provide for medical treatment any convicted person in which any of the following aggravating features are present—
- (a) violence was used or threats;

- (b) weapon was used;
  - (c) part of a gang or otherwise organized crime;
  - (d) volume of drugs was more than consistent with personal use for an addict;
  - (e) the convicted person had a role in the planning, controlling or facilitating others to commit offences; and
  - (f) any other condition which the court deems fit to consider.
- (4) The court shall give satisfactory reasons of the basis upon which the findings have been made under subsection (1).
- (5) When a court makes determination under subsection (1), the court shall postpone the sentence of that person who shall enter into a bond in the form prescribed by the Authority, with or without sureties, for him to undertake the recommended medical treatment.
- (6) In determining the length of time under subsection (5), the court shall award time not exceeding twelve months for completion of the treatment during which period of sentence shall be postponed and the bond extended.
- (7) The court may, as it deems fit, order a medical progress report to be provided in a period not exceeding three month intervals, and such report shall contain assessment of the health condition of the convicted person, levels of cooperation and likely outcome.
- (8) Before the expiry of twelve months, the convicted person shall appear before the court for consideration of whether or not to be released without further sanction or if the convicted person has failed to cooperate or otherwise has shown bad faith that calls for imposition of sentence for the original offence.

*[Act No. 15 of 2017 s. 14; Cap. 4 s. 8]*

#### **Part IV – Arrest procedure**

### **32. Application of Criminal Procedure Act with necessary modification**

- (1) The officers of the Authority shall have powers of arrest, search, seizure and investigation in relation to offences under this Act and other related offences.
- (2) The officers of the Authority shall, in exercising the powers under subsection (1) and where circumstances require, consult and cooperate with other relevant authorities.
- (3) The provision of any law in force in the United Republic in relation to the general powers and duties of investigation, arrest, search and seizure by officers of the police, customs officer or any other person having powers of arrest, shall apply to this Act.
- (4) The officer of the Authority shall have powers to arrest, search, seize, investigate and record statements in relation to any matter under this Act as if he is a police officer discharging duties and exercising powers under the Criminal Procedure Act or customs officer under the Customs (Management and Tariff) Act or any other law conferring powers of arrest and seizure.

*[Cap. 20; Cap. 403]*

- (5) The provisions of any law in force in the United Republic in relation to the general powers and duties of the investigation, arrest, search, seizure and record statements by the police officer, customs officers or any other person having powers of the arrest, shall apply to officer under this Act.

- (6) Anything seized or recorded by the officer shall be admissible in court as evidence.
- (7) Any such officer referred to under subsection (1), may at any time—
  - (a) enter into and search any buildings, conveyance, or place;
  - (b) in case of resistance, break, open any door or remove any obstacle to such entry;
  - (c) seize—
    - (i) anything with respect to which any offence has been or is suspected to have been committed;
    - (ii) anything with respect to which there are reasonable grounds to suspect that it will afford evidence as to the commission of any offence; or
    - (iii) anything in respect of which there are reasonable grounds to suspect that it is intended to be used for the purpose of committing any offence.
- (8) Where an officer takes down any information or records grounds for arrest he shall immediately thereafter submit a copy of the information or record to his immediate superior.

*[Act No. 15 of 2017 s. 15]*

### **33. Procedure of seizure where confiscation is not possible**

Where it is not possible to seize any goods including standing crops which are liable for confiscation, any officer authorised under [section 32](#) may serve on the owner or person in possession of the goods, and order that he shall not remove, part with or otherwise deal with goods except with the prior permission of such officer.

### **34. Land owners duty to give information of crops illegally cultivated**

Every owner, occupier or a person concerned in the management of any land, premises or place, shall give immediate information to any officer of police or any officer of the departments mentioned in section 32 of all drug crops, any narcotic drug or psychotropic substance which may be illegally cultivated, produced or manufactured within his land, premises or place and every such holder who knowingly neglects to give such information, commits an offence, and upon conviction shall be sentenced to a fine of not less than five million shillings but not exceeding fifty million shillings or imprisonment for a term of not less than five years but not exceeding thirty years or to both.

*[Act No. 15 of 2017 s. 16]*

### **35. Powers of attachment of crops illegally cultivated**

Any officer empowered under this Act, may order attachment of any opium poppy, cannabis plant, khat, coca plant or any other drug crop which he has reason to believe to have been illegally cultivated and may pass such order, including an order to destroy the crop, as he thinks fit.

### **36. Authority to direct certain substance to be disposed of**

- (1) The Authority may, having regard to the hazardous nature of any narcotic drugs or psychotropic substances or precursor chemicals or substances used in the process of manufacturing of drugs or other substances proved to have drug related effects, vulnerability to theft, substitution, constraint of proper storage, space or other consideration, dispose of such drugs or substances in accordance with procedures specified under subsections (2) and (3).

- (2) Where any narcotic drug or psychotropic substance has been seized the officer seizing such drug or psychotropic substances or precursor chemicals or substances used in the process of manufacturing of drugs or other substances proved to have drug related effects shall prepare an inventory of such narcotic drug or psychotropic substance containing such details relating to—
- (a) their description, quantity, mode of packing, marks, numbers;
  - (b) such other identifying particulars of the narcotic drugs or psychotropic substances or precursor chemicals or substances used in the process of manufacturing of drugs or other substances proved to have drug related effects;
  - (c) packing in which they are packed;
  - (d) country of origin; and
  - (e) other particulars as such officer may consider relevant to the identity of the narcotic drugs or psychotropic substances in any proceedings under this Act
- (3) An officer seizing such narcotic drug, psychotropic substance, precursor chemicals or other substances proved to have drug related effects shall make an application to any magistrate having jurisdiction under this Act, for the purpose of—
- (a) certifying the correctness of the inventory so prepared;
  - (b) taking, in the presence of such magistrate, photographs of such drugs or substances and certifying such photographs as true; or
  - (c) allowing to draw representative samples of such drugs or substances, in the presence of such Magistrate and certifying the correctness of any list of sample so drawn,  
Provided that, where it is not practicable to secure the presence of the magistrate, the requirement of subsection (3)(b) and (c) shall be dispensed with.
- (4) Where an application is made under subsection (3), the Magistrate shall as soon as practicable allow the application.
- (5) Notwithstanding anything contained in the Evidence Act, or the Criminal Procedure Act, every court trying an offence under this Act, shall treat the inventory, the photographs of narcotic drugs or psychotropic substances and any list of samples drawn under subsection (3) and certified by a magistrate court as primary evidence in respect of such offence.

*[Cap. 6; Cap. 20]*

*[Act No. 15 of 2017 s. 17]*

### **37. Relevancy of statements under certain circumstances**

- (1) A statement made and signed by a person before an officer empowered under [section 51](#) to investigate of offences, during and in the course of an inquiry or proceedings by such officer, shall be relevant for the purpose of proving in any prosecution for an offence under this Act, the truth of the facts which it contains—
- (a) where a person who made a statement is dead or cannot be found, or is incapable of giving evidence, or is kept out of the way by the adverse party, or whose presence cannot be obtained without any amount of delay or expense which, under the circumstances of the case, the court considers unreasonable; or
  - (b) where a person who made the statement is examined as a witness in the case before a court, and the court is of the opinion that, having regard to the circumstances of the case, the statement shall be admitted in evidence in the interest of justice.

- (2) Where there is a conflict between the provisions of this section and those of the Evidence Act, the provisions of this section shall prevail.

*[Cap. 6]*

### **38. Presumption of possession of illicit articles**

In trials under this Act, it may be presumed, unless the contrary is proven that the accused has committed an offence under Part III in respect of—

- (a) a narcotic drug or psychotropic substance;
- (b) an opium poppy, cannabis plant, khat or coca plant growing on any land which he has cultivated;
- (c) machine, equipment, clandestine laboratory, apparatus or any other utensils specially adopted for production or manufacturing of any narcotic drug or psychotropic substance; or
- (d) materials which have undergone any process towards the manufacture of a narcotic drug or psychotropic substance, or any residue of the materials from which a narcotic drug or psychotropic substance has been manufactured for possession of which he fails to satisfactorily account for.

*[Act No. 15 of 2017 s. 18]*

### **39. Authorized officers to take charge of articles seized**

- (1) An officer authorized under [section 45](#) shall take charge of articles and keep in safe custody, pending orders of a magistrate and shall allow a seizing officer who may be deputed for purpose, to affix seal to such articles or take samples from them and samples so taken shall be sealed with the seal of the office of such officer.
- (2) An officer who fails to comply with conditions relating to safe custody of seized articles or causes disappearance of such articles, commits an offence and upon conviction is liable to a fine of fifteen million shillings or to imprisonment for a term of five years or to both.

### **40. Obligation of various of officers to render assistance**

All officers specified under this Act to whom specific or general functions or powers have been conferred under this Act shall, upon a notice or a request made, be legally bound to assist each other in carrying out the provisions of this Act.

### **40A. Right to possess and use firearms and ammunition**

- (1) For the purposes of carrying out their functions and duties, the officers of the Authority shall, subject to provisions of Arms and Ammunition Act, or any other written law have the right to possess and use suitable and appropriate firearms and ammunition for the purpose of this Act.
- (2) Every officer of the Authority shall have powers and privileges as conferred upon other forces by the provisions of their respective laws relating to the use of firearms and ammunition.
- (3) Any officer charged with any duty under this Act may, subject to subsections (4) and (5), use a firearm issued to him against—
  - (a) any person suspected to commit any offence ordered to surrender or is in lawful custody, charged with or convicted of an offence under this Act when such person is escaping or attempting to escape or doing any act posing danger to the officer or property where such officer has reasonable ground to believe that he cannot otherwise prevent the escape and has given a warning to such person that he is about to use such arm against him and such warning is unheeded;

- (b) any person who by force rescues or attempts to rescue any other person from lawful custody;
  - (c) any person who by force prevents or attempts to prevent the lawful arrest of himself or of any other person where such officer has reasonable ground to believe that he or any other person is in danger of grievous bodily harm and that he cannot otherwise effect such arrest or prevent such rescue;
  - (d) any property placed under custody of the officer or any other person is in danger of being destroyed or used as otherwise unlawfully:  
Provided that, the officer shall not use a firearm unless the use of the firearm and the degree to which it is used is reasonable in the circumstances.
- (4) The officer under this Act shall not, in the presence of his superior officer, use a firearm against any person except under the orders of that superior officer.
  - (5) The use of a firearm under this section shall, as far as possible, be to disable the suspect, accused or the convicted person, as the case may be.
  - (6) The powers conferred on the officer by this section shall be in addition to and not in derogation of any other powers conferred on such officer by any other written laws.

*[Act No. 15 of 2017 s. 19; Cap. 223]*

#### **41. Arrests and seizures to be reported within forty-eight hours**

A person who makes any arrest or seizure under this Act, shall, within forty-eight hours after arrest or seizure make full report of particulars of such arrest or seizure to his immediate superior.

*[Cap. 4 s. 8]*

#### **42. Vexatious or malicious entry, seizure, or arrest**

- (1) An officer who in exercise of powers conferred under this Act, and who—
  - (a) without reasonable grounds of suspicion, enters or searches or causes to be entered or searched any building, conveyance or place;
  - (b) unnecessarily seizes the property of any person on the pretence of seizing or searching for any narcotic drug or psychotropic substance or other article liable to be confiscated under this Act, or of seizing any document or article liable to be seized under this Act; or
  - (c) unreasonably detains, searches or arrests any person, commits an offence and upon conviction shall be liable to a fine of not less than two million shillings or to imprisonment for a term of not less than one year or to both.
- (2) A person who willfully or maliciously gives false information thereby causing arrest or search being made under this Act, commits an offence and upon conviction shall be sentenced to a fine of not exceeding one million shillings or to imprisonment for a term of six months or to both.

#### **43. Officers refusing to perform their duties or aiding offenders**

- (1) An officer charged with any duty by or under this Act—
  - (a) refuses to perform the duties of his office, unless he has lawful excuse for doing so;
  - (b) has been given the custody of any addict or any other person who has been charged with an offence under this Act releases him or cause him to escape;



- (c) willfully aids or connives for the contravention of any provision of this Act, commits an offence and upon conviction shall be liable to a fine of not less than five million shillings or to imprisonment for a term of not more than two years or to both.
- (2) The expression "officer" in this section includes a person employed in a hospital or institution maintained or recognised by the Government for providing de-addiction or detoxification treatment.
- (3) A court shall not take cognizance of an offence under subsection (1) except on a complaint in writing made upon sanction of the Authority.

#### **44. Powers to confiscate articles or things in connection with offence**

- (1) Where an offence under Part III has been committed, the narcotic drug, psychotropic substance, the opium poppy, coca plant, khat, cannabis plant, material, apparatus and utensils in respect of which such offence is committed shall be liable to confiscation.
- (2) Any narcotic drug or psychotropic substance lawfully produced, imported into or exported from the Mainland Tanzania, transported, manufactured, possessed, used, purchased or sold along with, or in addition to any narcotic drug or psychotropic substance which is liable for confiscation under subsection (1) and the receptacles, packages, coverings in which any narcotic drug or psychotropic substance, materials, apparatus or utensils liable to confiscation is found and the other contents of such receptacles or packages shall likewise be liable to confiscation.
- (3) Any good used for concealing narcotic drug or psychotropic substance which is liable to confiscation under this Act shall also be confiscated.
- (4) Where a narcotic drug or psychotropic substance is sold by a person having knowledge or reason to believe that the drug or substance is liable to confiscation under this Act, proceeds of sale shall be confiscated.

#### **45. Repealed**

*[Repealed by Act No. 15 of 2017 s. 20.]*

#### **46. Documents in certain cases**

Where a document—

- (a) is produced or furnished by any person or seized from the custody or control of any person under this Act, or under any other written law; or
- (b) is received from any place outside the United Republic, and is duly authenticated by such authority or person and in such manner as may be prescribed by the Authority, in the course of investigation of an offence under this Act, if such document is tendered in prosecution under this Act, in evidence against him or against any other person who is tried jointly with him, the court shall—
  - (i) admit the document in evidence, notwithstanding that it is not duly stamped, if such document is otherwise admissible in evidence; and
  - (ii) in a case falling under paragraph (a) also presume, unless the contrary is proved, the truth of the contents of such document.

#### **47. Powers of authorised officer to call for information**

- (1) An officer who is authorised under this Act may, during the course of any inquiry in connection with the contravention of any provision of this Act—

- (a) call for information from any person for the purpose of satisfying himself whether there has been any contravention of the provisions of this Act; and
  - (b) require any person to produce or deliver any document or thing useful or relevant to the inquiry.
- (2) An officer acting in exercise of powers vested in him under any provision of this Act, shall not be compelled to say where he got piece of information as to the commission of an offence.
- (3) A person who fails to supply information or comply with the requirement of this section commits an offence under this Act.

*[Act No. 15 of 2017 s. 21]*

#### **48. Arrest procedures**

- (1) Subject to the provisions of this Act, the procedures and powers conferred to the officers of the Authority under this Part shall be followed, unless in all circumstances it is unreasonable or impracticable to do so.
- (2) For purposes of subsection (1), an officer of the Authority and other enforcement organs who—
- (a) arrests a suspect shall—
    - (i) actually touch or confine the body of the person arrested unless he submits himself;
    - (ii) inform the person arrested grounds or reasons for arrest and substance of the offence he is suspected to have committed;
    - (iii) caution in writing and in a language which he understands, and, or inform that person of a right to or not to answer anything save for questions seeking particulars of his name and address, a right to call lawyer, relative or friend during interrogation;
    - (iv) interrogate a person arrested about how he came about narcotic drug or psychotropic substance or precursor chemicals, or any other substances proved containing drug related effects;
    - (v) cause or require a person arrested to admit or deny the offence in writing within twenty four hours or such other reasonable time and as it may be extended, and where necessary procure a statement before a justice of peace;
    - (vi) where the time for recording a statement is extended, the officer to inform in writing, the arrested person, such extension and the reason for extension;
    - (vii) record the dates and time when the interrogation was commenced, interrupted, continued and completed;
    - (viii) allow or permit the arrested person to correct, alter or add to the record, or make any corrections, alterations or additions to the record;
    - (ix) if a person arrested makes a statement admitting or confessing to the commission of offence or not and the statement is recorded, the recording officer shall read or cause it to be read to the arrested person and sign immediately below the last line of recorded statement and allow other person in attendance, if any to sign as a witness to a signature of a person arrested;
    - (x) the recording officer to write or cause to be written at the end of the statement a certificate certifying correctness of the statement in accordance with a form set out in the Third Schedule to this Act;

- (xi) if an officer has audio, video, digital or other media equipment upon which an accurate recording of any interrogation can be made, such officer may use such equipment to make a recording of the interrogation of any offence committed under this Act;
  - (xii) the Authority may make rules prescribing process to be followed by an officer conducting interviews under subparagraph (xi);
  - (xiii) the recording of an interrogation in accordance with the provision of subparagraph (xi) shall be either in addition to or as an alternative to a written caution statement record by the arrested person in accordance with the procedure stated in subparagraphs (v) to (x);
  - (xiv) the recording of an interrogation taken in accordance with the provision of subparagraph (xi) shall be admissible as an alternative to a written caution statement;
  - (xv) the record in subparagraph (xi) shall be exhibited in a statement by an officer present in the interrogation and such exhibit shall be an admissible evidence of the record of the interrogation;
  - (xvi) a written transcript of all or part of recording in subparagraph (xi) may be made and exhibited by an officer who listened to the recording shall be construed to be true and accurate of the recording;
- (b) investigates an offence shall—
- (i) personally go to the scene of crime to investigate and take stock of every article suspected to be used for commission of offence;
  - (ii) take every measure necessary for discovery and impound every article which may potentially be used as evidence;
  - (iii) examine orally every person acquainted with the facts and circumstances of the crime committed;
  - (iv) avoid to subject the arrested person to cruelty, inhuman or degrading treatment;
  - (v) if the circumstance calls for, or at the request of the arrested person, allow him access to medical treatment, give advice or render assistance in case of an illness or an injury;
  - (vi) if the arrested person is a child, cause a parent or guardian of the child to be informed that he is under restraint and the offence for which he is under restraint;
  - (vii) without unnecessary delay and subject to the provisions relating to bail, take or send the arrested person before a subordinate court in the area where he has been arrested;
- (c) searches for an article used or suspected to have been used in commission of an offence shall—
- (i) stop, search and detain any conveyance, suspected to have carried any drug, substances with drug related effects or precursor chemicals or substances used in the process of manufacturing of drug;
  - (ii) stop, search and detain any person who is reasonably suspected of carrying, conveying, storing, transporting, cultivating, importing, exporting, possessing any narcotic drug, substance with drug related effects or precursor chemicals or substances used in the process of manufacturing of drug;

- (iii) not to detain a person, any vessel, boat aircrafts, vehicle, building for a period more than forty eight hours, unless further extension of time is made in writing by the officer in a form set out in the Third Schedule to this Act for the purpose of facilitation of further investigation;
  - (iv) if it is necessary, to cause a woman to be searched, the search shall be made by a woman;
  - (v) take or seize from the arrested person or any other person anything in connection with the offence for which he is arrested, or connected to any narcotic drug, substance with drug related effects or precursor chemicals or substances used in the process of manufacturing of drug;
  - (vi) report the result or search to an immediate senior officer of the authority as soon as practicable;
  - (vii) record and issue a receipts or fill in the observation form an article or thing seized in a form set out in the Third Schedule to this Act;
- (d) seizes an article used or suspected to have been used in commission of an offence shall—
- (i) procure presence of and take statements of persons who will testify on an article seized;
  - (ii) record a statement of the arrested person relating to his relationship with article seized;
  - (iii) evaluate and determine size, volume, quantity, quality and value or estimated value of article seized;
  - (iv) keep safe custody of article seized from possible act of loss, theft, shrinkage, depreciation of quality or value.
- (3) An officer of the Authority who abdicates duty to do or omits to do an act and as a result of such omission, a person suspected or accused of commission of an offence relating to narcotic drug or psychotropic substances is not arrested or an offence for which he is charged of is improperly investigated shall be liable to disciplinary proceedings in addition to any criminal liability that may arise out of such abdication or omission.
- (4) Where any objection is taken to the admission of evidence on the ground that the evidence was obtained in contravention with the provisions of this Act or any other written law including the Criminal Procedure Act, the court shall admit the evidence unless having regard to all circumstances including the circumstances in which the evidence was obtained, if it is satisfied that the admission of the evidence would have such and overwhelming adverse effect on the fairness of the proceedings that the court should not admit it.

*[Cap. 20]*

- (5) For purposes of carrying out the provision of this section and any other provisions of this Act, all forms set out in the Third Schedule to this Act shall apply.
- (6) Where there is a conflict between the provisions of this section and those of the Criminal Procedure Act on matters provided for, the provisions of this Act shall prevail.

*[Cap. 20]*

*[Act No. 15 of 2017 s. 22]*

**48A. Reports of Government Analysts**

- (1) The Government Analyst to whom a sample of any narcotic drugs, psychotropic substance, precursor chemicals, controlled or any other substances suspected to have drug related effect has been submitted for test and analysis shall deliver to the person submitting it, a signed report in quadruplicate in the prescribed form and forward one copy thereof to such authority as may be prescribed.
- (2) Notwithstanding anything contained in any other law for the time being in force, any document purporting to be a report signed by a Government Analyst shall be admissible as evidence of the facts stated therein without formal proof and such evidence shall, unless rebutted, be conclusive.

*[Act No. 15 of 2017 s. 23]*

**Part V – Forfeiture of property derived from or used in commission of an offence under Part III**

*[Act No. 15 of 2017 s. 24]*

**49. Forfeiture of property**

- (1) Where any person is convicted of an offence under Part III, the property owned by him or his associate on the date of charging or acquired by him after that date shall be forfeited to the Government in accordance with the provisions of the Proceeds of Crime Act.  
*[Cap. 256]*
- (2) The provisions of subsection (1), shall apply to—
  - (a) a person who is convicted of an offence under this Act;
  - (b) a person who is convicted of a similar offence by a competent court of criminal jurisdiction outside the United Republic; and
  - (c) an associate of a person referred in paragraphs (a) and (b).
- (3) For the purpose of this Part, unless the context requires otherwise, "associate" means—
  - (a) any individual who is holding property on behalf or managing the affairs of the business of the person convicted;
  - (b) the trustee of any trust, where—
    - (i) the trust is created by such person; or
    - (ii) the value of the assets contributed by such person including the value of the assets, if any, contributed by him earlier to the trust amounts to not less than twenty percent of the value of the assets of the trust.
- (4) A property shall not be forfeited under this Part if such property was acquired by a person to whom this Act applies before a period of ten years from the date on which he was charged with an offence under Part III.

*[Act No. 15 of 2017 s. 25]*

**49A. Confiscation of property**

- (1) Where the accused is convicted, acquitted or discharged of offences under Part III, the court shall order confiscation of any article seized or property used for purposes of committing or facilitating the commission of the offence or otherwise involved in the commission of the offence.
- (2) Where the accused is not the owner of the article or property that is liable for confiscation and owner's whereabouts is not known or cannot be found the confiscation order shall not be issued unless the conditions in subsection (3) are satisfied.
- (3) An order for confiscation of an article or property shall not be made until—
  - (a) a thirty days notice of intention to confiscate the property has been issued; and
  - (b) the notice has expired without the owner entering appearance.
- (4) Where the article or property is susceptible to decay, or it appears the sale of such article or property would be necessary for its proper management the court may order the sale of that article or property.
- (5) A person who claims right to property which has been confiscated under this Act may make application to the trial court to challenge the confiscation order.

*[Act No. 15 of 2017 s. 26]*

**50. Prohibition of holding tainted property**

- (1) A person shall not hold a property which is tainted either by himself or through any other person on his behalf.
- (2) Where a person holds a tainted property in contravention of subsection (1), such property shall be forfeited in accordance with the Proceeds of Crime Act.

*[Cap. 256]*

*[Act No. 15 of 2017 s. 27]*

**51. Authority to authorize investigation or survey**

- (1) The Authority may authorise any officer to inquire, investigate or conduct surveillance on any person or group of persons as it may consider necessary.
- (2) An officer authorized by the Authority may, on receipt of information that any person to whom this Part applies holds properties whether in the United Republic or outside, proceed to take all steps necessary for tracing and identifying any property illegally acquired.
- (3) Where an officer in the cause of conducting an inquiry, investigation or surveillance under subsection (1), has reason to believe that any property in relation to which such inquiry, investigation or surveillance is being conducted is an illegally acquired and such property is likely to be concealed, transferred or dealt with in any manner which may result in frustrating any proceeding relating to forfeiture of such property under this Part, he may make an order for seizing such property.
- (4) Where it is not practicable to make order for seizure under subsection (3), the officer may make an order that such property shall not be transferred or otherwise dealt with, subject to the prior permission of the Commissioner General.

- (5) Where any property referred to in subsections (3) and (4) is transferred by any mode, such transfer shall be void.
- (6) An officer making an inquiry, investigation or surveillance may in writing call upon the person concerned within a period of thirty days to indicate the sources of his income, earnings or assets out of which or by means of which acquired such property and to show cause why all or any of such properties should not be declared illegally acquired and forfeited to the Government.
- (7) Where the person affected does not appear or appears and admits that the property he holds was acquired illegally, the authorised officer may record his findings on the basis of the evidence available before him and submit a report to the Commissioner General.
- (8) Where a person referred to under subsection (6) appears before the authorised officer and shows cause why all or any of such properties should not be declared illegally acquired, the legality of that property shall be determined in accordance with the provisions of the Proceeds of Crime Act.

*[Cap. 256]*

*[Act No. 15 of 2017 s. 28]*

#### **51A. Power of Commissioner General to freeze account**

- (1) Where a person is under investigation or charged with offences under this Act, the Commissioner General may where reasonably suspect that any evidence in connection with the offence or property is found in a bank account, freeze that bank account for fourteen days during which leave of the court for continued freezing shall be obtained.
- (2) Upon application, the court may extend time for freezing an account where there are reasonable grounds to suspect that the money held in the account is related to the commission of drug offences and other related offences.
- (3) Where a court extends an account freezing order under subsection (2) it may, at any later time, vary or set aside that order where the continued freezing is no longer required or upon production of additional evidence, the court is satisfied that money held into the account is not related to the commission of drug offences and other related offences.
- (4) A person who violates or fails to comply with the freezing order commits an offence under this Act.

#### **52. Repealed**

*[Repealed by Act No. 15 of 2017 s. 30]*

#### **53. Declaration of forfeiture of property by Commissioner General**

- (1) Subject to subsection (4), where the Commissioner General receives a report pursuant to [section 51](#) (7) and he is satisfied that there is reasonable ground to believe that the property has been abandoned or illegally acquired he may declare the property to be forfeited to the Government.
- (2) Where the Commissioner General declares that only a part of a property is subject to forfeiture, he may make an order giving an option to the person affected to pay a sum of money equal to the market value of that part of the property.
- (3) Where the Commissioner General declares the property to be liable for forfeiture under subsection (1), he shall in writing notify the person affected by that declaration within thirty days.
- (4) A property shall not be forfeited under this section if the property was acquired by a person to whom [section 51](#) applies before a period of ten years prior to the date of commencement of the investigation under [section 51](#).

- (5) A person aggrieved by the declaration of the Commissioner General may, within thirty days from the date of notification, seek review to the High Court.

*[Act No. 15 of 2017 s. 31]*

#### **54. Power to take possession**

- (1) Where any property is declared forfeited to the Government or the person affected fails to pay the amount of money in lieu of any part of the property declared to be forfeited, the Commissioner General may order the person affected or any other person who may be in possession of that property to surrender or deliver possession of the property.
- (2) Any person who refuses or fails to comply with an order made under subsection (1), commits an offence and the Authority may take possession of the property and may for that purpose use such force as may be necessary.

*[Act No. 15 of 2017 s. 32]*

#### **55. Arrangement regarding tracing, realization of property**

- (1) The Government of the United Republic may enter into an arrangement—
- (a) with the government of a foreign country—
- (i) for the recovery and handing over possession to the Government of the United Republic, of any property in that country in respect of which forfeiture has been made;
- (ii) for tracing and preserving any property in that country owned by or under the control of any person who has been convicted of or is suspected to have committed an offence under this Act; or
- (b) on a reciprocal basis with the government of any other country—
- (i) in respect of the recovery and handing over of possession to the Government of that country of any property in the United Republic which is confiscated by or forfeited to the Government or authority of that country in consequence of the commission by any person or his associate of an offence against a corresponding law of that country; or
- (ii) for preserving any property in the United Republic owned by or under the control of any person who has been convicted of, or is suspected to have committed an offence against such corresponding law.
- (2) Nothing in subsection (1) shall be construed as preventing the provision or obtaining assistance in criminal matters otherwise than as provided in the Mutual Assistance in Criminal Matters Act.

*[Cap. 254]*

*[Act No. 15 of 2017 s. 33]*

### **Part VI – The Fund for drug control**

#### **56. Establishment of Fund**

The Authority shall, by notice published in the *Gazette*, constitute a Fund to be known as the Drugs Control Fund.



**57. Sources of funds**

- (1) The source of funds for the Fund shall include—
  - (a) a sum of money allocated by Parliament to the Fund;
  - (b) the sale proceeds of any property forfeited under this Act;
  - (c) any grants, gifts and donations that may be made by any person or institution;
  - (d) any other money borrowed, received by or made available for the purposes of its functions.
- (2) The Fund shall be used to meet the expenditure incurred in connection with the measures taken for combating illicit traffic or controlling abuse of narcotic drugs and psychotropic substances.
- (3) The Commissioner-General shall be the authorisation officer of the Fund.

**58. Budget of Authority**

The Authority shall have its own budget for the administrative support of control of drug and for the support of specific activities, special events or initiatives, undertaken by administrative public offices and institutions, as well as organisations, and associations participating in the drug control activities.

**59. Books of accounts, records and annual reports**

- (1) The Authority shall keep books of accounts and maintain proper records of operations of the Fund in accordance with the acceptable accounting standards.
- (2) The Authority shall, at the end of each financial year, have the accounts of the Fund audited by the Controller and Auditor-General.
- (3) The Authority shall, submit to the Minister audited report and annual report containing detailed information regarding activities of the Fund during the previous year ending on the 30<sup>th</sup> June.
- (4) Minister shall cause to be tabled to the National Assembly statement of audited accounts.

**Part VII – General provisions****60. Submission of drug situation report**

The Authority shall publish annual reports describing the National drug situation and its development as regards to the supply and demand of drugs, and formulating any proposal likely to promote drug control activities and such report shall be laid before the Parliament.

**61. Protection of action taken in good faith**

No suit, prosecution or other legal proceeding shall lie against the Authority or any officer of the Government or any other person exercising any powers or discharging any functions or performing any duties under this Act, for anything done in good faith or intended to be done under this Act or any regulations or order made thereunder.

**62. Authority to have regard to international conventions while making rules**

Where under this Act the Authority has been empowered to make regulations, it may, while making the rules have regard to the provisions of Single Convention on Narcotic Drugs, 1953, Protocol of 1972

amending the said Convention and the Convention on Psychotropic Substances, 1971, United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances adopted on 19<sup>th</sup> December 1988, and to the provisions of any other international convention relating to narcotic drugs or psychotropic substances to which the United Republic becomes a party.

### **63. Power of Government to establish treatment centres of addicts and for supply of narcotic drugs**

- (1) The Government may, establish as many centres as it thinks fit for identification, treatment, education, after-care, rehabilitation, social reintegration of addicts and for supply, subject to such conditions and in such manner as may be prescribed, by the Authority of any narcotic drugs and psychotropic substances to the addicts registered with the Government and to others where such supply is a medical necessity.
- (2) The Authority may, in consultation with the Minister responsible for health, make regulations for establishment, appointment, maintenance, management and superintendence of, and for supply of narcotic drugs and psychotropic substances from the centre referred to in subsection (1) and for the appointment, training, powers, duties and persons employed in such centre.

### **64. Bar of jurisdiction**

A civil court shall not entertain any suit or proceeding against any decision made or order passed by any officer or Authority under this Act on any of the following matters—

- (a) withholding, refusal or cancellation of any licence for the cultivation of the opium poppy;
- (b) weighing, examination and classification according to the quality and consistence of opium and any deductions from, or addition to, the standard price made in accordance with such examination; and
- (c) confiscation of opium found to be adulterated with any foreign substance.

### **65. Power of Authority to give directions**

- (1) The Commissioner General may give directives as it may deem necessary to any department of the Government regarding the carrying into execution of the provisions of this Act, and that department shall comply with such directions.
- (2) A person who fails to comply with the requirement of this section commits an offence under this Act.

*[Act No. 15 of 2017 s. 34]*

### **66. Power to delegate**

The Authority may, by notice published in the *Gazette*, delegate, subject to such conditions and limitations as may be specified in the notice, such of its powers and functions under this Act except the power to make regulations as it may deem necessary or expedient, to any other authority or the Commissioner-General.

### **67. Power of Minister to make regulations**

- (1) Subject to the other provisions of this Act, the Minister may, by notice published in the *Gazette*, make regulations for carrying out the purposes of this Act.
- (2) Without prejudice to the generality of the provisions of subsection (1), the regulations may provide for the following matters—

- (a) the method by which percentages in the case of liquid preparations shall be calculated;
- (b) the form of bond to be executed for release of an adult convict for medical treatment under [section 31](#) (1) and the bond to be executed by such convict before his release after the due admonition under [section 31\(2\)](#);
- (c) the Authority or the person by whom and the manner in which a document received from any place outside the United Republic shall be authenticated;
- (d) the manner in which and the conditions subject to which properties confiscated or forfeited shall be managed;
- (e) the disposal of all articles or things confiscated under this Act;
- (f) the drawing of samples and testing and analysis of such samples;
- (g) the rewards to be paid to the officers, informers and other persons;
- (h) the conditions and the manner in which narcotic drugs and psychotropic substances may be supplied for medical necessity to the addicts registered with the Government and to others subject to the provisions of this Act;
- (i) any other matter as the Minister may prescribe.

#### **68. Application of Customs (Management and Tariff) Act**

- (1) All prohibitions and restrictions imposed by or under this Act on the import into the United Republic, the export from the United Republic and transshipment of narcotic drugs and psychotropic substances shall be deemed to be prohibitions and restrictions imposed by or under the Customs (Management and Tariff) Act, and the provisions of that Act shall apply accordingly.
- (2) Where the doing of anything is an offence punishable under the Customs (Management and Tariff) Act, and under this Act, nothing in that Act shall prevent the offender from being punished under this Act.

*[Cap. 403]*

#### **69. Repeal and savings**

- (1) [Repeals the Drugs and Prevention of Illicit Traffic in Drugs Act.]
- (2) Notwithstanding the repeal, anything done or any action taken or purported to have been done or taken under any of the enactments repealed by subsection (1) shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the corresponding provisions of this Act.
- (3) Nothing in this Act or regulations made hereunder shall affect the validity of any Act for the time being in force, or of any rule made thereunder which imposes any restriction or provides for punishment which is not imposed by this Act or imposes restriction on a punishment which is greater in degree a corresponding restriction imposed by or a corresponding provision under this Act for the cultivation of cannabis plant, consumption or trafficking in narcotic drug or psychotropic substance.

*[Act No. 9 of 1995]*

**First Schedule (Section 14(1))**

**Schedules of the Single Convention on Narcotic Drugs of  
1961 as amended by the 1972 Protocol, as at 18 May 2016**

*List of drugs included in Schedule I*

Acetorphine	3-O-Acetyltetrahydro-7#-(1-hydroxy-1-methylbutyl)-6,14-endo-ethenooripavine
Acetyl- <i>alpha</i> -methylfentanyl	N-[1-(#-Methylphenethyl)-4-piperidyl]acetanilide
Acetylfentanyl	N-phenyl-N-[1-(2-phenylethyl)-4-piperidyl]acetamide
Acetylmethadol	3-Acetoxy-6-dimethylamino-4,4-diphenylheptane
AH-7921	3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide
Alfentanil	N-[1-[2-(4-Ethyl-4,5-dihydro-5-oxo-1H-tetrazol-1-yl)ethyl]-4-(methoxymethyl)-4-piperidyl]-N-phenylpropanamide
Allyprodine	3-Allyl-1-methyl-4-phenyl-4-propionoxypiperidine
Alphacetylmethadol	#-3-Acetoxy-6-dimethylamino-4,4-diphenylheptane
Alphameprodine	#-3-Ethyl-1-methyl-4-phenyl-4-propionoxypiperidine
Alphamethadol	#-6-Dimethylamino-4,4-diphenyl-3-heptanol
<i>alpha</i> -methylfentanyl	N-[1-(#-Methylphenethyl)-4-piperidyl]propionanilide
<i>alpha</i> -methylthiofentanyl	N-[1-[1-Methyl-2-(2-thienyl)ethyl]-4-piperidyl]propionanilide
Alphaprodine	#-1,3-Dimethyl-4-phenyl-4-propionoxypiperidine
Anileridine	1-p-Aminophenethyl-4-phenylpiperidine-4-carboxylic acid ethyl ester
Benzethidine	1-(2-Benzyloxyethyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester
Benzylmorphine	3-Benzylmorphine
Betacetylmethadol	#-3-Acetoxy-6-dimethylamino-4,4-diphenylheptane
<i>beta</i> -Hydroxyfentanyl	N-[1-(#-Hydroxyphenethyl)-4-piperidyl]propionanilide

<i>beta</i> -Hydroxy-3-methylfentanyl	N-[1-(#-Hydroxyphenethyl)-3-methyl-4-piperidyl] propionanilide
Betameprodine	#-3-Ethyl-1-methyl-4-phenyl-4-propionoxypiperidine
Betamethadol	#-6-Dimethylamino-4,4-diphenyl-3-heptanol
Betaprodine	#-1,3-Dimethyl-4-phenyl-4-propionoxypiperidine
Bezitramide	1-(3-Cyano-3,3-diphenylpropyl)-4-(2-oxo-3-propionyl-1-benzimidazoliny)piperidine
Cannabis and cannabis resin and extracts and tinctures of cannabis	
Clonitazene	2-(p-Chlorbenzyl)-1-diethylaminoethyl-5-nitrobenzimidazole
Coca leaf	
Cocaine	Methyl ester of benzoylecgonine
Codoxime	Dihydrocodeinone-6-carboxymethyloxime
Concentrate of poppy straw (the material arising when poppy straw has entered into a process for the concentration of its alkaloids when such material is made available in trade) ("Poppy straw" means all parts (except the seeds) of the opium poppy after mowing)	
Desomorphine	Dihydrodesoxymorphine
Dextromoramide	(+)-4-[2-Methyl-4-oxo-3,3-diphenyl-4-(1-pyrrolidinyl)butyl]morpholine
Diampromide	N-[2-(Methylphenethylamino)-propyl]propionanilide
Diethylthiambutene	3-Diethylamino-1,1-di-(2'thienyl)-1-butene
Difenoxin Dihydroetorphine	1-(3-Cyano-3,3-diphenylpropyl)-4-phenylisonipectic acid 7,8-Dihydro-7#-[1-(R)-hydroxy-1-methylbutyl]-6, 14-endo-ethanotetrahydrooripavine Dihydromorphine
Dimenoxadol	2-Dimethylaminoethyl-1-ethoxy-1,1-diphenylacetate

Dimepheptanol	6-Dimethylamino-4,4-diphenyl-3-heptanol Dimethylthiambutene
3-Dimethylamino-1,1-di-(2'-thienyl)-1-butene	
Dioxaphetyl butyrate	Ethyl-4-morpholino-2,2-diphenylbutyrate
Diphenoxylate	1-(3-Cyano-3,3-diphenylpropyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester
Dipipanone	4,4-Diphenyl-6-piperidine-3-heptanone
Drotebanol	3,4-Dimethoxy-17-methylmorphinan-6#,14-diol
Ecgonine, its esters and derivatives which are convertible to ecgonine and cocaine	
Ethylmethylthiambutene	3-Ethylmethylamino-1,1-di-(2#-thienyl)-1-butene
Etonitazene	1-Diethylaminoethyl-2-p-ethoxybenzyl-5-nitrobenzimidazole
Etorphine	Tetrahydro-7#-(1-hydroxy-1-methylbutyl)-6,14-endo-ethenooripavine
Etoxidine	1-[2-(2-Hydroxyethoxy)-ethyl]-4-phenylpiperidine-4-carboxylic acid ethyl ester
Fentanyl	1-Phenethyl-4-N-propionylanilinopiperidine
Furethidine	1-(2-Tetrahydrofurfuryloxyethyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester
Heroin	Diacetylmorphine
Hydrocodone	Dihydrocodeinone Hydromorphinol
14-Hydroxydihydromorphine Dihydromorphinone	Hydromorphone
Hydroxypethidine	4-m-Hydroxyphenyl-1-methylpiperidine-4-carboxylic acid ethyl ester
Isomethadone	6-(Dimethylamino)-5-methyl-4,4-diphenyl-3-hexanone

Ketobemidone	4-m-Hydroxyphenyl-1-methyl-4-propionylpiperidine
Levomethorphan <sup>a</sup>	(-)-3-Methoxy-N-methylmorphinan
Levomoramide	(-)-4-[2-Methyl-4-oxo-3,3-diphenyl-4-(1-pyrrolidinyl)butyl] morpholine
Levophenacymorphan	(-)-3-Hydroxy-N-phenacymorphinan
Levorphanol <sup>a</sup>	(-)-3-Hydroxy-N-methylmorphinan
Metazocine	2'-Hydroxy-2,5,9-trimethyl-6,7-benzomorphan
Methadone	6-(Dimethylamino)-4,4-diphenyl-3-heptanone
Methadone intermediate	4-Cyano-2-dimethylamino-4,4-diphenylbutane
Methyldesorphine	6-Methyl- $\Delta$ 6-deoxymorphine Methyldihydromorphine
6-Methyldihydromorphine	
3-Methylfentanyl	N-(3-Methyl-1-phenethyl-4-piperidyl)propionanilide
3-Methylthiofentanyl	N-[3-Methyl-1-[2-(2-thienyl)ethyl]-4-piperidyl]propionanilide
Metopon	5-Methyldihydromorphinone
Moramide intermediate	2-Methyl-3-morpholino-1,1-diphenylpropane carboxylic acid
Morpheridine	1-(2-Morpholinoethyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester
Morphine	
Morphine methobromide and other pentavalent nitrogen morphine derivatives	
Morphine-N-oxide	
MPPP 1-Methyl-4-phenyl-4-piperidinol propionate (ester)	
MT-45 1-Cyclohexyl-4-(1,2-diphenylethyl)piperazine	
Myrophine Myristylbenzylmorphine	



Nicomorphine 3,6-Dinicotinylmorphine
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\* Dextromethorphan ((+)-3-methoxy-N-methylmorphinan) and dextrorphan ((+)-3-hydroxy-N-methylmorphinan) are specifically excluded from this Schedule.

Noracymethadol	(±)-#-3-Acetoxy-6-methylamino-4,4-diphenylheptane
Norlevorphanol	(-)-3-Hydroxymorphinan
Normethadone	6-(Dimethylamino)-4,4-diphenyl-3-hexanone
Normorphine	Demethylmorphine
Norpipanone	4,4-Diphenyl-6-piperidino-3-hexanone
Opium	
Oripavine	3-0-Demethylthebaine or 6,7,8,14-tetrahydro-4,5- <i>alpha</i> -epoxy-6-methoxy-17-methylmorphinan-3-ol
Oxycodone	14-Hydroxydihydrocodeinone
Oxymorphone	14-Hydroxydihydromorphinone
para-Fluorofentanyl	4'-Fluoro-N-(1-phenethyl-4-piperidyl)propionanilide
PEPAP	1-Phenethyl-4-phenyl-4-piperidinol acetate (ester)
Pethidine	1-Methyl-4-phenylpiperidine-4-carboxylic acid ethyl ester
Pethidine intermediate A	4-Cyano-1-methyl-4-phenylpiperidine
Pethidine intermediate B	4-Phenylpiperidine-4-carboxylic acid ethyl ester
Pethidine intermediate C	1-Methyl-4-phenylpiperidine-4-carboxylic acid
Phenadoxone	6-Morpholino-4,4-diphenyl-3-heptanone
Phenampromide	N-(1-Methyl-2-piperidinoethyl)propionanilide
Phenazocine	2'-Hydroxy-5,9-dimethyl-2-phenethyl-6,7-benzomorphan
Phenomorphin	3-Hydroxy-N-phenethylmorphinan
Phenoperidine	1-(3-Hydroxy-3-phenylpropyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester
Piminodine	4-Phenyl-1-(3-phenylaminopropyl)-piperidine-4-carboxylic acid ethyl ester
Piritramide	1-(3-Cyano-3,3-diphenylpropyl)-4-(1-piperidino)piperidine-4-carboxylic acid amide

Proheptazine	1,3-Dimethyl-4-phenyl-4-propionoxyazacycloheptane
Propерidine	1-Methyl-4-phenylpiperidine-4-carboxylic acid isopropyl ester
Racemethorphan	(±)-3-Methoxy-N-methylmorphinan
Racemoramide	(±)-4-[2-Methyl-4-oxo-3,3-diphenyl-4-(1-pyrrolidinyl)butyl]morpholine
Racemorphan	(±)-3-Hydroxy-N-methylmorphinan
Remifentanyl	1-(2-Methoxycarbonylethyl)-4-(phenylpropionylamino)-piperidine-4-carboxylic acid methyl ester
Sufentanyl	N-[4-(Methoxymethyl)-1-[2-(2-thienyl)-ethyl]-4-piperidyl]propionanilide
Thebacon	Acetyldihydrocodeinone
Thebaine	
Thiofentanyl	N-[1-[2-(2-Thienyl)ethyl]-4-piperidyl]propionanilide
Tilidine	(±)-Ethyl- <i>trans</i> -2-(dimethylamino)-1-phenyl-3-cyclohexene-1-carboxylate
Trimeperidine	1,2,5-Trimethyl-4-phenyl-4-propionoxypiperidine

The isomers, unless specifically excepted, of the drugs in this Schedule whenever the existence of such isomers is possible within the specific chemical designation.

The esters and ethers, unless appearing in another Schedule, of the drugs in this Schedule whenever the existence of such esters or ethers is possible.

The salts of the drugs listed in this Schedule, including the salts of esters, ethers and isomers as provided above whenever the existence of such salts is possible.

### ***List of drugs included in Schedule II***

Acetyldihydrocodeine	
Codeine	3-Methylmorphine
Dextropropoxyphene	#-(+)-4-Dimethylamino-1,2-diphenyl-3-methyl-2-butanol propionate
Dihydrocodeine	
Ethylmorphine	3-Ethylmorphine
Nicocodine	6-Nicotinylcodeine
Nicodicodine	6-Nicotinyldihydrocodeine
Norcodeine	N -Demethylcodeine
Pholcodine	Morpholinylethylmorphine
Propiram	N-(1-Methyl-2-piperidinoethyl)-N-2-pyridylpropionamide

The isomers, unless specifically excepted, of the drugs in this Schedule whenever the existence of such isomers is possible within the specific chemical designation.

The salts of the drugs listed in this Schedule, including the salts of the isomers as provided above whenever the existence of such salts is possible.

### ***List of preparations included in Schedule III***

1. Preparations of:

Acetyldihydrocodeine

Codeine Dihydrocodeine

Ethylmorphine

Nicocodine

Nicodicodine

Norcodeine Pholcodine

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

2. Preparations of propiram containing not more than 100 milligrams of propiram per dosage unit and compounded with at least the same amount of methylcellulose.

3. Preparations of dextropropoxyphene for oral use containing not more than 135 milligrams of dextropropoxyphene base per dosage unit or with a concentration of not more than 2.5 per cent in undivided preparations, provided that such preparations do not contain any substance controlled under the 1971 Convention on Psychotropic Substances.

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

- anhydrous morphine base and compounded with one or more other ingredients and in such a way that the drug cannot be recovered by readily applicable means or in a yield which would constitute a risk to public health.
5. Preparations of difenoxin containing, per dosage unit, not more than 0.5 milligram of difenoxin and a quantity of atropine sulfate equivalent to at least 5 per cent of the dose of difenoxin.
  6. Preparations of diphenoxylate containing, per dosage unit, not more than 2.5 milligrams of diphenoxylate calculated as base and a quantity of atropine sulfate equivalent to at least 1 per cent of the dose of diphenoxylate.
  7. *Pulvis ipecacuanhae et opii compositus*  
10 per cent opium in powder  
10 per cent ipecacuanha root, in powder well mixed with  
80 per cent of any other powdered ingredient containing no drug.
  8. Preparations conforming to any of the formulas listed in this Schedule and mixtures of such preparations with any material which contains no drug.

***List of drugs included in Schedule IV***

Acetorphine	3- <i>O</i> -Acetyltetrahydro-7#-(1-hydroxy-1-methylbutyl)- 6,14- <i>endo</i> -ethenooripavine
Acetyl- <i>alpha</i> -methylfentanyl	N-[1-(#-Methylphenethyl)-4-piperidyl]acetanilide
Acetylfentanyl	N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]acetamide
<i>alpha</i> -Methylfentanyl	N-[1-(#-Methylphenethyl)-4-piperidyl]propionanilide
<i>alpha</i> -Methylthiofentanyl	N-[1-[1-Methyl-2-(2-thienyl)ethyl]-4-piperidyl]propionanilide
<i>beta</i> -Hydroxy-3-methylfentanyl	N-[1-(#-Hydroxyphenethyl)-3-methyl-4-piperidyl]propionanilide
<i>beta</i> -Hydroxyfentanyl	N-[1-(#-Hydroxyphenethyl)-4-piperidyl]propionanilide
Cannabis and cannabis resin	
Desomorphine	Dihydrodesoxymorphine
Etorphine	Tetrahydro-7#-(1-hydroxy-1-methylbutyl)-6,14- <i>endo</i> -ethenooripavine
Heroin	Diacetylmorphine
Ketobemidone	4- <i>m</i> -Hydroxyphenyl-1-methyl-4-propionylpiperidine
3-Methylfentanyl	N-(3-Methyl-1-phenethyl-4-piperidyl)propionanilide
3-Methylthiofentanyl	N-[3-Methyl-1-[2-(2-thienyl)ethyl]-4-piperidyl]propionanilide
MPPP	1-Methyl-4-phenyl-4-piperidinol propionate (ester)
<i>para</i> -Fluorofentanyl	4'-Fluoro-N-(1-phenethyl-4-piperidyl)propionanilide PEPAP
1-Phenethyl-4-phenyl-4-piperidinol acetate (ester) Thiofentanyl	N-[1-[2-(2-Thienyl)ethyl]-4-piperidyl]propionanilide

The salts of the drugs listed in this Schedule whenever the formation of such salts is possible.

**Schedules on psychotropic substances of 1971,  
as at 13 November 2016 of the Convention**

*List of substances in Schedule I*

International non-proprietary name (INN)	Other non-proprietary or trivial names	Chemical name
	25B-NBOMe, 2C-B-NBOMe	2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine
	25C-NBOMe, 2C-C-NBOMe	2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine
	25I-NBOMe, 2C-I-NBOMe	2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine
Brolamfetamine	DOB	(±)-4-Bromo-2,5-dimethoxy-#-methylphenethylamine
Cathinone		(-)-(S)-2-Aminopropiophenone
	DET	3-[2-(Diethylamino)ethyl]indole
	DMA	(±)-2,5-Dimethoxy-#-methylphenethylamine
	DMHP	3-(1,2-Dimethylheptyl)-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran-1-ol
	DMT	3-[2-(Dimethylamino)ethyl]indole
	DOET	(±)-4-Ethyl-2,5-dimethoxy-#-methylphenethylamine
Eticyclidine	PCE	N-Ethyl-1-phenylcyclohexylamine
Etryptamine		3-(2-Aminobutyl)indole
	N-Hydroxy MDA	(±)-N-[#-Methyl-3,4-(methylenedioxy)phenethyl]hydroxylamine
(+)-Lysergide	LSD, LSD-25	9,10-Didehydro-N,N-diethyl-6-methylergoline-8#-carboxamide
	MDE, N-Ethyl MDA	(±)-N-Ethyl-#-methyl-3,4-



		(methylenedioxy)phenethylamine
	MDMA	(±)-N,#-Dimethyl-3,4-(methylenedioxy)phenethylamine
	Mescaline	3,4,5-Trimethoxyphenethylamine
	Methcathinone	2-(Methylamino)-1-phenylpropan-1-one
	4-Methylaminorex	(±)-cis-2-Amino-4-methyl-5-phenyl-2-oxazoline
	MMDA	5-Methoxy-#-methyl-3,4-(methylenedioxy)phenylethylamine
	4-MTA	#-Methyl-4-methylthiophenethylamine
	Parahexyl	3-Hexyl-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran-1-ol
	PMA	p-Methoxy-#-methylphenylethylamine
	<i>para</i> -Methoxymethylamphetamine, PMMA	1-(4-methoxyphenyl)-N-methylpropan-2-amine
	Psilocine, psilocin	3-[2-(Dimethylamino)ethyl]indol-4-ol
Psilocybine		3-[2-(Dimethylamino)ethyl]indol-4-yl hydrogen phosphate
Rolicyclidine	PHP, PCPY	1-(1-Phenylcyclohexyl)pyrrolidine
	STP, DOM	2,5-Dimethoxy-#,4-dimethylphenethylamine
Tenamfetamine	MDA	#-Methyl-3,4-(methylenedioxy)phenethylamine

Tenocyclidine	TCP	1-[1-(2-Thienyl)cyclohexyl]piperidine
	Tetrahydrocannabinol, the following isomers and their stereochemical variants:	
		7,8,9,10-Tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol 8,9,10,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol 6a,9,10,10a-Tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol 6a,7,10,10a-Tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol 6a,7,8,9-Tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol 6a,7,8,9,10,10a-Hexahydro-6,6-dimethyl-9-methylene-3-pentyl-6Hdibenzo[b,d]pyran-1-ol
	TMA	(±)-3,4,5-Trimethoxy-N-methylphenethylamine

The salts of the substances listed in this Schedule whenever the existence of such salts is possible. The stereoisomers, unless specifically excepted, of substances in this Schedule, whenever the existence of such stereoisomers is possible within the specific chemical designation.

***List of substances in Schedule II***

International non-proprietary name (INN)	Other non-proprietary or trivial names	Chemical name
	#-Pyrrolidinovalero phenone, #-PVP	1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one
Amfetamine	Amphetamine	(±)-#-Methylphenethylamine
Amineptine		7-[(10,11-Dihydro-5H-dibenzo[a,d] cyclohepten-5-yl)amino]heptanoic acid
	N-benzylpiperazine, BZP 2C-B	1-Benzylpiperazine
		4-Bromo-2,5-dimethoxyphenethylamine
Dexamfetamine	Dexamphetamine	(+)-#-Methylphenethylamine
Dronabinol*	<i>delta</i> -9-Tetrahydrocannabinol and its stereochemical variants	(6aR,10aR)-6a,7,8,10a-Tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol
Fenetylline		7-[2-[(#-Methylphenethyl)amino]ethyl]theophylline
	GHB	#-Hydroxybutyric acid
Levamfetamine	Levamphetamine	(-)-(R)-#-Methylphenethylamine
	Levomethamphetamine	(-)-N,#-Dimethylphenethylamine
Mecloqualone		3-(o-Chlorophenyl)-2-methyl-4(3H) Quinazolinone
	Mephedrone,4-methylmethcathinone	(RS)-2-(methylamino)-1-(4-methylphenyl)propan-1-one
Metamfetamine	Methamphetamine	(+)-(S)-N,#-Dimethylphenethylamine
Metafetamine	Methamphetamine	(±)-N,#-Dimethylphenethylamine

racemte	racemate	
Methaqualone		2-Methyl-3-o-tolyl-4(3H)quinazolinone
	Methoxetamine, MXE	2-(ethylamino)-2-(3-methoxyphenyl)cyclohexanone
	3,4-Methylenedioxypropylvalerone, MDPV	(RS)-1-(benzo[d][1,3]dioxol-5-yl)-2-(pyrrolidin-1-yl)pentan-1-one
Methylone, MDMA	<i>beta</i> -keto-	(RS)-2-methylamino-1-(3,4-methylenedioxyphenyl)propan-1-one
Methylphenidate		
Methyl JWH-018 methanone	#-phenyl-2-piperidine acetate Naphthalen-1-yl(1-pentyl-1H-indol-3-yl)	
AM-2201	1-(5-fluoropentyl)-1H-indol-3-yl]- (naphthalen-1-yl)methanone	
para-Methyl-4-4,4'-DMAR	methylaminorex,	
4-methyl-5-	(4-methylphenyl)-4,5-dihydro-1,3-oxazol-2-amine	
Secobarbital	5-Allyl-5-(1-methylbutyl)barbituric acid	
XLR-11	[1-(5-fluoropentyl)-1H-indol-3-yl] (2,2,3,3-tetramethylcyclopropyl) methanone	
Zipeprol	#-(#-Methoxybenzyl)-4-(#- methoxyphenethyl)-1-piperazineethanol	

The salts of the substances listed in this Schedule whenever the existence of such salts is possible

\*This INN refers to only one of the stereochemical variants of delta-9-tetrahydrocannabinol, namely (-)trans-delta-9-tetrahydrocannabinol.

### ***List of substances in Schedule III***

**Schedules of the Convention on Psychotropic  
Substances of 1971, as at 13 November 2016**

International non-proprietary name (INN)	Other non-proprietary or trivial names	Chemical name
Amobarbital		5-Ethyl-5-isopentylbarbituric acid
Buprenorphine		21-Cyclopropyl-7#-[(S)-1-hydroxy-1,2,2-trimethylpropyl]-6,14-endoethano-6,7,8,14-tetrahydrooripavine
Butalbital		5-Allyl-5-isobutylbarbituric acid
Cathine	(+)-Norpseudo-ephedrine	(+)-(S)-#-[(S)-1-Aminoethyl]benzyl alcohol
Cyclobarbital		5-(1-Cyclohexen-1-yl)-5-ethylbarbituric acid
Flunitrazepam		5-(o-Fluorophenyl)-1,3-dihydro-1-methyl-7-nitro-2H-1,4-benzodiazepin-2-one
Glutethimide		2-Ethyl-2-phenylglutarimide
Pentazocine		(2R*,6R*,11R*)-1,2,3,4,5,6-Hexahydro-6,11-dimethyl-3-(3-methyl-2-butenyl)-2,6-methano-3-benzazocin-8-ol
Pentobarbital		5-Ethyl-5-(1-methylbutyl)barbituric acid

The salts of the substances listed in this Schedule whenever the existence of such salts is possible.

***List of substances in Schedule IV***

International non-proprietary name (INN)	Other non-proprietary or trivial names	Chemical name
Allobarbital		5,5-Diallylbarbituric acid
Alprazolam		8-Chloro-1-methyl-6-phenyl-4H-striazolol[4,3-a][1,4]benzodiazepine
Amfepramone	Diethylpropion	2(Diethylamino)propiofenone
Aminorex		2-Amino-5-phenyl-2-oxazoline
Barbital		5,5-Diethylbarbituric acid
Benzfetamine	Benzphetamine	N-Benzyl-N-dimethylphenethylamine
Bromazepam		7-Bromo-1,3-dihydro-5-(2-pyridyl)-2H-1,4-benzodiazepin-2-one
Brotizolam		2-Bromo-4-(o-chlorophenyl)-9-methyl-6H-thieno[3,2-f]-s-triazolo[4,3-a][1,4]diazepine
	Butobarbital	5-Butyl-5-ethylbarbituric acid
Camazepam		7-Chloro-1,3-dihydro-3-hydroxy-1-methyl-5-phenyl-2H-1,4-benzodiazepin-2-one dimethylcarbamate (ester)
Chlordiazepoxide		7-Chloro-2-methylamino-5-phenyl-3H-1,4-benzodiazepine-4-oxide
Clobazam		7-Chloro-1-methyl-5-phenyl-1H-1,5-benzodiazepine-2,4(3H,5H)-dione
Clonazepam		5-(o-Chlorophenyl)-1,3-dihydro-7-nitro-2H-1,4-benzodiazepin-2-one

Clorazepate		7-Chloro-2,3-dihydro-2-oxo-5-phenyl- 1H- 1,4-benzodiazepine-3-carboxylic acid
Clotiazepam		5-(o-Chlorophenyl)-7-ethyl-1,3-dihydro- 1-methyl-2H-thieno[2,3-e]-1,4-diazepin- 2-one
Cloxazolam		10-Chloro-11b-(o-chlorophenyl)- 2,3,7,11b-tetrahydrooxazolo-[3,2-d] [1,4]benzodiazepin-6(5H)-one
Delorazepam		7-Chloro-5-(o-chlorophenyl)-1,3-dihydro- 2H-1,4-benzodiazepin-2-one
Diazepam		7-Chloro-1,3-dihydro-1-methyl-5-phenyl-2H-1,4-benzodiazepin-2-one
Estazolam		8-Chloro-6-phenyl-4H-s-triazolo [4,3-a][1,4]benzodiazepine
Ethchlorvynol		1-Chloro-3-ethyl-1-penten-4-yn-3-ol
Ethinamate		1-Ethynylcyclohexanolcarbamate
Ethyl loflazepate		Ethyl 7-chloro-5-(o-fluorophenyl)-2,3-dihydro-2-oxo-1H-1,4-benzodiazepine-3-carboxylate
Etilamfetamine	N-Ethylamphetamine	N-Ethyl-#-methylphenethylamine
Fencamfamin		N-Ethyl-3-phenyl-2-norbornanamine
Fenproporex		(±)-3-[(#-Methylphenethyl)amino]propionitrile
Fludiazepam		7-Chloro-5-(o-fluorophenyl)-1,3-dihydro-

		1-methyl-2H-1,4-benzodiazepin-2-one
Flurazepam		7-Chloro-1-[2-(diethylamino)ethyl]-5-(o-fluorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one
Halazepam		7-Chloro-1,3-dihydro-5-phenyl-1-(2,2,2-trifluoroethyl)-2H-1,4-benzodiazepin-2-one
Haloxazolam		10-Bromo-11b-(o-fluorophenyl)-2,3,7,11b-tetrahydrooxazolo[3,2-d][1,4]benzodiazepin-6(5H)-one
Ketazolam		11-Chloro-8,12b-dihydro-2,8-dimethyl-12b-phenyl-4H-[1,3]oxazino[3,2-d][1,4]zepine-4,7(6H)-dione
Lefetamine	SPA	
diphenylethylamine		(-)-N,N-Dimethyl-1,2-
Loprazolam		6-(o-Chlorophenyl)-2,4-dihydro-2-[(4-methyl-1-piperazinyl)methylene]-8-nitro-1H-imidazo[1,2-a][1,4]benzodiazepin-1-one
Lorazepam		7-Chloro-5-(o-chlorophenyl)-1,3-dihydro-3-hydroxy-2H-1,4-benzodiazepin-2-one
Lormetazepam		7-Chloro-5-(o-chlorophenyl)-1,3-dihydro-3-hydroxy-1-methyl-2H-1,4-benzodiazepin-2-one
Mazindol		5-(p-Chlorophenyl)-2,5-dihydro-3H-imidazo[2,1-a]isoindol-5-ol



Medazepam		7-Chloro-2,3-dihydro-1-methyl-5-phenyl-1H-1,4-benzodiazepine
Mefenorex		N-(3-Chloropropyl)-#-methylphenethylamine
Meprobamate		2-Methyl-2-propyl-1,3-propanediol dicarbamate
Mesocarb		3-(#-Methylphenethyl)-N-(phenylcarbonyl)sydnone imine
Methylphenobarbital acid		5-Ethyl-1-methyl-5-phenylbarbituric
Methylprylon		3,3-Diethyl-5-methyl-2,4-piperidinedione
Midazolam		8-Chloro-6-(o-fluorophenyl)-1-methyl-4H-imidazo[1,5-a][1,4]benzodiazepine
Nimetazepam		1,3-Dihydro-1-methyl-7-nitro-5-phenyl-2H-1,4-benzodiazepin-2-one
Nitrazepam		1,3-Dihydro-7-nitro-5-phenyl-2H-1,4-benzodiazepin-2-one
Nordazepam		7-Chloro-1,3-dihydro-5-phenyl-2H-1,4-benzodiazepin-2-one
Oxazepam		7-Chloro-1,3-dihydro-3-hydroxy-5-phenyl-2H-1,4-benzodiazepin-2-one
Oxazolam		10-Chloro-2,3,7,11b-tetrahydro-2-

		methyl-11b-phenyloxazolo[3,2-d] [1,4]benzodiazepin-6(5H)-one
Pemoline		2-Amino-5-phenyl-2-oxazolin-4-one
Phendimetrazine		(+)-(2S,3S)-3,4-Dimethyl-2-phenylmorpholine
Phenobarbital		5-Ethyl-5-phenylbarbituric acid
Phenazepam		7-bromo-5-(2-chlorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one
Phentermine		##-Dimethylphenethylamine
Pinazepam		7-Chloro-1,3-dihydro-5-phenyl-1-(2-propynyl)-2H-1,4-benzodiazepin-2-one
Pipradrol		1,1-Diphenyl-1-(2-piperidyl)methanol
Prazepam		7-Chloro-1-(cyclopropylmethyl)-1,3-dihydro-5-phenyl-2H-1,4-benzodiazepin-2-one
Pyrovalerone		4'-Methyl-2-(1-pyrrolidinyl)valerophenone
Secbutabarbital		5-sec-Butyl-5-ethylbarbituric acid
Temazepam		7-Chloro-1,3-dihydro-3-hydroxy-1-methyl-5-phenyl-2H-1,4-benzodiazepin-2-one
Tetrazepam		7-Chloro-5-(1-cyclohexen-1-yl)-1,3-dihydro-1-methyl-2H-1,4-benzodiazepin-2-one
Triazolam		8-Chloro-6-(o-chlorophenyl)-1-methyl-

		4H-s-triazolo[4,3-a][1,4] benzodiazepine
Vinylbital		5-(1-Methylbutyl)-5-vinylbarbituric acid
Zolpidem		N,N,6-Trimethyl-2-p-tolylimidazo [1,2-a] pyridine-3-acetamide

The salts of the substances listed in this Schedule whenever the existence of such salts is possible.

**Second Schedule (Section 14(1))**

<b>Table I</b>	<b>Table II</b>
Acetic anhydride	Acetone
N-acetylanthranilic acid	Anthranilic acid
Ephedrine	Ethyl ether
Ergometrine	Hydrochloric acid
Ergotamine	Methyl ethyl ketone
Isosafrole	Piperidine
Lysergic acid	Sulphuric acid
3,4-methylenedioxyphenyl-2-propanon	Toluene
Norephedrine	
1-phenyl-2-propanone	
Alpha-phenylacetoacetonitrile (APAAN)	
Phenylacetic acid	
Piperonal	
Potassium permanganate	
Pseudoephedrine	
Safrole	
The salts of the substances listed in this Table whenever the existence of such salts is possible	The salts of the substances listed in this Table whenever the existence of such salts is possible (the salts of hydrochloric acid and sulphuric acid are specifically excluded)

**Third Schedule (Section 48(2))****Forms***The United Republic of Tanzania**The Drug Control and Enforcement Authority*

**Form No. DCEA 001 Forensic laboratory submission form**

***For submission of biological samples/substances suspected to be drug or precursor chemicals/substances with drug related effects***

# New submission # Resubmission # Additional Submission

Contact person information

Submitting Agency: \_\_\_\_\_

Submitting Officer: Full Name: \_\_\_\_\_ Title \_\_\_\_\_

Physical Address: \_\_\_\_\_

Region \_\_\_\_\_ District \_\_\_\_\_ Working Station \_\_\_\_\_

Office Telephone No.: \_\_\_\_\_ Mobile Telephone No: \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Case Information

Case No.: \_\_\_\_\_

Offence: \_\_\_\_\_

Date of Seizure: \_\_\_\_\_

Area of Seizure: Region \_\_\_\_\_ District \_\_\_\_\_ Ward \_\_\_\_\_

Village/Street: \_\_\_\_\_

Suspect information

S/n	Suspect name (first, middle, last)	Sex (F/M)	Date of birth	Nationality	ID No./ Passport No.

Description of exhibit submitted

S/No.	No of items and its description	Suspected drug, chemical or item

Request

Requested analysis of:

- (1) Sample identity
- (2) Drug type
- (3) Weight of drug
- (4) Effects of the identified drug to human being

Submitted By

Full Name of Submitting Officer: \_\_\_\_\_ Title \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Received by

Full Name of Receiving Officer: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

SUBHEADING Fomu

***Jamhuri ya Muungano wa Tanzania***

***Mamlaka ya kudhibiti na kupambana na dawa za kulevya***

**Fomu Na. DCEA 001 Fomu ya uwasilishaji sampuli maabara**



***“Kwa ajili ya uwasilishwaji wa Sampuli za kibaiolojia/vitu vinavyodhaniwa kuwa dawa za kulevya/vitu vyenye madhara yahusianayo na dawa za kulevya***

# sampuli mpya # sampuli ya marudio # sampuli ya nyongeza

Maelezo ya Mwasilishaji

Taasisi inayowasilisha Sampuli: \_\_\_\_\_

Majina ya Afisa Mwasilishaji: \_\_\_\_\_ Wadhifa \_\_\_\_\_

Anwani: \_\_\_\_\_

Mkoa \_\_\_\_\_ Wilaya \_\_\_\_\_ Kituo cha kazi \_\_\_\_\_

Simu ya Ofisi: \_\_\_\_\_ Simu ya mkononi: \_\_\_\_\_

Nukushi \_\_\_\_\_ Barua pepe: \_\_\_\_\_

Taarifa za kesi

Namba za Kesi: \_\_\_\_\_

Kosa: \_\_\_\_\_

Tarehe ya ukamataji \_\_\_\_\_

Eneo la ukamataji: \_\_\_\_\_ Mkoa \_\_\_\_\_

Wilaya \_\_\_\_\_

Kijiji/mtaa: \_\_\_\_\_

Taarifa za Mtuhumiwa

S/N	Jina la Mtuhumiwa, (Jina la kwanza, la pili la tatu)	Jinsia (ME/KE)	Tarehe ya kuzaliwa	Uraia	Namba ya kitambulisho/pasi ya kusafiria Na.

Maelezo ya kielelezo kinachowasilishwa

S/N	Idadi ya sampuli/vielelezo na maelezo yanayohusiana nayo/navyo	Aina ya kielelezo/sampuli inayodhaniwa kuwa dawa za kulevya, kemikali n.k

Maombi

Maombi ya Uchunguzi:

- 1) Utambulisho wa Kielelezo/sampuli
- 2) Aina ya Dawa
- 3) Uzito wa dawa
- 4) Madhara kwa binadamu

Imewasilishwa na:

Jina la Afisa anayewasilisha sampuli: \_\_\_\_\_

Cheo \_\_\_\_\_

Sahihi: \_\_\_\_\_ Tarehe: \_\_\_\_\_ muda: \_\_\_\_\_

Imepokelewa na

Jina la Afisa Mpokeaji: \_\_\_\_\_ Cheo: \_\_\_\_\_

Sahihi \_\_\_\_\_ Tarehe: \_\_\_\_\_ muda: \_\_\_\_\_

***The United Republic of Tanzania***

***Drug Control and Enforcement Authority***

**Form No. DCEA 002 Certificate of photograph/moving picture**

I, \_\_\_\_\_ District/Resident Magistrate, do hereby certify that \_\_\_\_\_ still pictures/moving pictures stored in \_\_\_\_\_ (form of storage) have been taken/recorded in my presence by \_\_\_\_\_ (recording officer) before the disposal of the exhibit namely \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Name of the officer: \_\_\_\_\_

Signature of the officer: \_\_\_\_\_

Before me:

Name: \_\_\_\_\_

Qualification: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

***Jamhuri ya Muungano wa Tanzania***

***Mamlaka ya Kudhibiti na Kupambana na Dawa za Kulevya***

**Fomu Na. DCEA 002 Hati ya picha za mnato/video**

Mimi, \_\_\_\_\_ Hakimu Mkazi/wa Wilaya nathibitisha kwamba \_\_\_\_\_ picha za mnato/video zilizotunzwa kwenye \_\_\_\_\_ (taja namna ya utunzaji) zimepigwa/zimechukuliwa mbele yangu na \_\_\_\_\_ (Afisa anayepiga picha/video/ kabla ya kuteketeza vielelezo/vielelezo (taja) \_\_\_\_\_ leo tarehe \_\_\_\_\_ mwezi wa \_\_\_\_\_ mwaka 20 \_\_\_\_\_

Jina la afisa: \_\_\_\_\_

Sahihi ya afisa: \_\_\_\_\_

Mbele yangu:

Jina: \_\_\_\_\_

Sifa: \_\_\_\_\_

Anuani: \_\_\_\_\_

Sahihi: \_\_\_\_\_

Tarehe: \_\_\_\_\_



**The United Republic of Tanzania**  
**Drug Control and Enforcement Authority**

**Form No. DCEA 003 Certificate of seizure (Section 48(2)(c) of DCEA, 2015)**



I \_\_\_\_\_ (name) \_\_\_\_\_ (title)

DO HEREBY certify to have conducted a search on

\_\_\_\_\_ (date) at \_\_\_\_\_ (place) and the under mentioned things/properties were seized:-

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_
- 8. \_\_\_\_\_
- 9. \_\_\_\_\_
- 10. \_\_\_\_\_

in the presence of:

- 1. Name of witness: \_\_\_\_\_ of \_\_\_\_\_  
Signature: \_\_\_\_\_
- 2. Name of Witness: \_\_\_\_\_  
Signature: \_\_\_\_\_
- 3. Name(s) of person(s) searched and signature
  - (a) Name: \_\_\_\_\_  
Signature: \_\_\_\_\_
  - (b) Name: \_\_\_\_\_  
Signature: \_\_\_\_\_
  - (c) Name: \_\_\_\_\_  
Signature: \_\_\_\_\_
  - (d) Name: \_\_\_\_\_

Signature: \_\_\_\_\_

(e) Name: \_\_\_\_\_

Signature: \_\_\_\_\_

(f) Name: \_\_\_\_\_

Signature: \_\_\_\_\_

4. Name of Executing officer: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

5. Name of interpreter (if any)

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

***Jamhuri ya Muungano wa Tanzania***

**Fomu Na. DCEA 003 Hati ya ukamataji mali (Kifungu 48(2)(c) cha DCEA, 2015)**



***Mamlaka ya Kudhibiti na Kupambana na Dawa za Kulevya***

Mimi \_\_\_\_\_ (jina) \_\_\_\_\_ (cheo), nathibitisha kuwa nimefanya upekuzi tarehe \_\_\_\_\_ eneo la \_\_\_\_\_ (mahali) ambapo vitu vifuatavyo vimekamatwa:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

Mbele ya:

1. Jina la Shahidi: \_\_\_\_\_

Saini: \_\_\_\_\_

2. Jina la Shahidi: \_\_\_\_\_

Saini: \_\_\_\_\_

\*\*\* (MASHAHIDI WATAJAZWA KULINGANA NA MAZINGIRA)

Jina/majina na saini za watu waliofanyiwa upekuzi

(a) Jina: \_\_\_\_\_

Saini: \_\_\_\_\_

(b) Jina: \_\_\_\_\_

Saini: \_\_\_\_\_

(c) Jina: \_\_\_\_\_

Saini: \_\_\_\_\_

(d) Jina: \_\_\_\_\_

Saini: \_\_\_\_\_

(e) Jina: \_\_\_\_\_

Saini: \_\_\_\_\_

(f) Jina: \_\_\_\_\_

Saini: \_\_\_\_\_

Jina la Afisa Mtekelezaji: \_\_\_\_\_

Saini: \_\_\_\_\_

Tarehe \_\_\_\_\_

Jina la Mkalimani (kama yupo): \_\_\_\_\_

Sahihi: \_\_\_\_\_

Tarehe: \_\_\_\_\_

*The United Republic of Tanzania*

**Form No. DCEA 004 Observation form (Section 48(2)(c) of DCEA, 2015)**



***Drug Control and Enforcement Authority***

Name of accused: \_\_\_\_\_

Under observation: \_\_\_\_\_

Age: \_\_\_\_\_ Tribe/nationality \_\_\_\_\_

Residence: \_\_\_\_\_ Phone number: \_\_\_\_\_

Date/time of arrest: \_\_\_\_\_

Flight/vessel/m/vehicle No: \_\_\_\_\_

During the observation the accused emitted some pellets/substances suspected to contain narcotic drugs/substances as follows:

Date	Time	Pellets/ substance emitted	Name and signature of suspect/ accused	Name and signature of independent witness	Name and signature of officer

Finishing time: \_\_\_\_\_

Declaration of suspects/accused: \_\_\_\_\_

I \_\_\_\_\_ do hereby declare that the entries made herein above in respect of the substances emitted are correct according to my knowledge:

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Name and signature of suspect/accused

\_\_\_\_\_  
Name and signature of officer

Officer's opinion (if any) \_\_\_\_\_

Name of Officer: \_\_\_\_\_

Signature: \_\_\_\_\_

Name of witness \_\_\_\_\_

Signature of witness \_\_\_\_\_

Name of Interpreter (if any): \_\_\_\_\_

Signature \_\_\_\_\_

***Jamhuri ya Muungano wa Tanzania***

**Fomu Na. DCEA 004 Fomu ya uangalizi (Kifungu 48(2)(c) cha DCEA, 2015)**



***Mamlaka ya Kudhibiti na Kupambana na Dawa za Kulevya***

Jina la mtuhumiwa/mshtakiwa aliye chini ya uangalizi: \_\_\_\_\_

Jinsi: \_\_\_\_\_ Umri: \_\_\_\_\_ Kabila/Uraia: \_\_\_\_\_

Makazi: \_\_\_\_\_ Simu: \_\_\_\_\_

Kazi \_\_\_\_\_

Tarehe na muda wa ukamataji: \_\_\_\_\_

Namba ya Ndege/Meli/Gari/Chombo cha Usafiri: \_\_\_\_\_

Wakati wa uangalizi mtuhumiwa/mshtakiwa ametoa pipi zinazodhaniwa kuwa na dawa za kulevya kama ifuatavyo:

Tarehe	Muda	Idadi ya pipi zilizotolewa	Jina na saina ya mtuhumiwa	Jina na saina ya shahidi huru	Jina na saina ya afisa

Muda aliomaliza kutoa pipi: \_\_\_\_\_

Tamko la Mtuhumiwa/Mshtakiwa aliye Chini ya Uangalizi

Mimi \_\_\_\_\_ nathibitisha kuwa taarifa iliyoingizwa kwenye jedwali hapo juu kuhusu dawa nilizotoa ni sahihi kwa kadiri ya ufahamu wangu.

Imetiwa saina terehe: \_\_\_\_\_

Jina la Mtuhumiwa/Mshtakiwa: \_\_\_\_\_

Saina ya Mtuhumiwa/Mshtakiwa: \_\_\_\_\_

Jina la Afisa: \_\_\_\_\_

Saina ya Afisa: \_\_\_\_\_

Maoni ya Afisa (kama yapo) \_\_\_\_\_

Jina: \_\_\_\_\_

Saina: \_\_\_\_\_ Tarehe \_\_\_\_\_

Jina la Mkalimani (kama yupo): \_\_\_\_\_

Saina: \_\_\_\_\_

***The United Republic of Tanzania***

***Drug Control and Enforcement Authority***

**Form No. DCEA 005 Cautioned statement (Section 48(2)(ix) of DCEA, 2015)**



Write in capital letters

Name of suspect: \_\_\_\_\_

Nationality/Tribe: \_\_\_\_\_  
 Age: \_\_\_\_\_  
 Religion: \_\_\_\_\_  
 Occupation: \_\_\_\_\_  
 Physical address: \_\_\_\_\_ Street/village: \_\_\_\_\_  
 Ward: \_\_\_\_\_  
 Division: \_\_\_\_\_ District: \_\_\_\_\_  
 Region: \_\_\_\_\_  
 Mobile/Tel. No. \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 Name of ten cell leader/Ward Secretary \_\_\_\_\_  
 Date: \_\_\_\_\_ Place \_\_\_\_\_  
 Starting time: \_\_\_\_\_

Cautioned statement according to section 48 of the Drug Control and Enforcement Act (DCEA), No. 5 of 2015

CAUTION:-

I \_\_\_\_\_ (Name and Title/Position), warn you \_\_\_\_\_ that you are accused of an offence of \_\_\_\_\_ c/s \_\_\_\_\_

You are not obliged to say anything regarding this offence unless you wish to do so. But whatever you say will be recorded and may be used in evidence against you before the court of law once needed. Also you have right to make your statement in presence of a lawyer, relative or friend of your choice to witness it.

Recording Officer's Signature \_\_\_\_\_ Signature of Suspect \_\_\_\_\_

Name of interpreter (if any) \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

RESPONSE:-

I \_\_\_\_\_ have been warned by \_\_\_\_\_ that I am charged with the offence of \_\_\_\_\_ c/s \_\_\_\_\_ I am not obliged to say anything regarding this offence unless I wish to do so. But whatever I say will be taken down in writing and may be used in evidence against me before the court of law once needed. Also I have been given the right to make my statement in presence of a lawyer, relative or friend of my choice to witness it.

Signature of Suspect \_\_\_\_\_ Signature of Recording Officer \_\_\_\_\_

QUESTION:- Are you ready to give out your statement?

RESPONSE:- Yes, I am ready/No, I am not ready : (Give reasons): \_\_\_\_\_

Signature of Suspect \_\_\_\_\_ Signature of Recording Officer \_\_\_\_\_

QUESTION: Who would you like to witness your statement?

RESPONSE: \_\_\_\_\_

Signature of Suspect \_\_\_\_\_ Signature of Recording Officer \_\_\_\_\_

Name of interpreter (if any) \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

In the presence of relative/friend/Advocate \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_

STATEMENT: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CERTIFICATION OF THE SUSPECT under Section 48(2)(ix): I

\_\_\_\_\_ certify that my statement has been correctly recorded without adding or leaving any word. I have read the statement/ The statement was read to me and satisfy myself that it is correct. (To be filled by a suspect. If illiterate, thumb print be used instead)

Signature of Suspect: \_\_\_\_\_

CERTIFICATION OF THE RECORDING OFFICER under Section 48(2)(a)(x): I \_\_\_\_\_ hereby declare that I have faithfully and accurately recorded the statement of the above named suspect

\_\_\_\_\_

Signature of Recording Officer \_\_\_\_\_

FINISHING TIME \_\_\_\_\_

*Jamhuri ya Muungano wa Tanzania*

*Mamlaka ya Kudhibiti na Kupambana na Dawa za Kulevya*

**Fomu Na. DCEA 005 Karatasi ya maelezo ya onyo (Kifungu 48(2)(ix))**



Jalada la kesi Na: \_\_\_\_\_

Jina la mtuhumiwa: \_\_\_\_\_

Kabila/utaifa: \_\_\_\_\_

Umri: \_\_\_\_\_

Dini: \_\_\_\_\_

Makazi: \_\_\_\_\_

Anwani: \_\_\_\_\_ Mtaa/Kijiji \_\_\_\_\_

Kata \_\_\_\_\_

Tarafa: \_\_\_\_\_ Simu ya mkononi \_\_\_\_\_

Simu ya ofisini: \_\_\_\_\_ Barua pepe: \_\_\_\_\_

M/kiti wa serikali ya mtaa/kijiji \_\_\_\_\_

Tarehe \_\_\_\_\_ Mahali \_\_\_\_\_ Muda wa kuanza \_\_\_\_\_

Maelezo ya onyo chini ya kifungu cha 48 cha sheria.

ONYO: Mimi \_\_\_\_\_ (Jina na Wadhifa) nakuonya wewe \_\_\_\_\_ Kwamba unatuhumiwa kwa kosa la \_\_\_\_\_ chini ya Kifungu \_\_\_\_\_ cha sheria \_\_\_\_\_ hivyo basi hulazimishwi kusema neno lolote kuhusiana na tuhuma hizi isipokuwa kwa hiari yako mwenyewe, lolote utakalolisema litaandikwa hapa chini na maelezo yako yanaweza kutumika kama ushahidi mahakamani pia

unayo haki ya kisheria kuwa na wakili wako, jamaa yako, ndugu yako au rafiki yako ili aweze kushuhudia wakati ukitoa maelezo yako.

\_\_\_\_\_ Saini ya Afisa Mwandishi \_\_\_\_\_ Saini ya Mtuhumiwa

Jina la Mkalimani (kama yupo) \_\_\_\_\_ sahihi \_\_\_\_\_ tarehe \_\_\_\_\_

JIBU LA ONYO Mimi \_\_\_\_\_ Nimeonywa kwamba natuhumiwa kwa kosa la \_\_\_\_\_ chini ya Kifungu \_\_\_\_\_ cha Sheria \_\_\_\_\_ na kwamba silazimishwi kusema neno lolote kuhusiana na tuhuma hizi isipokuwa kwa hiari yangu mwenyewe na kwamba lolote nitakalolisema litaandikwa hapa chini na maelezo yangu yanaweza kutumika kama ushahidi mahakamani na kwamba pia ninayo haki ya kisheria kuwa na wakili wangu, jamaa yangu, ndugu au rafiki yangu ili aweze kushuhudia wakati natoa maelezo yangu.

\_\_\_\_\_ Saini ya Afisa Mwandishi \_\_\_\_\_ Saini ya mtuhumiwa

\_\_\_\_\_ tarehe

SWALI: Je uko tayari kwa sasa kutoa maelezo yako?

JIBU: \_\_\_\_\_

\_\_\_\_\_ Saini ya Afisa Mwandishi

\_\_\_\_\_ Saini ya mtuhumiwa

SWALI: Ugependa nani awepo kushuhudia ukitoa maelezo yako?

JIBU: \_\_\_\_\_

\_\_\_\_\_ Saini ya Afisa Mwandishi

\_\_\_\_\_ Saini ya mtuhumiwa

\_\_\_\_\_ tarehe

Jina la Mkalimani (kama yupo) \_\_\_\_\_ Sahihi \_\_\_\_\_ tarehe \_\_\_\_\_

Mbele ya ndugu/Wakili/Rafiki (kama yupo)

Jina \_\_\_\_\_ sahihi \_\_\_\_\_ tarehe \_\_\_\_\_

MAELEZO: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

UTHIBITISHO: Chini ya kifungu cha 48(2)(a)(x) cha sheria Mimi \_\_\_\_\_ nathibitisha kuwa maelezo yangu yameandikwa kwa usahihi bila kuongeza au kupunguza neno. Nimeyasoma na ni sahihi (Aandike mtuhumiwa mwenyewe, kama hajui kusoma na kuandika na aweke dole gumba).

Jina la mtuhumiwa \_\_\_\_\_ Sahihi \_\_\_\_\_

UTHIBITISHO: Chini ya kifungu cha 48(2)(a)(x) cha sheria Mimi \_\_\_\_\_ (jina na wadhifa) nathibitisha kuandika maelezo ya mtuhumiwa \_\_\_\_\_ kwa uaminifu na kama alivyoeleza.

Jina la Afisa Mwandishi: \_\_\_\_\_

Sahihi: \_\_\_\_\_

Muda wa kumaliza maelezo: \_\_\_\_\_

***The United Republic of Tanzania***

***Drug Control and Enforcement Authority***



## Form No. DCEA 006 Inventory of seized exhibit for disposal (Section 36(2))



Investigation register No.	Date	Name of drug/precursor chemical (example: cannabis, heroin, khat, cocaine, etc.)	Description of article (example: mark, form: powder, solid, liquid, crystal, etc.; colour: white, brown, etc.)	Estimated weight/volume (example: kilograms, grams, litres, etc)	Quantity (example: 10 pellets, 20 Parcels)	Mode of packing (example: wrappers, container, bag, box, etc.	Remarks (other relevant information)

Name of a suspect \_\_\_\_\_

Signature of a suspect: \_\_\_\_\_

*(if more than one suspect, add another sheet)*

Name of an Officer: \_\_\_\_\_

Signature of an Officer: \_\_\_\_\_

Judge/magistrate

Remarks/order: \_\_\_\_\_

Name: \_\_\_\_\_

Qualification: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Seal of the office: \_\_\_\_\_

***Jamhuri ya muungano wa Tanzania******Mamlaka ya Kudhibiti na Kupambana na Dawa za Kulevya***

## Fomu Na. DCEA 006 Orodha ya vielelezo kwa ajili ya uteketezwaji (Kifungu 36(2))



Namba za usajili wa jalada la uchunguzi	Tarehe	Jina la dawa/kemikali bashirifu (mfano bangi, heroin, cocaine, mirungi)	Maelezo ya kielelezo (mfano: alama, umbile, unga, yabisi, kimiminika, chenga chenga n.k. rangi: nyeupe, kahawia n.k)	Makadirio ya uzito/ujazo (mfano: kilo, gramu, lita n.k.)	Idadi (mfano: pili 10, vifurushi 20, gunia 5, debe 10 n.k.)	Aina ya ufungaji (mfano: aina ya kifunga shio, debe, pipa, sanduku, boksi n.k.)	Maelekezo/maoni mengine (maelezo mengine muhimu)

Jina la mtuhumiwa \_\_\_\_\_

Saini ya mtuhumiwa: \_\_\_\_\_

(kama ni zaidi ya mmoja ongeza karatasi nyingine)

Jina la afisa: \_\_\_\_\_

Maoni/amri ya jaji/hakimu: \_\_\_\_\_

Jina la jaji/hakimu: \_\_\_\_\_

Sifa: \_\_\_\_\_

Anwani: \_\_\_\_\_

Sahihi: \_\_\_\_\_

Tarehe: \_\_\_\_\_

Muhuri/lakiri ya ofisi: \_\_\_\_\_

**The United Republic of Tanzania**

**Drug Control and Enforcement Authority**

**Form No. DCEA 007 Witness statement**



Write in capital letters

Particulars of witness

Name of witness: \_\_\_\_\_

Gender: \_\_\_\_\_

Nationality/tribe: \_\_\_\_\_

Age: \_\_\_\_\_

Religion: \_\_\_\_\_

Occupation: \_\_\_\_\_

Physical address: \_\_\_\_\_ Street/Village \_\_\_\_\_

Ward \_\_\_\_\_ Division \_\_\_\_\_ District \_\_\_\_\_

Region \_\_\_\_\_

Mobile /tel. No. \_\_\_\_\_

E-mail: \_\_\_\_\_

Name of ten cell leader/ward secretary \_\_\_\_\_

Date: \_\_\_\_\_ Place: \_\_\_\_\_

Starting time: \_\_\_\_\_

Declaration under section 34b(2)(c) of Evidence Act, [Cap. 16 Re 2002]

This statement (consisting of \_\_\_\_\_ pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence. I shall be liable to prosecution for perjury if I have willfully stated in it anything, which I know to be false or do not believe to be true.

Made at (Place) \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_

Time \_\_\_\_\_ Signature of Witness \_\_\_\_\_

STATEMENT

\_\_\_\_\_  
\_\_\_\_\_

Signature of Witness \_\_\_\_\_

CERTIFICATION OF THE RECORDING OFFICER under Section 10(3) of THE CRIMINAL PROCEDURE ACT, CAP. 20 [R.E. 2002]. I \_\_\_\_\_ hereby declare that I have faithfully and accurately recorded the statement of the above named witness \_\_\_\_\_

Signature of Recording Officer \_\_\_\_\_

FINISHING TIME \_\_\_\_\_

**Jamhuri ya Muungano wa Tanzania****Mamlaka ya Kudhibiti na Kupambana na Dawa za Kulevya****Fomu Na. DCEA 007 Maelezo ya shahidi**

Jaza kwa herufi kubwa

Taarifa za shahidi

Jina: \_\_\_\_\_

Jinsi: \_\_\_\_\_

Kabila/uraia: \_\_\_\_\_

Umri: \_\_\_\_\_

Dini: \_\_\_\_\_

Kazi: \_\_\_\_\_

Anwani ya makazi: \_\_\_\_\_

Mtaa/kijiji \_\_\_\_\_

Kata \_\_\_\_\_

Tarafa \_\_\_\_\_

Wilaya \_\_\_\_\_

Mkoa \_\_\_\_\_

Simu ya mkononi/ya mezani: \_\_\_\_\_

Barua pepe: \_\_\_\_\_

Jina la balozi wa nyumba kumi/katibu \_\_\_\_\_

Kata \_\_\_\_\_

Tarehe: \_\_\_\_\_ Mahali: \_\_\_\_\_

Muda wa kuanza kutoa maelezo: \_\_\_\_\_

Tamko la shahidi chini ya kifungu cha 34b (2)(c) cha sheria ya ushahidi [Sura ya 6, Re 2002]

Maelezo haya (yenye kurasa \_\_\_\_\_ zilizosainiwa na mimi) ni ya kweli kwa mujibu wa imani na ufahamu wangu na nayatoa nikijua kuwa endapo yatatolewa mahakamani nitawajibika nayo na naweza kushtakiwa kwa kutoa ushahidi wa uongo endapo nitabainika kuwa maelezo hayo ni ya uongo au kinyume.

Maelezo haya yametolewa hapa (mahali) \_\_\_\_\_ leo tarehe \_\_\_\_\_ mwezi \_\_\_\_\_ mwaka \_\_\_\_\_

Muda \_\_\_\_\_ saini ya shahidi \_\_\_\_\_

MAELEZO KAMILI \_\_\_\_\_

\_\_\_\_\_

Saini ya shahidi \_\_\_\_\_

UTHIBITISHO: Mimi \_\_\_\_\_ (jina na wadhifa) nathibitisha kuwa nimeandika maelezo ya (jina la shahidi) kwa uaminifu na usahihi kama alivyoeleza kwa mujibu wa Kifungu cha 10 (3) cha Sheria ya Mwenendo wa Makosa ya Jinai [Sura 20, R.E., 2002].

Saini ya Afisa anayerekodi/anayeandika maelezo: \_\_\_\_\_

Muda wa kumaliza: \_\_\_\_\_

***The United Republic of Tanzania***

***Drug Control and Enforcement Authority***

**Form No. DCEA 008 Extension of time to detain a person(s)  
or property (ies) (Section 48(2)(c)(iii) of DCEA, 2015)**



I \_\_\_\_\_ (Name and title) on this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

DO HEREBY extend time for a period of \_\_\_\_\_ hours/days to allow further investigation to the under mentioned suspect(s) arrested and/or properties seized.

Suspect(s)

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

*(If more than above suspects, add another sheet)*

Properties (e.g. motor vehicle, vessel, aircraft, building, etc.):

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

*(If more than above properties, add another sheet)*

The suspect(s) has/have been informed accordingly of such extension as witnessed here under.

1. Name(s) of suspect(s):
  - (a) Name: \_\_\_\_\_  
Signature: \_\_\_\_\_
  - (b) Name: \_\_\_\_\_

- Signature: \_\_\_\_\_
- (c) Name: \_\_\_\_\_  
Signature: \_\_\_\_\_
- (d) Name: \_\_\_\_\_  
Signature: \_\_\_\_\_
- (e) Name: \_\_\_\_\_  
Signature: \_\_\_\_\_
2. Officer extending time  
Name: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Qualification/Title: \_\_\_\_\_  
Date: \_\_\_\_\_
3. Interpreter (if any needed)  
Name: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

***Jamhuri ya Muungano wa Tanzania***

***Mamlaka ya Kudhibiti na Kupambana na Dawa za Kulevya***

**Fomu Na. DCEA 008 Fomu ya kuongeza muda wa kumweka mtuhumiwa  
chini ya ulinzi au kushikilia mali (Kifungu 48(2)(c)(iii) DCEA, 2015)**



Mimi \_\_\_\_\_ (jina na cheo) leo hii tarehe \_\_\_\_\_ Mwezi  
\_\_\_\_\_ 20 \_\_\_\_\_ ninaongeza muda kwa kipindi cha saa/siku \_\_\_\_\_  
kuruhusu upelelezi zaidi wa mtuhumiwa/watuhumiwa na, au mali zilizoshikiliwa walioorodheshwa/  
zilizoorodheshwa hapa chini:

Watuhumiwa

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

*(Iwapo kuna watuhumuwa zaidi ya idadi tajwa hapo juu, ongeza karatasi nyingine)*

Mali (mfano: gari, meli, ndege, jengo, n.k.):

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

*(Iwapo kuna mali zaidi ya idadi tajwa hapo juu, ongeza karatasi nyingine)*

Mtuhumiwa/watuhumiwa ame/wamejulishwa kuhusu kuongeza muda wa kuwekwa kizuizini na, au kushikiliwa mali kama inavyoshuhudiwa hapa chini: -

1. Jina la mtuhumiwa:
6. Jina: \_\_\_\_\_
  - (a) Saini: \_\_\_\_\_
  - (b) Jina: \_\_\_\_\_  
Saini: \_\_\_\_\_
  - (c) Jina: \_\_\_\_\_  
Saini: \_\_\_\_\_
  - (d) Jina: \_\_\_\_\_  
Saini: \_\_\_\_\_
  - (e) Jina: \_\_\_\_\_  
Saini: \_\_\_\_\_
2. Ofisa aliyetoa nyongeza ya muda  
Jina: \_\_\_\_\_  
Saini: \_\_\_\_\_  
Cheo: \_\_\_\_\_  
Tarehe: \_\_\_\_\_
3. Mkalimani (kama anahitajika)  
Jina: \_\_\_\_\_  
Saini: \_\_\_\_\_  
Tarehe: \_\_\_\_\_

***The United Republic of Tanzania***

***Drug Control and Enforcement Authority***

**Form No. DCEA 009 The Government laboratory  
analyst report (Section 48A(1) of DCEA, 2015)**



I \_\_\_\_\_ (Name of Chemist) of the \_\_\_\_\_ (institution), being an officer dully authorised to examine and analyse samples/exhibits, hereby certify as follows:

(1) On the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ at \_\_\_\_\_ (place) I received \_\_\_\_\_ (quantity) sealed packets/boxes/sacks/containers (whichever applicable) number \_\_\_\_\_ (any marked number) purporting to be sent by \_\_\_\_\_ (institution) suspected to have contained \_\_\_\_\_ (type of exhibit) in the form No. \_\_\_\_\_ purported to be signed by \_\_\_\_\_ (officer of the institution sending the sample(s)) which were handled to me by \_\_\_\_\_ (officer(s) of the institution) and was given Laboratory No. \_\_\_\_\_,

(2) I have examined and analysed the said samples/exhibits the results of which are stated hereunder:

Exhibit "A" \_\_\_\_\_ (Description of Exhibit)

- (a) Has been found/not found to have contained drug/substance or substance used in preparation of drug
- (b) Type of drug/substance or substance used in preparation of drug (if any found)
- (c) Its weight/volume in kilograms/grams or litres/millilitres
- (d) Its effect to human health if consumed/applied or used anyhow

Exhibit "B" \_\_\_\_\_ (Description of Exhibit)

- (a) Has been found/not found to have contained drug/substance or substance used in preparation of drug
- (b) Type of drug/substance or substance used in preparation of drug (if any found)
- (c) Its weight/volume in kilograms/grams or litres/millilitres
- (d) Its effect to human health if consumed/applied or used anyhow

Other remarks (if any) \_\_\_\_\_

(3) The \_\_\_\_\_ (quantity) sealed packets/boxes/sacks/containers (whichever applicable) each signed by me, has/have been handled back after examination to (officer) who brought the sample)

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Examining officer

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Title/Qualification: \_\_\_\_\_

Certifying officer:

Name: \_\_\_\_\_



Signature: \_\_\_\_\_

Title/Qualification: \_\_\_\_\_

Date: \_\_\_\_\_

***Jamhuri ya Muungano wa Tanzania******Mamlaka ya Kudhibiti na Kupambana na Dawa za Kulevya*****Fomu Na. DCEA 009 Taarifa ya uchunguzi wa maabara ya serikali (Kifungu 48A(1))**

Mimi \_\_\_\_\_ (Jina la mkemia) wa maabara ya Serikali \_\_\_\_\_ (Jina la Taasisi), ambaye ni afisa niliyeidhinishwa kufanya uchunguzi wa vielelezo, nathibitisha kuwa,

(1) Tarehe \_\_\_\_\_ / \_\_\_\_\_ / 20 \_\_\_\_\_ eneo la \_\_\_\_\_ (mahali), nilipokea pakiti/sanduku/magunia/kilo \_\_\_\_\_ (kiasi chochote kinachohusika) yenye namba \_\_\_\_\_ (alama yeyote inayoonekana) kilichowasilishwa kwangu toka \_\_\_\_\_ (taasisi iliyowasilisha kielelezo) kwa kutumia fomu Na. \_\_\_\_\_ inayosadikika kusainiwa na \_\_\_\_\_ (afisa mwenye dhamana toka taasisi inayowasilisha kielelezo)

(2) Nimefanya uchunguzi wa sampuli/kielelezo/vielelezo na kupata matokeo yafuatayo:

Kielelezo "A"

- (a) Kimegundulika/hakijagundulika kuwa na dawa ya kulevya au kemikali inayoweza kutumika kutengeneza dawa za kulevya
- (b) Aina ya dawa au kemikali iliyogundulika/zilizogundulika kuwemo
- (c) Uzito wa dawa/kemikali hizo katika ujazo wa kilogramu/gramu/lita au mililita
- (d) Athari za dawa/kemikali hiyo endapo itatumiwa na binadamu au kutengeneza dawa za kulevya

Kielelezo "B"

- (a) Kimegundulika/hakijagundulika kuwa na dawa ya kulevya au kemikali inayoweza kutumika kutengeneza dawa za kulevya
- (b) Aina ya dawa au kemikali iliyogundulika/zilizogundulika kuwemo
- (c) Uzito wa dawa/kemikali hizo katika ujazo wa kilogramu/gramu/lita au mililita
- (d) Athari za dawa/kemikali hiyo endapo itatumiwa na binadamu au kutengeneza dawa za kulevya  
Maoni mengine (kama yapo) \_\_\_\_\_

(3) Kiasi cha pakiti/sanduku/magunia/kilo/lita \_\_\_\_\_ (kiasi) zikiwa/yakiwa zimefungwa kwa lakiri kila moja ikiwa na saini yangu, zimerudishwa baada ya uchunguzi kwa \_\_\_\_\_ (afisa aliyechukua vielelezo) leo tarehe \_\_\_\_\_ / \_\_\_\_\_ /20 \_\_\_\_\_

Aliyefanya uchunguzi:

Jina: \_\_\_\_\_

Saini: \_\_\_\_\_

Cheo: \_\_\_\_\_

Afisa anayethibitisha

Jina: \_\_\_\_\_

Saini: \_\_\_\_\_

Cheo: \_\_\_\_\_

Tarehe: \_\_\_\_\_