

DANGEROUS DRUGS ACT

DANGEROUS DRUGS ACT
ARRANGEMENT OF SECTIONS

Preliminary

SECTION

1. Short title.
2. Interpretation.

PART I

Raw opium, coca leaves and Indian hemp

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

PART II

Prepared opium

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

PART III

Cocaine, morphine and other drugs to which this Part applies

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

PART IV

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

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

PART V

Control of external trade in dangerous drugs

10. Definitions for purpose of Part V.
11. Export of dangerous drugs.

12. Import of dangerous drugs.
13. Dangerous drugs in transit.
14. Removal licences.
15. Drugs not to be tampered with.
16. Diversion of dangerous drugs.

PART VI

General

SECTION

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

SCHEDULE

DANGEROUS DRUGS ACT

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

[1935 No. 12.]

[1st July, 1935]

[Commencement.]

Preliminary

1. Short title

This Act may be cited as the Dangerous Drugs Act.

2. Interpretation

In this Act, unless the context otherwise requires-

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

"cocaine" means methyl-benzoyl-laevo-ecgonine ($[\alpha]_{D20} = -16.4$) in 20 per cent solution of chloroform having the formula $C_{17}H_{21}NO_4$;

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

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

"ecgonine" means laevo-ecgonine ($[\alpha]_{D20} = -45.6$ in 5 per cent solution of water) having the formula $C_{15}H_{15}NO_3 \cdot H_2O$ and all derivations of laevo-ecgonine which might serve industrially for its recovery;

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

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

"Indian hemp" means-

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

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

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

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

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

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

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

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

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

PART I

Raw opium, coca leaves and Indian hemp

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

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

4. Drugs to which Part I applies

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

[1966 No. 19.]

PART II

Prepared opium

5. Prohibition of exportation or importation of prepared opium

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

6. Penalty for dealing in prepared opium

If any person-

- (a) manufactures, sells or otherwise deals in prepared opium; or
- (b) has in his possession any prepared opium; or
- (c) being the occupier of any premises permits those premises to be used for the purpose of the preparation of opium for smoking or the sale or smoking of prepared opium; or
- (d) is concerned in the management of any premises used for any such purpose as aforesaid; or
- (e) has in his possession any pipes or other utensils for use in connection with the smoking of opium or any utensils used in connection with the preparation of opium for smoking; or
- (f) smokes or otherwise uses prepared opium, or frequents any place used for the purpose of opium smoking,

he shall be guilty of an offence under this Act.

PART III

Cocaine, morphine and other drugs to which this Part applies

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

(1) For the purpose of preventing the improper use of the drugs to which this Part applies, the President may make regulations for controlling the importation, exportation, transit, manufacture, sale, possession and distribution of those drugs and in particular, but without prejudice to the generality of the foregoing power, for-

- (a) prohibiting the manufacture of any drug to which this part applies except on premises licensed for the purpose and subject to any conditions specified in the licence; and
- (b) prohibiting the manufacture, sale or distribution of any such drug except by persons licensed or otherwise authorised under the regulations and subject to any conditions specified in the licence or authority; and
- (c) regulating the issue by medical and dental practitioners, and veterinary surgeons of prescriptions containing any such drug and the dispensing of any such prescriptions; and
- (d) requiring persons engaged in the manufacture, sale or distribution of any such drug to keep such books and furnish such information either in writing or otherwise as may be prescribed.

(2) The regulations under this section shall provide for authorising any person who lawfully keeps open shop for the retailing of poisons in accordance with the provisions of the Pharmacists Council of Nigeria Act-

[Cap. P17.]

- (a) to manufacture at the shop in the ordinary course of his retail business any preparation, admixture, or extract of any drug to which this Part applies; or
- (b) to carry on at the shop the business of retailing, dispensing, or compounding any such drug,

subject to the power of the Minister of Health to withdraw the authorisation in the case of a person who has been convicted of an offence against this Act, and who cannot, in the opinion of the Minister of Health, properly be allowed to carry on the business of manufacturing or selling or distributing, as the case may be, any such drug.

(3) Nothing in any regulations made under this section shall be taken to authorise the mixing, compounding, preparing, dispensing or selling of poisons by any person who is not qualified in that behalf under, or otherwise in accordance with, the provisions of the Pharmacists Council of Nigeria Act or be in derogation of the provisions of that Act, for prohibiting, restricting or regulating the mixing, compounding, preparing, dispensing and selling of poisons.

(4) Without prejudice to the provisions of the Indian Hemp Act relating respectively to medical preparations of Indian hemp and to Indian hemp in transit and its diversion, nothing in any regulations made under this section shall render lawful anything which is an offence under the Indian Hemp Act.

[Cap. 16.]

8. Drugs to which Part III applies

- (1) The drugs to which this Part of this Act applies are-
 - (a) medical opium;
 - (b) any extract or tincture of Indian hemp;
 - (c) morphine and its salts, and diacetylmorphine (commonly known as diamorphine or heroin) and the other esters of morphine and their respective salts;
 - (d) cocaine (including synthetic cocaine) and ecgonine and their respective salts, and the esters or ecgonine and their respective salts;
 - (e) any solution or dilution of morphine or cocaine or their salts in an inert substance, whether liquid or solid, containing any proportion of morphine or cocaine, and any preparation, admixture, extract or other substances (not being such a solution or

dilution as aforesaid) containing not less than one-fifth per cent of morphine or one-tenth per cent of cocaine or of ecgonine;

- (f) any preparation, admixture, extract or other substance containing any proportion of diacetylmorphine;
- (g) dihydrohydroxycodeinone, dihydrocodeinone, dihydromorphinone, acetyldihydrocodeinone, dihydromorphine, their esters and the salts of any of these substances and of their esters, morphine-N-oxide (commonly known as genomorphine) the morphine-N-oxide derivatives, and any other pentavalent nitrogen morphine derivatives;
- (h) thebaine and its salts, and (with the exception of methylmorphine, commonly known as codeine, and ethylmorphine, commonly known as dionin, and their respective salts) benzylmorphine and the other ethers of morphines and their respective salts;
- (i) any preparation, admixtures, extract or other substances containing any proportion of any of the substances mentioned in paragraph (g) or in paragraph (h) of this subsection.

(2) For the purpose of subsection (1) of this section-

- (a) the percentage in the case of morphine shall be calculated in respect of anhydrous morphine; and
- (b) percentages in the case of liquid preparations shall, unless other provisions in that behalf is made by regulations, be calculated on the basis that a preparation containing one per cent of any substance means a preparation in which one gramme of the substance, if a solid, or one millilitre of the substance, if a liquid, is contained in every one hundred millilitres of the preparation, and so in proportion for any greater or less percentage;
- (c) "**ecgonine**" means laevo-ecgonine and includes any derivatives of ecgonine from which it may be recovered industrially.

(3) If it appears to the President that any new derivative or morphine or cocaine or of any salts of morphine or cocaine or any other alkaloid of opium or any other drug of whatever kind is or is likely to be productive, if improperly used, or is capable of being converted into a substance which is or is likely to be productive, if improperly used, of ill effects, substantially of the same character or nature as or analogous to those produced by morphine or cocaine, the President may, by order, declare that this Part shall apply to that new derivative or alkaloid or other drug in the same manner as it applies to the drugs mentioned in subsection (1) of this section, and make any verbal alterations in the lists of drugs specified in subsection (1) incidental to the declaration contained in such order.

(4) If the President thinks fit, by order, to declare that a finding with respect to any preparation containing any of the drugs to which this Part applies has in pursuance of Article 8 of the Geneva

Convention (No.1) been communicated by the Secretary-General of the United Nations to the parties to the said Convention, the provisions of this Part shall, as from such date as may be specified in the order, cease to apply to the preparations specified therein.

PART IV

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

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

(1) It shall not be lawful for any person in Nigeria to trade in or manufacture for the purpose of trade any products obtained from any of the phenanthrene alkaloids of opium or from the ecgonine alkaloids of the coca leaf, not being a product which was on the 13th day of July, 1931, being used for medical or scientific purposes:

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

(2) If any person acts in contravention of the provisions of subsection (1) of this section, he shall be guilty of an offence against this Act.

(3) If it is made to appear to the President that a decision with respect to any such product as is mentioned in subsection (1) of this section has in pursuance of Article 11 of the Geneva Convention (No.2) been communicated by the Secretary-General of the United Nations to the parties to the said Convention, the President may by order, as the case requires, either declare the provisions of the said Part III shall apply to that product in the same manner as they apply to the drugs mentioned in subsection (1) of section 9 of this Act, or apply the said Part III to that product with such modifications as may be specified in the order.

(4) The President may by order apply Part III of this Act, with such modifications as may be specified in the order, to any of the following drugs, that is to say, methyilmorphine (commonly known as codeine), ethylmorphine (commonly known as dionin) and their respective salts.

PART V

Control of external trade in dangerous drugs

10. Definitions for purpose of Part V

For the purposes of this Part-

"**Convention**" in relation to any international procedure in respect of any drug means the Geneva Convention (No.1) and the Geneva Convention (No.2) or such one of these Conventions as

allows of such procedure being reciprocally adopted in respect of such drug by the parties to the Convention;

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

"dangerous drug" means-

(a) raw opium, cocoa leaves, and Indian hemp;

(b) any drug to which Part III applies at the commencement of this Act or to which the said Part may hereafter be applied under subsection (2) of section 9 or, with or without modifications, under subsection (3) of section 9 of this Act:

Provided that the expression shall not be deemed to include any drug mentioned in paragraph (a) where such inclusion would involve a conflict between any provision of this Part and any provision of the Indian Hemp Act;

[Cap. 16.]

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

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

"import authorisation" means a licence, issued by a competent authority, authorising the importation of a specified quantity of a dangerous drug and containing full particulars of the drug, together with the name and address of the person authorised to import the drug, the name and address of the person from whom the drug is to be obtained, and specifying the period within which the importation must be effected;

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

[Form A. Schedule.]

11. Export of dangerous drugs

(1) Upon the production of an import certificate duly issued by the competent authority in any country, it shall be lawful for the Comptroller-General of the Customs Services to issue an export

authorisation as in Form B in the Schedule to this Act, in respect of any drug referred to in the import certificate, to any person who is named as the exporter in such certificate, and is, under the provisions of this Act, otherwise lawfully entitled to export such drug from Nigeria.

[Form B. Schedule.]

(2) The export authorisation shall be prepared in triplicate; two copies shall be issued to the exporter who shall send one copy with the drug to which it refers when such drug is exported and the Comptroller-General of the Customs Services shall send the third copy direct to the appropriate authority of the country of ultimate destination but where the intended exportation is to a country which is not a party to the Convention, it shall not be necessary to produce an import certificate as aforesaid.

(3) In all cases it shall be in the absolute discretion of the Comptroller-General of the Customs Services to issue or refuse an export authorisation, as he may see fit.

(4) No dangerous drug shall be exported from Nigeria unless the consignor is in possession of a valid and subsisting export authorisation relating to such drug granted under this Act.

(5) At the time of exportation of any dangerous drug the exporter shall produce to the Comptroller-General of the Customs Services the dangerous drug, the export authorisation relating thereto, and such other evidence as the Comptroller-General of the Customs Services may require to satisfy him that the drug is being lawfully exported to the place and person named in the authorisation which refers to it.

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

12. Import of dangerous drugs

(1) An import authorisation as in Form C in the Schedule to this Act permitting the importation into Nigeria of any dangerous drug specified therein, may be granted by the Minister of Health, subject to such conditions as he shall deem fit, to any person who may lawfully import such drug and in all cases it shall be within the absolute discretion of the Minister of Health to issue or refuse an import authorisation, as he may see fit.

[Form C. Schedule.]

(2) Every import authorisation shall be issued in duplicate of which one copy shall be forwarded by the intending importer to the person from whom the drug is to be obtained.

(3) No dangerous drug shall be imported into Nigeria unless the person to whom the drug is consigned is in possession of a valid and subsisting import authorisation granted in pursuance of this section.

(4) Every dangerous drug imported into Nigeria from a country which is a party to the Convention shall be accompanied by a valid subsisting export authorisation or diversion certificate.

(5) No person shall import, cause to be imported, or take any steps preparatory to importing, any dangerous drug into Nigeria except in pursuance of and in accordance with the provisions of this Act.

13. Dangerous drugs in transit

(1) No person shall bring any dangerous drug to Nigeria in transit unless-

- (a) the drug is in course of transit from a country from which it may lawfully be exported, to another country into which such drug may lawfully be imported; and
- (b) except where the drug comes from a country not a party to the Convention, it is accompanied by a valid and subsisting export authorisation or diversion certificate, as the case may be.

(2) Where any dangerous drug in transit is accompanied by an export authorisation or diversion certificate and the Comptroller-General of the Customs Services has reasonable grounds for believing that such authorisation or certificate is false, or that it has been obtained by fraud or wilful misrepresentation of a material particular, it shall be lawful for the Comptroller-General of the Customs Services to seize and detain the drug to which such authorisation or certificate relates and upon being satisfied that such authorisation or certificate is valid or has not been obtained by fraud or misrepresentation as aforesaid, the Comptroller-General of the Customs Services shall release the drug.

(3) Where the dangerous drug in transit is not accompanied by an export authorisation or diversion certificate by reason of the fact that the drug comes from a country not a party to the Convention and the Comptroller-General of the Customs Services has reasonable grounds for believing that such drug is being conveyed in an unlawful manner or for an unlawful purpose or is in course of transit for the purpose of being imported into another country in contravention of the laws of that country, it shall be lawful for the Comptroller-General of the Customs Services to seize and detain the drug.

(4) Where a dangerous drug brought into Nigeria in transit is landed, or trans-shipped in Nigeria, it shall remain under the control of the Comptroller-General of the Customs Services and shall be moved only under and in accordance with a removal licence granted in pursuance of section 14 of this Act.

(5) Nothing in this section contained shall be deemed to apply to any dangerous drug in transit by post or in transit by air if the aircraft passes over Nigeria without landing, or to such quantities of dangerous drugs as may, bonafide, reasonably form part of the medical stores of any ship or aircraft.

14. Removal licences

(1) No person shall-

- (a) remove any dangerous drug from the conveyance by which it is brought into Nigeria in transit; or
- (b) in any way move any such drug in Nigeria at any time after removal from such conveyance except under and in accordance with a licence as in Form D in the Schedule to this Act (in this Act referred to as a removal licence) issued by the Comptroller-General of the Customs Services; in all cases it shall be in the absolute discretion of the Comptroller-General of the Customs Services to issue or refuse a removal licence as he shall deem fit.

[Form D. Schedule.]

- (2) No removal licence for the transfer of any such drug to any conveyance for removal out of Nigeria shall be issued unless and until a valid and subsisting export authorisation or diversion certificate relating to it is produced to the Comptroller-General of the Customs Services, save that where the drug has come from a country not a party to the Convention, this subsection shall not apply.
- (3) The provisions of this section shall not apply to dangerous drugs in transit by post.

15. Drugs not to be tampered with

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

16. Diversion of dangerous drugs

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

[Form E. Schedule.]

(2) The Comptroller-General of the Customs Services may in his absolute discretion issue a diversion certificate in respect of any dangerous drug in transit upon production to him of a valid and subsisting import certificate issued by a competent authority in the country to which it is proposed to divert the drug, or if that country is not a party to the Convention upon such evidence as may satisfy him that the drug is to be sent in a lawful manner and for a proper purpose.

(3) A diversion certificate shall be issued in duplicate; one copy thereof shall accompany the drug when it is exported from Nigeria and another copy shall be dispatched by the Comptroller-General of the Customs Services direct to the proper authority in the country to which the consignment has been diverted.

(4) Upon the issue of a diversion certificate, the export authorisation or diversion certificate (if any) accompanying the drug on its arrival in Nigeria, shall be detained by the Comptroller-General of the Customs Services and returned to the authority issuing such authorisation or diversion certificate, together with a notification of the name of the country to which such drug has been diverted.

PART VI

General

17. Powers of inspection

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

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

(3) If any person wilfully delays or obstructs any person in the exercise of his powers under this section or fails to produce or conceals or attempts to conceal any such books, stocks, drugs or documents as aforesaid, he shall be guilty of an offence under this Act.

18. Fees for licences and authorities

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

19. Offences and penalties

(1) Any person-

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

shall be guilty of an offence under this Act.

(2) Every person guilty of an offence under this Act, shall, in respect of each offence, be liable to a fine of two thousand naira, or to imprisonment for a term of ten years, or to both; and shall, in every case on conviction for the offence, forfeit all articles in respect of which the offence was committed, and the court before which the offender was convicted may order any forfeited articles to be destroyed or otherwise disposed of as the court deems fit.

(3) No person shall, on conviction for any offence of contravening or failing to comply with any regulation under this Act relating to the keeping of books or the issuing or dispensing of prescriptions

containing drugs to which this Act applies, be sentenced to imprisonment without the option of a fine or to pay a fine exceeding one hundred naira, if the court dealing with the case is satisfied that the offence was committed through inadvertence and was not preparatory to, or committed in the course of, or in connection with, the commission or intended commission of any other offence under this Act.

(4) If any person attempts to commit an offence against this Act, or solicits or incites another person to commit such an offence, he shall, without prejudice to any other liability, be liable to the same punishment and forfeiture as if he had committed an offence under this Act.

(5) Where a person convicted of an offence under this Act is a company, the chairman and every director and every officer concerned in the management of the company shall be guilty of the like offence unless he proves that the act constituting the offence took place without his knowledge or consent.

(6) Every magistrate, whether in Federal Capital Territory, Abuja or in any State, shall, notwithstanding anything contained in any enactment, have jurisdiction for the summary trial of any offence under this Act and may impose the punishment provided by this section for that offence.

20. Burden of proof

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

21. Power of arrest

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

[1966 No. 91.]

SCHEDULE

FORM A

[Section 10.]

IMPORT CERTIFICATE issued

by the Government of Nigeria.

Serial No..... .

File No

INTERNATIONAL OPIUM CONVENTIONS

Certificate of official approval of import

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

(a) Name, address and business of importer.

.....

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

of (b)

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

from (c).....

subject to the following conditions

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

(d)

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

**Strike out the words not applicable.*

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

(2) *Solely for medicinal or scientific purposes (*in the case of drugs to which Chapter III of the International Opium Convention, 1925, applies*).

(Signature)

(Minister of Health)

(Date)

FORM B

[Section 11.]

File No.....

Applicant's

Serial No.....

Export authorisation

In pursuance of the Dangerous Drugs Act, the Comptroller-General of the Customs Services hereby authorises (hereinafter called "the exporter")

to export from.....

*Strike out the words not applicable.

(1) *the port of .

.....
.....by S.S

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

Post Office in.....

..... to

in virtue of Import Certificate No.....

issued by.....

the following drugs:-

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

1. This authorisation is not a licence to obtain or be in possession of the drugs named herein.
2. This authorisation is available only for drugs of the exact quantity, kind and form specified above.
3. This authorisation does not relieve the exporter from compliance with any Customs Regulations in force for the time being relating to the exportation of goods from Nigeria nor from any provision of the Nigerian Postal Services Act or of any Nigerian Postal Service Department Regulations for the time being in force, nor from any rules or regulations respecting the transmission of articles by post which may for the time being be in force, whether within Nigeria or elsewhere.
4. If the drugs are authorised to be exported by ship the duplicate copy, which is attached, shall accompany the consignment to the place of destination, and for this purpose the exporter shall cause it

to be delivered to the master of the vessel by which the consignment is despatched. (See note (2) below.)

5. If the drugs are authorised to be exported by post the attached duplicate copy shall be placed inside the outer wrapper of the parcel containing the drugs. If the drugs are contained in more than one parcel, the duplicate copy shall be placed inside the outer wrapper of one of them; the parcels shall be consecutively numbered on the outer wrapper, and on each parcel there shall be legibly stated the number of the parcel in which the duplicate copy is to be found. (See note (3) below.)

6. The exporter, if so required by the Comptroller-General of the Customs Services, shall produce to him within such time as he may allow, proof to his satisfaction that the said drugs were duly delivered at the destination named in this authorisation, and in the event of non-compliance with this condition the authorisation shall be deemed void and of no effect.

7. The exporter shall furnish to the Comptroller-General of the Customs Services such returns of the goods exported by him in pursuance of this authorisation as may from time to time be required.

8. This authorisation is valid only for the exporter named above and may be revoked at any time by the Comptroller-General of the Customs Services. It shall be produced for inspection when require by any duly authorised person.

9. This authorisation, unless sooner revoked, shall continue in force for three calendar months from the date hereof. It must be produced, at the time of export, to an officer of:

.....

* Strike and the words not applicable.

(1) *the Nigerian Customs Service,

(2) *the Nigerian Postal Service,

who will retain it.

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

.....

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

(Date)

NOTES

(1) If any alteration is desired in this authorisation it must be returned with a request for amendment and a statement of the reasons therefor. No unauthorised alteration is permissible.

(2) In the case of drugs exported by ship this document is required in pursuance of the International Opium Convention, 1925, Article 15, to be produced to the competent authorities of any country through which the consignment passes, whether it is transshipped or not. Failure to comply with the condition may lead to delay or confiscation of the consignment.

(3) In the case of drugs exported by post, failure to comply with this condition may lead to delay or confiscation of the parcels in the country of destination.

FORM C

[Section 12.]

INTERNATIONAL OPIUM CONVENTIONS

Import authorisation and certificate of official approval of import

**Here insert name and full postal address of importer.*

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

..... (hereinafter called "the importer")

to import the drugs specified in the Schedule hereto, which I am satisfied are required-

**Strike out the words not applicable.*

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

(2) *Solely for medical or scientific purposes (*in the case of drugs to which Chapter III of the International Opium Convention, 1925, applies*).

from:

+Here insert name and full postal address of exporter.

This authorisation is issued subject to the following conditions-

1. The drugs shall be imported before [date].

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

.....
 (Signature and stamp of the
 Minister of Health)
 (Date)

SCHEDULE specifying the drugs and quantities thereof to be imported.

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

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

Endorsement by customs officer at the time of importation

I hereby certify that the person named overleaf has today imported the consignment thereon specified*

* See note § below.

† ex ‡..... under Customs Entry No.

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

.....
(Signature of Customs Officer)

Port Stamp..... Rank

Port..... Date

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

AMOUNT

DESCRIPTION OF ITEMS

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

FORM D

[Section 14.]

Licence for the removal of dangerous drugs in transit

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

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

Date of arrival

Number of packages.....

Marks and numbers on packages.....

This licence is issued subject to the following conditions-

SCHEDULE-continued

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

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

FORM E

[Section 16.]

INTERNATIONAL OPIUM CONVENTIONS

Diversion certificate

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

Description and quantities of drugs.....

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

Name and address of the exporter.....

Number and date of export authorisation and authority by whom issued

Name and address of original consignee named in the export authorisation.....

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

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

Name of vessel on which the consignment is authorised to be carried from (name of port in Nigeria).

Period within which the consignment is to be carried from Nigeria

This certificate is issued subject to the following conditions-

(1) The duplicate copy of this certificate shall accompany the consignment to the place of destination, and for this purpose shall be delivered to the Master of the vessel by which the consignment is despatched.

(2) This certificate does not relieve any person who may be concerned with the carriage of the consignment of drugs specified above from compliance with any Customs Regulations in force for the time being relating to the exportation of goods from Nigeria.

(3) This certificate is valid only for the consignment and for the period specified above, and may be revoked at any time.

(4) If the consignment of drugs is not carried from Nigeria within the period specified above, this certificate shall be surrendered to the Comptroller-General of the Customs Services.

(5) This certificate shall be produced at any time when required by a duly authorised person.

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

(Date) .

NOTES

(1) If any alteration is desired in this authorisation it must be returned with a request for amendment and a statement of the reasons therefor. No unauthorised alteration is permissible.

(2) This document is required in pursuance of the International Opium Convention, 1925, Article 15, to be produced to the competent authorities of any country through which the consignment passes, whether it is trans-shipped or not. Failure to comply with the conditions may lead to delay or confiscation of the consignment.

DANGEROUS DRUGS ACT

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

1. Dangerous Drugs (Application to Esters of Morphine, etc.) Order.
2. Dangerous Drugs (Application to Benzoyl-morphine, etc.) Order.
3. Dangerous Drugs (Application to Dihydro-morphinone, etc.) Order.
4. Dangerous Drugs (Application to Acetyldihydrocodeinone, etc.) Order.
5. Dangerous Drugs Regulations.
6. Dangerous Drugs (Application to Alphaprodine, Amidone, etc.) Order.
7. Dangerous Drugs (Relaxation of Application to Morpholinylethylmorphine) Order.
8. Dangerous Drugs (Application to Methyldmorphine, etc.) Order.
9. Dangerous Drugs (Relaxation of Application to Certain Morphine and Cocaine Preparations) Order.
10. Dangerous Drugs (Application to Morpholinylethylmorphine, etc.) Order.
11. Dangerous Drugs (Relaxation of Application to Dihydrocodeine) Order.
12. Dangerous Drugs (Modified Form) Regulations.

DANGEROUS DRUGS (APPLICATION TO ESTERS OF MORPHINE, ETC.) ORDER

[27 of 1929.]

under section 8

1. Application of Act to other morphine, etc.

Part III of the Dangerous Drugs Act shall apply to esters of morphine and their respective salts and to any preparation, admixture and extract containing any of the said esters.

[Cap. DI.]

2. Short title

This Order may be cited as the Dangerous Drugs (Application to Esters of Morphine, etc.) Order.

DANGEROUS DRUGS (APPLICATION TO BENZOYL-MORPHINE, ETC.) ORDER.

[29 of 1928.]

under section 8 (2)

1. Application of Act to benzoyl-morphine, etc.

Part III of the Dangerous Drugs Act shall apply to the drugs benzoyl-morphine, di-hydro-oxycodone, dihydrocodeinone, and their respective salts and to any preparation, admixture and extract containing benzoyl-morphine, dihydro-oxycodone, or dihydrocodeinone.

[Cap. D1.]

2. Short title

This Order may be cited as the Dangerous Drugs (Application to Benzoyl-morphine, etc.) Order.

DANGEROUS DRUGS (APPLICATION TO DIHYDRO-MORPHINONE, ETC.) ORDER.

[10 of 1931.]

under section 9

1. Application of Act to dihydro-morphinone

Part III of the Dangerous Drugs Act shall apply to dihydro-morphinone and its salts and any preparation, admixture, extract or other substance containing any proportion of dihydro-morphinone.

[Cap. D1.]

2. Short title

This Order may be cited at the Dangerous Drugs (Application to Dihydro-morphinone, etc.) Order.

DANGEROUS DRUGS (APPLICATION TO ACERTYLDIHYDROCODEINONE, ETC.) ORDER.

[19 of 1931.]

under section 9

1. Application of Act to acetyldihydrocodeinone

Part III of the Dangerous Drugs Act shall apply to acetyldihydrocodeinone and its salts and any preparation, admixture, extract or other substance containing any proportion of acetyldihydrocodeinone.

[Cap. D1.]

2. Short title

This Order may be cited at the Dangerous Drugs (Application to Acetyldihydrocodeinones, etc.) Order.

DANGEROUS DRUGS REGULATIONS

[L.N. 11 of 1937.]

under sections 3 and 7 (1)

1. Short title

These Regulations may be cited as the Dangerous Drugs Regulations.

2. Interpretation

(1) In these Regulations unless the context otherwise requires-

"qualified veterinary surgeon" means any person who is registered under the Veterinary Surgeons Act to practise veterinary surgery in Nigeria;

[Cap. V3.]

(a) references in these Regulations to Regulations are references to these Regulations;

(b) references to Parts and sections are references to Parts and sections of the Dangerous Drugs Act;

"registered or licensed medical practitioner" and **"registered or licensed dentist"** respectively mean a medical practitioner or a dental practitioner registered or licensed, as the case may be, under the provisions of the Medical and Dental Practitioners Act.

[Cap. M8.]

(2) Where any drug is in the order or disposition of any person the drug shall be deemed for the purposes of regulations 10 to 25 to be in the possession of that person.

(3) Where any raw opium or coca leaves are in the order or disposition of any person the raw opium or coca leaves shall be deemed for the purposes of regulations 3 to 9 of these Regulations to be in the possession of that person.

Sale and distribution of raw opium and coca leaves

3. Authority required to supply raw opium

No person shall supply or procure, or offer to supply or procure, raw opium or coca leaves to or for any person whether in Nigeria or elsewhere, or shall advertise raw opium or coca leaves for sale-

- (a) unless he is licensed by the Minister of Health or is authorised by these Regulations or by any authority granted by the Minister of Health to supply raw opium or coca leaves, or unless he is licensed by the Minister of Health to import or export raw opium or coca leaves; or
- (b) (but so far only as procuring raw opium or coca leaves) unless he is licensed by the Minister of Health to procure raw opium or coca leaves; or
- (c) otherwise than in accordance with the terms and conditions of such licence or authority.

4. License must be complied with

No person shall supply or procure, or offer to supply or procure, raw opium or coca leaves to or for any person who is not licensed or otherwise authorised to be in possession of raw opium or coca leaves nor to any person so licensed or authorised except in accordance with the terms and conditions of such licence or authority.

Possession of raw opium and coca leaves

5. Authority required to possess raw opium or coca licence

No person shall be in possession of or attempt to obtain possession of raw opium or coca leaves unless-

- (a) he is licensed to import or export raw opium or coca leaves; or
- (b) he is licensed or otherwise authorised to supply raw opium or coca leaves on the day on which the transaction is effected; or, where that is not reasonably convenient, on the day following the day on which the raw opium or coca leaves is or are received or the transaction is effected;
- (c) where he carries on business at more than one set of premises, he shall keep a separate register in respect of each set of premises;
- (d) he shall keep the register in some part of the premises to which it relates so that it shall at all times be available for inspection in accordance with the provisions of the Act;

- (e) he shall not cancel, obliterate, or alter any entry in the register or make therein any entry which is untrue in any particular and any mistake in an entry may be corrected by a marginal note or footnote giving the correct particulars and dated.

General authorisations with respect to raw opium and coca leaves

7. Certain persons may possess raw opium or coca leaves

Any registered or licensed medical practitioner, or any person lawfully keeping open shop for the retailing of poisons in accordance with the provisions of the Pharmacists Council of Nigeria Act, or any person employed or engaged in dispensing medicines at any public hospital or other public institution being a person duly licensed under the Pharmacists Council of Nigeria Act, or any qualified veterinary surgeon or any person in charge of a laboratory for purposes of research or instruction attached to any public hospital or other institution approved by the Minister of Health for the purpose, or any Government chemist, is hereby authorised, so far as is necessary for the practice of his profession or employment in such capacity, to be in possession of and supply raw opium or coca leaves, but subject always to the provisions of regulation 8 of these Regulations.

[Cap. P17.]

8. Authority to possess may be withdrawn

In the event of any person authorised by these Regulations or by any authority granted by the Minister of Health to be in possession of or supply raw opium or coca leaves being convicted of an offence against the Act, the Minister of Health may by notice in the Federal Gazette withdraw the authorisation aforesaid in respect of such person if in the opinion of the Minister of Health such person cannot properly be allowed to be in possession of or supply raw opium or coca leaves.

Delivery of raw opium or coca leaves to messengers

9. Precautions to take with messengers

No person shall deliver any raw opium or coca leaves to any person not licensed or otherwise authorised to be in possession of raw opium or coca leaves who purports to be sent by or on behalf of a person so licensed or authorised unless such a person produces an authority in writing, signed by the person so licensed or authorised, to receive the raw opium or coca leaves on his behalf and unless the person supplying the raw opium or coca leaves is satisfied that the authority is genuine.

10. Application of regulations 11 - 25

Regulations 11 to 25 of these Regulations shall not apply to drugs other than those to which Part III applies, but (save where the context requires a narrower application, and save also as provided in regulation 25 of these Regulations) shall apply to all such drugs.

Manufacture of dangerous drugs

11. Manufacturers to be licenced

No person shall manufacture or carry on any process in the manufacture of any of the drugs to which Part III applies-

- (a) unless he is licensed by the Minister of Health or is authorised by these Regulations or by any authority granted by the Minister of Health to do so;
- (b) except on premises licensed for the purpose by the Minister of Health;
- (c) otherwise than in accordance with the terms and conditions of such licence or authority.

Sale and distribution

12. Vendors to be licensed

No person shall supply or procure or offer to supply or procure any of the drugs to or for any person whether in Nigeria or elsewhere or shall advertise any of the drugs for sale-

- (a) unless he is licensed by the Minister of Health or is authorised by these Regulations or by any authority granted by the Minister of Health to supply the drug or unless he is licensed by the Minister to import or export the drug or unless he is licensed or otherwise authorised to manufacture the drug or (but so far only as regards procuring the drug) unless he is licensed to procure the drug;
- (b) otherwise than in accordance with the terms and conditions of such licence or authority.

13. Drugs to be supplied to persons licensed

Except when the drugs are lawfully dispensed in pursuance of a prescription given by a registered or licensed medical practitioner, registered or licensed dental surgeon or qualified veterinary surgeon, or are supplied by a registered or licensed medical practitioner or qualified veterinary surgeon who dispenses his own medicines, in accordance with the conditions hereinafter specified, no person shall supply or procure or offer to supply or procure any of the drugs to or for any person in Nigeria who is not licensed or otherwise authorised to be in possession of the drug nor to any person so licensed or authorised except in accordance with the terms and conditions of such licence or authority:

Provided that administration of the drugs by or under the direct personal supervision of a registered or licensed medical practitioner, or by or under the direct personal supervision of a registered or licensed dentist in dental treatment, or by or under the direct personal supervision of a qualified veterinary surgeon in the treatment of any animal, shall not be deemed to be supplying the drug within the meaning of this and the following regulations.

Conditions as to the giving and dispensing of prescriptions

14. Prescriptions

A prescription for the supply of the drugs shall comply with the following conditions-

- (a) the prescription must be in writing, must be dated and signed by the registered or licensed medical practitioner, registered or licensed dental surgeon or qualified veterinary surgeon as the case may be, with his usual signature and address, and shall specify the name and address of the person for whose use the prescription is given, and the total amount of the drug to be supplied on the prescription, but the prescription shall not be given for the use of the prescriber himself;
- (b) a prescription shall only be given by a registered or licensed dental surgeon for the purposes of dental treatment and shall be marked "For local dental treatment only";
- (c) a prescription shall only be given by a qualified veterinary surgeon for the purpose of treatment of animals and shall be marked "For animal treatment only";
- (d) the Minister of Health may prescribe and issue a form hereinafter referred to as the "official form" for use in giving prescriptions for the drugs, and in that case a prescription for any of the drugs shall only be given on an official form:

Provided that in a case of emergency when the person giving the prescription has not the official form available, the prescription may be given without using the official form, but in that case shall be marked with the words "Official form not available" or similar words;

- (e) a registered or licensed medical practitioner, registered or licensed dental surgeon or qualified veterinary surgeon shall not give any description for the supply of any of the drugs otherwise than in accordance with the foregoing conditions;
- (f) a registered or licensed medical practitioner, registered or licensed dental surgeon or qualified veterinary surgeon of any of the drugs otherwise than in accordance with the foregoing conditions;
- (g) a registered or licensed medical practitioners who dispenses any medicines to which these Regulations apply shall enter particulars thereof in his day book or in the register hereinafter specified.

15. Condition on dispensing drugs

The following conditions shall be observed by persons dispensing prescriptions for the drugs-

- (a) if any official form is prescribed and issued by the Minister of Health in pursuance of regulation 14 of these Regulations, a prescription for any of the drugs shall only be dispensed if the prescription is on one of these forms, or in the case of an emergency prescription, given under the conditions specified in regulation 14 of these Regulations,

if the person dispensing the prescription is acquainted with the signature of the registered or licensed medical practitioner, registered or licensed dental surgeon or qualified veterinary surgeon by whom the prescription purports to be given, or is acquainted with the person for whose use the prescription is given and has no reason to suppose that the prescription is not genuine;

(b) if an official form is not prescribed, a prescription for any of the drugs shall only be dispensed if either-

(i) the person dispensing the prescription is acquainted with the signature of the registered or licensed medical practitioner, registered or licensed dental surgeon or qualified veterinary surgeon by whom the prescription purports to be given and has no reason to suppose that the prescription is not genuine; or

(ii) the person dispensing the prescription has taken reasonably sufficient steps to satisfy himself that the prescription is genuine;

(c) the drugs shall not be supplied more than once on the same prescription:

Provided that, if the prescription so directs, the drugs may be supplied on more than one but not exceeding three occasions, as specified in the prescription, at intervals to be specified in the prescription;

(d) the prescription shall be marked with the date on which it is dispensed, and shall be retained by the person, firm, or body corporate by whom the prescription is dispensed, and shall be kept on the premises where it is dispensed and shall be available for inspection.

Possession

16. Persons who may possess drugs

No person shall be in possession of or attempt to obtain possession of any of the drugs unless-

(a) he is licensed to import or export the drug; or

(b) he is licensed or otherwise authorised to manufacture or supply the drug; or

(c) he is otherwise licensed by the Minister of Health or authorised by these Regulations or by any authority granted by the Minister of Health to be in possession of the drug; or

(d) he proves that the drug was supplied for his use by a registered or licensed medical practitioner or qualified veterinary surgeon or on and in accordance with such a prescription as aforesaid.

Marking of packages or bottles

17. Bottles and packages containing drugs to be clearly marked

(1) No person shall supply any of the drugs, unless the package or bottle containing it is plainly marked with the amount of the drug in the package or bottle.

(2) No person shall supply any preparation, admixture, extract, or other substance containing any of the drugs unless the packing or bottle is plainly marked-

- (a) in the case of a powder, solution, or ointment, with the total amount thereof in the package or bottle, and the percentage of the drug in the powder, solution or ointment;
- (b) in the case of tablets or other articles, with the amount of the drug in each article and the number of articles in the package or bottle.

(3) This regulation shall not apply to any preparation dispensed by a registered or licensed medical practitioner or on the prescription of a registered or licensed medical practitioner.

Records

18. Record to be kept

(1) Every person who supplies any of the drugs shall comply with the following provisions-

- (a) he shall enter or cause to be entered in a register kept for the sole purpose all supplies of the drug purchased or otherwise obtained by him and all dealings in the drug effected by him (including sales or supplies to persons outside Nigeria) in the form and containing the particulars shown in the First Schedule to these Regulations;

[First Schedule.]

(b) separate registers or separate parts of the register shall be used for-

- (i) cocaine and ecognine and substances containing them;
- (ii) morphine and substances containing it;
- (iii) diamorphine and substances containing it;
- (iv) medical opium;
- (v) Indian hemp;
- (vi) codeine and dionine;
- (vii) drugs to which paragraphs (g) and (h) of section 8 (1) of the Act apply:

Provided that with the approval of the Minister of Health separate registers may be kept for separate departments of a business;

- (c) he shall make the entry with respect to any of the drugs purchased or otherwise obtained by him on the day on which the drug is received and with respect to any sale or supply by him of the drug on the day on which the transaction is effected; or, where that is not reasonably convenient, on the day following the day on which the drug is received or the transaction is effected;
- (d) where he carries on business at more than one set of premises, he shall keep a separate register or registers in respect of each set of premises;
- (e) he shall keep the register or registers in some part of the premises to which it relates so that it shall at all times be available for inspection in accordance with the provisions of the Act;
- (f) he shall not cancel, obliterate, or alter any entry in the register or make therein any entry which is untrue in any particular. Any mistake in an entry may be corrected by a marginal note or footnote giving the correct particulars and dated;
- (g) he shall furnish to the Minister of Health, or to any person authorised by any order of the Minister of Health for the purpose, all information in regard to any purchases by him of drugs, all stocks held by him of the drugs, and all transactions effected by him in the drugs, as may be required by the Minister of Health for the purpose of seeing that the provisions of the Act are observed.

(2) A registered or licensed medical practitioner who records in a day book particulars of any of the drugs supplied by him to any patient, together with the name and address of the patient and date of the supply, may, in lieu of keeping the register required by this regulation of drugs sold or supplied by him, enter separately for each of the drugs in a book to be kept for the purpose reference under the appropriate dates to the records in the day book of any supply of the drug:

Provided that any such book shall at all times be available for inspection in accordance with the provisions of the Act.

General authorisations

19. Vendors under Cap. P17

(1) Any person lawfully keeping open shop for the retailing of poisons in accordance with the provisions of the Pharmacists Council of Nigeria Act, is hereby authorised-

[Cap. P17.]

- (a) to manufacture at the shop in the ordinary course of his retail business any preparation, admixture or extract of any of the drugs;
- (b) to carry on at the shop the business of retailing, dispensing or compounding the drugs, but subject always to the provisions of these Regulations.

(2) In the event of any such person being convicted of an offence against the Act, the Minister of Health may by notice in the Federal *Gazette* withdraw the authorisation aforesaid, if, in his opinion, such person cannot properly be allowed to carry on the business of manufacturing or selling or distributing, as the case may be, any such drug.

20. Medical practitioners and others

Any registered or licensed medical practitioner, any registered or licensed dental surgeon, any qualified veterinary surgeon or any person employed or engaged in dispensing medicines at any public hospital or other public institutions, being a person duly licensed under the Pharmacists Council of Nigeria Act, or any person in charge of a laboratory for purposes of research or instruction attached to any public hospital or other institution approved by the Minister of Health for the purpose, or any Government chemist, is hereby authorised, so far as is necessary for the practice of his profession or employment in such capacity, to be in possession of and supply the drugs.

21. Authority may be withdrawn

In the event of any person authorised by these Regulations or by any authority granted by the Minister of Health to manufacture, supply or be in possession of the drugs, or any of them, being convicted of any offence against the Act, the Minister of Health may by notice in the Federal *Gazette* withdraw the authorisation in respect of such person if in the opinion of the Minister of Health such a person cannot properly be allowed to manufacture, supply or be in possession of any such drug.

Delivery to messengers

22. Precautions to be taken with messengers

No person shall deliver any of the drugs to any person, not licensed or otherwise authorised to be in possession of the drugs, who purports to be sent by or on behalf of a person so licensed or authorised, unless such person produces an authority in writing, signed by the person so licensed or authorised, to receive the drug on his behalf and unless the person supplying the drug is satisfied that the authority is genuine; this regulation shall not be deemed to apply to medicines dispensed in pursuance of the foregoing regulations.

Ships

23. Masters of ship may possess drugs

In the case of a ship not carrying as part of her complement a duly qualified medical practitioner, the master of the ship shall be deemed to be a person authorised to be in possession of the drugs so far as is necessary to comply with the requirements of the Merchant Shipping Act, and it shall also be lawful for him, subject to any conditions prescribed by the Minister of Health, to administer and supply the drugs to any member of the crew in accordance with instructions prepared or sanctioned by

the Minister of Health; the keeping of a record of the use of the drugs in the official log in accordance with the provisions of the Merchant Shipping Act shall be deemed to be compliance with the requirements of these Regulations as to the keeping of records.

[Cap. M 11.]

Hospitals

24. Hospital may be exempted

The Minister of Health may exempt from the operation of these Regulations any hospital or other public institution, subject to the observance of such conditions as he may by order prescribe.

Preparations exempted from the regulations

25. Preparation in Second Schedule exempted

(1) These Regulations shall not apply in respect of the preparations named in the Second Schedule to these Regulations nor to any of the drugs when denatured in a manner approved by the Minister of Health.

(2) The President may from time to time, by notice published in the Federal Gazette, add any other preparation to the said Second Schedule or remove any preparation from the said Second Schedule.

[Second Schedule.]

Preservation of records

26. Records to be kept for two years

Prescriptions, records, registers, or other documents required to be retained or kept in pursuance of these Regulations or of any order made under these Regulations shall be preserved for not less than two years from the date of the prescription or document or the last entry in the record or register, as the case may be.

27. Safe custody of drugs

Any person who supplies any drugs or other preparations to which the Act applies shall keep such drugs and preparations in a locked receptacle the key of which shall be retained by such person or by a qualified assistant.

FIRST SCHEDULE

[Regulations 6.]

DANGEROUS DRUGS REGULATIONS

PART A

*Record of raw opium, coca leaves and drugs to which Part III of the Dangerous Drugs Act applies,
purchased or otherwise obtained*

<i>Name of substance purchased or otherwise obtained</i>	<i>Date on which supply received</i>	<i>Name of person, body or firm from whom obtained</i>	<i>Address of person, body or firm for whom obtained</i>	<i>Amount obtained</i>	<i>Form in which obtained</i>

PART B

Record of raw opium, coca leaves and drugs to which Part III of the Dangerous Drugs Act applies, sold or supplied

<i>Name of substance sold or supplied</i>	<i>Date on which the transaction was effected</i>	<i>Name of person, body or firm to whom sold or supplied</i>	<i>Address of person, body or firm to whom sold or supplied</i>	<i>Authority of person, body or firm to be in possession of the substance</i>	<i>Amount sold or supplied</i>	<i>Form in which sold or supplied</i>	<i>When sale is in a prescription specify the ingredients of the prescription.</i>

SECOND SCHEDULE

[Regulation 25.]

Dangerous Drugs Regulations

Cereoli Iodoformi et Morphinae, B.P.C.

Emp. Opii, B.P., 1898.

Lin. Opii, B.P., 1914.

Lin. Opii Ammon, B.P.C.

Pasta Arsenicalis, B.P.C.

Pil. Hydrarg. c. Opio, B.P.C.

Pil. Ipecac. c. Scilla, B.P., 1914.

Pil. Plumbi c. Opio, B.P., 1914.

Pil. Digitalis et Opii Co., B.P.C.

Pil. Hydrarg. c. Cret. et Opii, B.P.C.

Pulv. Cretae Aromat. c. Opio, B.P., 1932.

Pulv. Ipecac. Co., B.p, 1914, B.P., 1914.

Pulv. Ipecac, et Opii, B.P., 1932.

Pulv. Kino Co., B. P. 1914.

Suppos. Plumbi Co., B.P., 1914.

Suppos. Plumbi c. Opio, B.P., 1932.

Tablettaa Plumbi c. Opio, B.P.C.

Ung. Gallae c. Opio, B.P., 1914.

Ung. Gallae Co., B.P.C.

Elixir Diamorphinae et Terpini c. Apomorphina, B.P.C.

Linctus Diamorphinae Camphoratus, B.P.C.

Linctus Diamorphinae c. Ipecacuanha B.P.C.

Linctus Diamorphinae et Scillae, B.P.C.

Linctus Diamorphinae et Thymi, B.P.C.

Mixtures of Emp. Opii B.P., 1898, with other plasters of the British Pharmacopoeia, 1914 and 1932, and of the British Pharmaceutical Codex.

Mixtures of Lin. Opii B.P., 1914 with other liniments of the British Pharmacopoeia, 1914 and 1932, and of the British Pharmaceutical Codex.

Mixtures of Lin. Opii Ammon. B.P.C. with other liniments of the British Pharmacopoeia, 1914 and 1932, and of the British Pharmaceutical Codex.

Mixtures of Pulv. Ipecac. Co. B.P., 1914, and of Pulv. Ipecac. Et Opii B.P., 1932, with any of the following-

Hydrarg. c. Cret B.P., 1914 and 1932.

Acetylsalicylic Acid.

Phenacetin.

Quinine and its salts.

Sodium Bicarbonate.

Mixtures of Ung. Gallae c. Opii B.P., 1914, and of Ung. Gallae Co., B.P.C. with other ointments and plasters of the British Pharmacopoeia, 1914 and 1932, and of the British Pharmaceutical Codex.

**DANGEROUS DRUGS (APPLICATION TO ALPHAPRODINE,
AMIDONE, ETC.) ORDER**

[41 of 1950.]

under section 8

1. Short title

This Order may be cited as the Dangerous Drugs (Application to Alphaprodine, Amidone, etc.) Order.

2. Application of Act to alphaprodine, amidone, etc.

Part III of the Dangerous Drugs Act shall henceforth apply to-

[Cap. DI.]

- (a) alphaprodine, its salts and any preparation, admixture, extract or other substance containing any proportion of alphaprodine;
- (b) amidone, its salts and any preparation, admixture, extract, or other substance containing any proportion of amidone;
- (c) betaprodine, its salts and any preparation, admixture, extract or other substance containing any proportion of beta pro dine;
- (d) hydroxypethidine, its salts and any preparation, admixture, extract or other substance containing any proportion of hydroxypethidine;
- (e) isoamidone, its salts and any preparation, admixture, extract or other substance containing any proportion of isoamidone;
- (f) ketobemidone, its salts and any preparation, admixture, extract or other substance containing any proportion of ketobemidone;
- (g) methadol, its salts and any preparation, admixture, extract or other substance containing any proportion of methadol;
- (h) methadyl acetate, its salts and any preparation, admixture, extract or other substance containing any proportion of methadyl acetate;
- (i) phenadoxone, its salts and any preparation, admixture, extract or other substance containing any proportion of phenadoxone.

ORDER IN COUNCIL

[L.N. 25 of 1954.]

under section 9 (1)

**DANGEROUS DRUGS (RELAXATION OF APPLICATION TO
MORPHOLINYLETHYLMORPHINE) ORDER**

1. Short title

This Order in Council may be cited as the Dangerous Drugs (Relaxation of Application to Morpholinylethylmorphine) Order.

2. Morpholinylethylmorphine excluded from section 9 (1)

Subsection (1) of section 9 of the Dangerous Drugs Act, shall cease to apply to the drug Morpholinylethy Imorphine.

[Cap. DI.]

**DANGEROUS DRUGS (APPLICATION TO METHYL-
MORPHINE, ETC.) ORDER**

[L.N. 83 of 1955.]

under section 9 (3)

1. Short title

This Order may be cited as the Dangerous Drugs (Application to Methylmorphine, etc.) Order.

2. Application of Act to Methylmorphine

Part III of the Dangerous Drugs Act shall apply to methylmorphine (commonly known as codeine) and to ethylmorphine (commonly known as dionin) and their respective salts.

[Cap. DI.]

**DANGEROUS DRUGS (RELAXATION OF APPLICATION TO CERTAIN
MORPHINE AND COCAINE PREPARATIONS) ORDER**

[L.N. 83 of 1955.]

under section 9 (4)

Whereas findings with respect to the preparations specified in the Schedule* hereto have in pursuance of Article 8 of the Geneva Convention (No.1) been communicated by the Council of the League of Nations to the parties to the said Convention.

1. Relaxation of application of Act to certain morphine and cocaine preparations

The provisions of Part III of the Dangerous Drugs Act shall cease to apply to the preparations specified in the Schedule* hereto and shall be deemed to have ceased to have so applied from the 30th day of June 1937.

[Schedule.]

2. Short title

This Order may be cited as the Dangerous Drugs (Relaxation of Application to certain Morphine and Cocaine Preparations) Order.

SCHEDULE*

[Paragraph 1.]

(a) MORPHINE PREPARATIONS

		In 1 bougie
1. <i>Cereoli iodoformi et morphinae</i>	Iodoform	0.320 gramme
	Morphine hydrochlorine	0.016 "
	Oil of theobroma, sufficient to fill a 1-gramme mould.	
2. <i>Emplastrum opii</i>	Elemi	20 grammes
	<i>Terebinthina</i>	30 grammes
	<i>Cera flava</i>	15 "
	<i>Olibanun pulvis</i>	18 "
	<i>Benzoës pulvis</i>	10 "
	<i>Opii pulvis</i>	5 "
	<i>Balsamum peruvianum</i>	2 "
3. <i>Emplastrum opii</i>	Extract of opium	25 grammes
	Refined elemi	25 "

	Diachylon plaster with gum	50	"
4. <i>Emplastrum opii</i>	Elemi	8 grammes	
	<i>Terebinthinae communis</i>	15	"
	<i>Ceroe flavae</i>	5	"
	<i>Olibani pulveratae</i>	8	"
	<i>Benzoës pulveratae</i>	4	"
	<i>Opii pulverati</i>	2	"
	<i>Balsami peruviani</i>	1 gramme	
5. <i>Emplastrum opii</i>	Opium, in very fine powder	10 grammes	
	Resin plaster	90	"
6. <i>Emplastrum opii</i>	(see formula under 5) mixed with other plasters contained in the British Pharmacopoeia or British Pharmaceutical Codex.		
7. <i>Linimentum opii</i>	Tincture of opium	500 millilitres	
	Liniment of soap	500	"
8. <i>Linimentum opii</i>	(see formula under 7) mixed with any other liniment of the British Pharmacopoeia or of the British Pharmaceutical Codex.		
9. <i>Linimentum opii ammoniatum</i>	Ammoniated liniment of camphor		
	Tincture of opium		
	Liniment of belladonna		
	Strong solution of ammonia		
	Liniment of soap to 100		

10. <i>Linimentum opii ammoniatum</i>	(see formular under 9) mixed with any other British Pharmacopoeia or British Pharmaceutical Codex liniment.	
11. <i>Caustic "Nerve pastes"</i>	Preparations containing, in addition to morphine salts, or morphine and cocaine salts, at least 25 per cent of arsenious acid, and made up with the requisite proportion of creosote or phenol to produce the consistency of a paste.	
12. <i>Diarrhoea pills</i>	Camphor	0.0648 gramme
	Lead acetate	0.013 "
	Bismuth subnitrate	0.162 "
	Tannic acid	0.0648 "
	Opium powder	0.026 "
13. <i>Pilulae digitalis et Opii compositae</i>	Digitalis leaves in powder	0.31 gramme
	Opium in powder	0.19 "
	Ipecacuanha root in powder	0.13 "
	Quinine sulphate	0.78 "
	Syrup of glucose, a sufficient quantity to make 12 pills.	
14. <i>Pilulae hydrargyri cum Opio</i>	Mercury pill	3.89 grammes
	Opium in powder	0.19 gramme
	To make 12 pills	
15. <i>Pilulae hydrargyri cum Creta et Opii</i>	Mercury with chalk	0.78 gramme
	Compound powder of ipecacuanha*	0.78 "

	Milk sugar, a sufficient quantity.	
	Syrup of glucose, a sufficient quantity.	
	To make 12 pills.	
16. <i>Pilulae ipecacuanhe cum Scilla</i>	Compound powder of ipecacuanha*	30 grammes
	Squill, in powder	10 "
	Ammoniacum in powder	10 "
	Syrup of glucose, a sufficient quantity.	
17. <i>Pilulae hydragyri bichlorati</i> <i>cum Opii extracto</i>	Bichloride of mercury triturated	10 centigrammes
	Extract of opium	20 "
	Extract of couch-grass	20 "
	Liquorice root in powder <i>q.s.</i> for 10 pills	
18. <i>Pilulae hydragyri iodati cum</i> <i>Opii pulvere</i>	Hydrargyrum iodatum freshly prepared	50 centigrammes
	Opium powder	20 "
	Powdered liquorice	30 "
	White honey, <i>q.s.</i> for 10 pills	
19. <i>Pilula plumbi, cum Opio</i>	Lead acetate, in powder	80 grammes
	Opium, in powder	12 "
	Syrup of glucose (or a sufficient quantity)	8 "
20. <i>Pilulae terebinthinae compositae</i>	Opium	0.5 gramme
	<i>Chinini sulfas</i>	2 grammes

	<i>Styrax liquidus</i>	2 "
	<i>Terebinthina laricina</i>	8 grammes
	<i>Magnesii subcarbonas</i> , a sufficient quantity to make 100 pills.	
21. <i>Pulvis ipecacuanhae</i>		
	<i>compositus. Syn: Pulvis ipecacuanhae et opii</i> (Dover's powder)	
	Ipecacuanha root, in powder	10 grammes
	Opium, in powder	10 "
	Potassium sulphate, in powder	80"
22. Mixtures of Dover's powder	(see formula under 21) with mercury and chalk, aspirin, phenacetin, quinine and its salts, and sodium bicarbonate.	
23. <i>Pulvis kino compositus</i>		
	Kino, in powder	75 grammes
	Opium, in powder	5 "
	Cinnamon bark, in powder	20 "
24. <i>Suppositoria plumbi composita.</i>		
	<i>Syn: Suppositoria plumbi cum opio</i>	
	Lead acetate, in powder	2.4 grammes
	Opium, in powder	0.8 gramme
	Oil of theobroma, a sufficient quantity for 12 suppositories, each weighing about 1 gramme.	
25. <i>Coryza Tablets No.2</i>		
	Powdered opium	0.0043 gramme
	Quinine sulph.	0.022 "
	Ammon. Chlor.	0.022 "

	Camphor	0.022 "
	Ext. Belladonna leaves	0.0043 "
	Ext. aconite root	0.0043 "
26. <i>Diarrhoea Tablets No.2</i>	Powdered opium	0.0016 gramme
	Camphor	0.0016 "
	Powdered ipecacuanha	0.008 "
	Lead acetate	0.011 "
27. <i>Dysentry Tablets</i>	Powdered opium	0.013 gramme
	Powdered ipecacuanha	0.0648 "
	Powdered calomel	0.0324 "
	Lead acetate	0.0324 "
	Bismuth betanaphthol	0.1944 "
28. <i>Tabella hydrargyri cum</i>	Mercurous chloride powder	0.065 gramme
<i>Opio</i>	Antimony oxide powder	0.065 "
	Ipecacuanha-root powder	0.065 "
	Powdered opium	0.065 "
	Milk sugar	0.065 "
	Gelatine solution, a sufficient quantity to make 1 tablet.	
29. <i>Tabella plumbi cum Opio</i>	Sugar of lead	0.195 gramme
	Powdered opium	0.065 "
	Gelatine solution, a sufficient quantity to make 1 tablet.	
30. <i>Tablettae plumbi cum Opio</i>	Lead acetate, in fine powder	19.44 grammes
	Opium in powder	3.24 "

	Refined sugar, in powder	6.48 "
	Ethereal solution of theobroma	3.60 mils.
	Alcohol	0.90 mil.
<i>31. Unguentum gallae</i>		
<i>Compositum</i>		
	Galls in very fine powder	20
	Extract of opium	4
	Distilled water	16
	Wool fat	10
	Soft paraffin, yellow	50
<i>32. Unguentum gallae Compositum</i>		
	(See formula under 31) mixed with other ointments and plasters contained in the British Pharmacopoeia or British Pharmaceutical Codex.	
<i>33. Unguentum gallae cum</i>		
	<i>Opio</i>	
	Gall ointment	92.5 grammes
	Opium, in powder	7.5 grammes
<i>34. Unguentum gallae cum</i>		
	<i>Opio</i>	
	(See formula under 33) mixed with other ointments and plasters contained in the British Pharmacopoeia or British Pharmaceutical Codex.	
<i>35. Yatren-105</i>		
	(Iodoxyquinoline-sulphonic acid) with 5 per cent opium admixture	

(b) COCAINE PREPARATIONS

1. <i>Bernatzik's Injections</i>	(a) <i>Hydrargyrum bicyanatum</i>	0.03 gramme
	<i>Cocainum</i>	0.02 "
	(b) <i>Hydrargyrum succinatum</i>	0.03 gramme
	<i>Cocainum</i>	0.01 "
2. <i>Stila 's Injection</i>	(a) <i>Hydrargyrum succinatum</i>	0.03 gramme
	<i>Cocainium muriaticum</i>	0.01 "
	(b) <i>Hydrargyrum succinatum</i>	0.05 gramme
	<i>Cocainium muriaticum</i>	0.03 "
3. <i>Natrium biboracicum</i> <i>compositum cum Cocaino</i>	In tablet, compressed tablets, lozenges, pastilles and the like, difficult to break up and containing not more than 0.2 per cent of cocaine salts in conjunction with not less than 20 per cent borax and not less than 20 per cent antipyrine, or some similar analgesic, and not more than 40 per cent of flavouring matter. Maximum weight of each tablet, etc., 1 gramme.	
4. <i>Caustic "Nerve Pastes"</i>	Preparations containing, in addition to cocaine salts or cocaine and morphine salts, at least 25 per cent of arsenious acid, and made up with the requisite proportion of creosote or phenol to produce the consistency of a paste.	
5. <i>Cocaine and Atropine Tablets,</i> with a content of not more than		

0.0003 gramme of cocaine salts
and not less than 0.0003 gramme
of atropine salts to each tablet

<i>Atropinum sulphuricum</i>	0.0003 gramme,
Cocainum hydrochloricum	0.0003 "
Mannite	0.003 "
Weight of one tablet	0.0036 gramme
Cocaine content	8.3 per cent.

(c) HEROIN PREPARATIONS

1. *Elixir camphorae compositum*

Camphor	4 grains
Oil of anise	5 minims
Benzoic acid	6 grains
Diamorphine hydrochloride	4 "
Liquid extract of ipecacuanha	120 minims
Tincture of squill	11/2 fl. ounces
Simple syrup to 20 fl. ounces.	

2. *Elixir diamorphine et Terpini*

with Apomorphine

Apomorphine hydrochloride	5 grains
Diamorphine hydrochloride	4 "
Terpin hydrate	44 "
Alcohol	10 fl. ounces
Glycerine	5 " "
Syrup of wild cherry to 20 fl. ounces.	

3. *Linctus diamorphinae,*

Ipecacuanha

With liquid extract of ipecacuanha	120 minims
------------------------------------	------------

Diamorphine hydrochloride	4 grains
Tincture of hyoscyamus	1 1/2 fl. ounces
Spirit of chloroform	1 1/2 fl. ounces
Syrup of balsam of tolu	3 fl. ounces
Syrup of wild cherry	3 " "
Glycerine to 20 fl. ounces.	

4. <i>Linctus senegae compositus</i>	Liquid extract of senega	1 fl. ounce
	Liquid extract of squill	1 " "
	Tararated antimony	8 grains
	Diamorphine hydrochloride	4 "
	Glycerine	2 fl. ounces
	Simple syrup to 20 fl. ounces.	

5. <i>Linctus thymi compositus</i>	Diamorphine hydrochloride	4 grains
	Apomorphine hydrochloride	5 "
	Distilled water	1 fl ounce
	Liquid extract of thyme (I-I)	5 fl. ounces
	Solution of tolu	1 1/2 "
	Glycerine to 20 fl. ounces.	

(d) DICODIDE PREPARATIONS

1. *Cardiazol-Dicodide*

Solutions

Solutions containing not less than 10 per cent of cardiazol and not more than 0.5 per cent of dicodide salts.

(e) EUCODAL PREPARATIONS

1. <i>Anti-Opium Tablets*</i>	Eucodal	1 gramme
	<i>Pulvis gentianae</i>	35 grammes
	<i>Pulvis ipecacuanhae</i>	20 "
	Quinine sulphate	20 "
	Caffeine	5 "
	Sugar of milk	25 "

Mix up and make up 5-grain tablets.

2. <i>Tablets B.B. Compound</i>	<i>Berberis vulgaris</i> powder	0.0324 gramme
	Nux vomica	0.013 "
	Eucodal	0.0032 "
	Ipecacuanha	0.0648 "
	Rhubarb	0.013 "
	<i>Pulvis cinnamoni compositus</i>	0.0324 "
	Aromatic chalk	0.0032 "

**DANGEROUS DRUGS (APPLICATION TO
MORPHOLINYLETHYLRNORPHINE, ETC.) ORDER**

[L.N. 85 of 1955.]

under section 8

1. Short title

This Order may be cited as the Dangerous Drugs (Application to Morpholinylethylmorphine, etc.) Order.

2. Application of Act to Morpholinylethylmorphine

Part III of the Dangerous Drugs Act shall apply to the drugs specified in the Schedule hereto and to their salts and any preparation, admixture, extract or other substance containing any proportion of any such drugs.

[Cap. DI.]

SCHEDULE

Morpholiny lethylmorphine.

Dihydrocodeine.

Dihydrodesoxymorphine.

Metofon (metyldihydromorphinone).

Pethidine (1-methyl-3-ethyl-4-phenyl-4 carboxylic acid ethyl ester).

Meprodine (1-methyl-3-ethyl-4-phenyl-4 propionoxypiperidine).

Acetyl dihydrocodeine.

DANGEROUS DRUGS (RELAXATION OF APPLICATION TO DIHYDROCODEINE) ORDER

[L.N. 86 of 1955.]

under section 9 (1)

1. Short title

This Order in Council may be cited as the Dangerous Drugs (Relaxation of Application to Dihydrocodeine) Order.

2. Relaxation of absolute prohibition

The President, being satisfied that dihydrocodeine is of medical value, has directed that subsection (1) of section 9 of the Dangerous Drugs Act shall not apply to that drug.

[Cap. DI.]

DANGEROUS DRUGS (MODIFIED FORM) REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

1. Short title and construction.
2. Interpretation.
3. Application.
4. Importation and manufacture of drugs.
5. Supply of drugs.
6. Possession of drugs.
7. Marking of packaged drugs.
8. Keeping of register.
9. Exemption in certain cases.

DANGEROUS DRUGS (MODIFIED FORM) REGULATIONS

[L.N. 88 of 1955.]

[Regulations 11 of 1937.]

under section 7

1. Short title and construction

These Regulations may be cited as the Dangerous Drugs (Modified Form) Regulations, and shall be read as one with the Dangerous Drugs Regulations (hereinafter referred to as the principal Regulations).

2. Interpretation

In these Regulations, save where the context otherwise requires-

"drug" means any of the drugs specified in regulation 3 to these Regulations;

"licensed" means duly licensed by a licence issued by or on behalf of the Minister of Health to the person named therein under and for the purpose of these Regulations;

"register" means a bound book and does not include any form of looseleaf register or card index;

"wholesale dealer" means a person who carries on the business of selling drugs to persons who buy to sell again.

3. Application

(1) These Regulations and the principal Regulations (save as stated in paragraph (2) hereof) shall apply to-

(a) methylmorphine (also known as codeine) and ethylmorphine (also known as dionin) and their salts; and

(b) morpholinylethylmorphine and dihydrocodeine and their salts,

being drugs to which Part III of the Act applies by virtue of the Dangerous Drugs (Application) Order, and the Dangerous Drugs (Application) (No.2) Order, respectively.

(2) Regulations 11 to 19 of the principal Regulations shall in respect of the drugs specified in paragraph (1) thereof be replaced by the provisions of these Regulations.

4. Importation and manufacture of drugs

No person shall import or manufacture, or carry on any process in the manufacture of a drug-

(a) unless he is licensed under this regulation so to do; or

(b) otherwise than in accordance with the terms and conditions of his licence.

5. Supply of drugs

Subject to the provisions of these Regulations, a wholesale dealer shall not supply a drug to any person whether in Nigeria or elsewhere-

(a) unless he is licensed under this regulation so to do;

(b) otherwise than in accordance with the terms and conditions of his licence; and

(c) if the drug is to be supplied in anyone transaction in a quantity exceeding one pound avoirdupois, unless the person to whom it is to be supplied is licensed under regulation 6 to be in possession of more than one pound avoirdupois of the drug.

6. Possession of drugs

A person shall not be in possession of a drug in a quantity exceeding one pound avoirdupois unless he is licensed under this regulation.

7. Marking of packaged drugs

No wholesale dealer licensed under these Regulations to supply a drug shall supply the drug unless the package or bottle in which it is contained is plainly marked with the amount of the drug contained therein.

8. Keeping of register

Every wholesale dealer licensed under these Regulations to supply a drug shall comply with the following provisions-

- (a) he shall in accordance with the provisions of this regulation and regulation 18 of the principal Regulations keep a register and enter therein in chronological sequence in the form specified in, as the case may be, Part A or Part B of the First Schedule to the principal Regulations true particulars with respect to every quantity of any drug obtained by him and with respect to any drug supplied by him, whether to persons within or to persons outside Nigeria;
- (b) a separate register or separate part of the register shall be used with respect to each of the following classes of drugs-
 - (i) methyldmorphine and its salts;
 - (ii) ethylmorphine and its salts;
 - (iii) morpholinylethylmorphine and its salts;
 - (iv) dihydrocodeine and its salts.

9. Exemptions in certain cases

Nothing in these Regulations shall apply to any sale or distribution of any drug by a person other than a wholesale dealer, and a registered and licensed chemist and druggist or selling dispenser shall be authorised to carry on any premises registered by him under section 22 of the Pharmacists Council of Nigeria Act, the business of retailing, dispensing and compounding any drug.

[Cap. P17.]
