



THE DRUGS AND PREVENTION OF ILLICIT TRAFFIC DRUG ACT, 2003

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SCHEDULE



ACT NO. 16 OF 2003

I ASSENT

A. A. Karume
AMANI ABEID KARUME }
PRESIDENT OF ZANZIBAR
AND
CHAIRMAN OF THE REVOLUTIONARY COUNCIL

3rd JUNE,, 2004

AN ACT TO PROVIDE FOR THE PREVENTION OF ILLICIT TRAFFIC IN NARCOTICS DRUGS AND PSYCHOTROPIC SUBSTANCES AND TO IMPLEMENT THE PROVISIONS OF THE INTERNATIONAL CONVENTION ON NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCE AND OTHER MATTERS CONNECTED THEREWITH

ENACTED by the House of Representatives of Zanzibar.

PART I **PRELIMINARY**

Short title and
Commencement.

1. This Act may be cited as the Drugs and Prevention of Illicit Traffic Drugs Act, 2003 and shall come into operation immediately after being assented to by the President.

Interpretation.

2. In this Act, unless the context requires otherwise:-

"addict" means a person who repeatedly use psychoactive substance or substances, to the extent that the person is periodically or chronically intoxicated, demonstrate impaired control and shows a compulsion to take the preferred substance or substances, has great difficulty in voluntarily ceasing or modifying substance use, and exhibits determination to obtain psychoactive substance by almost any means:-



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

"cannabis" means any part of the plant of the genus cannabis;

"cannabis oil" means any liquid containing any quantity however small of tetrahydro-cannabinol;

"cannabis plant" means any plant of the genus cannabis by whatever name called and includes any part of that plant;

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

"chemical precursors" means a substance frequently used in the illicit manufacture of narcotic drugs or psychotropic substances as defined in Articles 12 of the UN Convention Against Illicit Drugs and Psychotropic substances mentioned in Schedule to this Act;

"coca leaf" means:-

- (a) the leaf of the coca plant of any species of the genus Erythroxylon;
- (b) any mixture thereof with or without any neutral material, but does not include any preparation containing not more than 0.1 per cent of cocaine;

"coca plant" means the plant of any species of the genus Erythroxylon coca and/or novogranatense;



"caca paste" means an extract of the leaves of the caca plant. It contains mainly coca alkaloids;

"Commission" means the Inter ministerial Commission for the coordination of drug control established under section 4 of this Act;

"conveyance" means a conveyance of any description whatsoever and include any aircraft, vehicle or vessel;

"court" in respect of offences under sections 11, 15(a), 15(b) and 20 the High Court and in respect of offences under sections 16, 17, 18, 19, 21, 22, 23, 25 and 30 means the subordinate Court;

"cultivate" includes planting sowing, scattering the seed, growing, nurturing, tending or harvesting and also includes the separating of opium, coca leaves, cannabis and cannabis resin and mirungi (khats) from the plant from which they are obtained;

"Dentist" means a dentist authorized and licenced to examine, diagnose, treat and prescribe for patient under the Medical Practitioners and Dentists Act, No. 12 of 1999.

"drugs" means the narcotic drugs and psychotropic substances;

"Government" means the government of Zanzibar;

"illicit traffic" in relation to narcotic drugs and psychotropic substances means-

- (a) cultivating any coca plant or gathering any portion of coca plant;
- (b) cultivating the opium poppy;
- (c) cultivating any cannabis plant;



- (d) cultivating mirungi (khats);
- (e) engaging in the production manufacture, possession, sale, purchase, transportation, warehousing concealment, use or consumption, import into Zanzibar, export from Zanzibar, transhipment of narcotic drugs or Psychotropic substances;
- (f) dealing in any activities in narcotic drugs or psychotropic substances;
- (g) handling or letting out any premises for the carrying on of any of the activities, other than those permitted under this Act or any rule or order made or any condition of any licence term or authorisation issued there under and includes:-
 - (i) financing, directly or indirectly, any of the aforementioned activities;
 - (ii) abetting or conspiring in the furtherance of or in support of doing any of the aforementioned activities; and
 - (iii) harbouring persons engaged in any of the aforementioned activities;

"International Convention" means-

- (a) the Single Convention on Narcotic Drugs, 1961 adopted by the United Nations Conference at New York in March 1961;
- (b) the Protocol, amending the Convention mentioned in sub-clause (a), adopted by the United Nations Conference at Geneva in March, 1972;
- (c) the Convention on Psychotropic Substances, 1971 adopted by the United Nations Conference at Vienna in February 1, 1971;



- (d) United National Convention Against Illicit traffic in Narcotic Drugs and Psychotropic substances adopted at Vienna on 19th December, 1988; and
 - (e) any other international convention, or protocol or other instrument amending an international convention, relating to narcotic drugs or psychotropic substances which may be ratified or acceded to by the United Republic after the commencement of this Act;
- "manufacture" in relation to narcotic drugs or psychotropic substances means to carry out any process other than production by which a drug of dependence, controlled chemical or controlled material is obtained and includes extracting, refining, formulating, preparing, mixing, compounding, transforming it into another drug or chemical, making a drug of dependence into dosage form and packing;
- (i) all processes other than production by which such drugs or substances may be obtained;
 - (ii) refining of, such drugs or substances,
 - (iii) transformation of such drugs or substances; and
 - (iv) making of preparation (otherwise than in a pharmacy on prescription) with or containing such drugs or substances;

"manufactured drug" means:-

- (a) all coca derivatives, medicinal cannabis, opium derivatives and poppy straw concentrate;
- (b) any other narcotic substance or' preparation which the Commission may having regard to the available information as to its nature or to



decision, if any under any International convention, by notice in the Gazette declared to be a manufactured drug, but does not include any narcotic substance or preparation which the Commission may, having regard to the available information as to its nature or to a decision, if any, under any International Convention, by notice in the Gazette, declare not to be a manufactured drug;

"medical practitioner" means a physician or surgeon or dentist authorized and licenced to examine, diagnose, tract, and prescribe for patients under the Medical Practitioners and Dentists Act, No. 12 of 1999;

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

"medicinal opium" means opium which have undergone the process necessary to adapt it for medical use;

"Minister" means the minister responsible for Drugs and Prevention of Illicit Traffic in Narcotic Drugs;

"narcotic drug" means any substance specified in the Schedule or anything that contains any substance specified in that Schedule;

"opium" means:-

- (a) the coagulated juice of the opium poppy; and
- (b) any mixture, with or without any neutral material, of the coagulated juice of the opium poppy but does not include any preparation containing not more than 0.2 percent of morphine;

"opium derivative" means:-



- (a) medicinal opium, or any other pharmaceutical notified in this behalf by the Government, whether in powder form or otherwise or mixed with neutral materials;
- (b) prepared opium, that is, any product of opium obtained by any series of operations designed to transform opium into an extract suitable for smoking and or other residue remaining after opium is smoked;
- (c) phenanthrene alkaloids, namely, morphine, codeine, the bine and their salts;
- (d) diacetylmorphine, that is, the alkaloid also known as diamorphine or heroin and its salts; and
- (e) all preparations containing more than 0.2 per cent of morphine or containing any diacetylmorphine;

"opium poppy" means:-

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

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

"preparation" in relation to a narcotic drug or psychotropic substance means any one or more such drugs or



substances in any form, solution or mixture in whatever physical state containing one or more such drugs or substances;

"President" means President of Zanzibar and Chairman of the Revolutionary Council;

"production" means the separation of opium, coca leaves, cannabis, cannabis resin, mirungi (khat) from the plant from which they are obtained;

"prohibited plant" means cannabis, coca plant papaver semniferum, papaver setigerum and (khats) mirungi;

"Premises" include the whole or any part of structure, building, aircraft, or vessel;

"psychotropic substance" means any substance, specified in the Schedule of this Act or anything which contains any substance specified in that Schedule:

"sell" includes offer or expose for sale;

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

"to export from Zanzibar with its grammatical variations and cognate expression" means to take out of Zanzibar to a place outside Zanzibar;

"to import into Zanzibar with its grammatical variations and cognate expressions" means to bring into Zanzibar from a place outside the Zanzibar and includes the bringing into any port or airport or place in Zanzibar of a narcotic drug or a psychotropic substances intended to be taken out of Zanzibar without being removed from the vessel, aircraft, vehicle or any other conveyance in which it is being carried;

"to transport" means to take from one place to another within the Zanzibar;



"trafficking" means the importation, exportation, manufacture, buying, sale, giving, supplying storing, administering, conveyance delivery or distribution, by any person of narcotic drug or psychotropic substance or making of any offer but does not include:-

- (a) the importation or exportation of any narcotic drugs or psychotropic substance or the making of any offer by or on behalf of any person who holds a licence under this Act in accordance with the licence's;
- (b) the manufacture, buying, sale, giving, supplying administering, conveying, delivery or distribution of any narcotic drug or psychotropic substance or the making any offer by or on behalf of any person who has a licence under this Act;
- (c) the selling or supplying or administering for medical purposes, and in accordance with the provisions of this Act, or the making of any offer by a medical practitioner or veterinary surgeon or dentist or by any other person qualified to do so on the instructions of the medical practitioner veterinary surgeon or dentist;
- (d) the selling or supplying in accordance with the provisions of this Act of any narcotic drugs or psychotropic substance by a registered pharmacist;

"use" in relation to narcotic drugs and psychotropic substances, means any kind of use including personal consumption. Words and expressions used herein and not defined but defined in the Criminal Procedure Decree shall have the meanings respectively assigned to them in the Criminal Procedure Decree.



PART II

ESTABLISHMENT OF AN INTERMINISTERIAL COMMISSION FOR THE CO-ORDINATION OF DRUGS CONTROL

Government obligation to take measures for preventing drug abuse.

3.(1) Subject to the provisions of this Act, the Government shall take all such measures, as it deems necessary or expedient for the purpose of preventing and for combating abuse of narcotic drugs, psychotropic substances and the illicit traffic thereof.

(2) In particular and without prejudice to the generality of the provisions of subsection (1) of this section the measures which the Government may take includes measures with respect to all or any of the following matters:-

- (a) co-ordination of actions by various officers and authorities under this Act or under any other law for the time being in force in connection with the enforcement of the provisions of this Act and obligations under the International Convention;
- (b) assistance to the concerned authorities in foreign countries and concerned international organisation with a view to facilitate co-ordination and universal action for prevention and suppression of illicit traffic in narcotic drugs and psychotropic substances;
- (c) identification, treatment, education, after care, rehabilitation and social integration of addicts;
- (d) such other matters as the Government deems necessary or expedient for the purpose of securing the effective implementation of the provisions of this Act and preventing and combating the abuse of narcotic drugs, psychotropic substances and illicit traffic.



Establishment of
the Commission
for the
coordination of
drug control.

4.(1) It is hereby established the Commission for National Co-ordination of Drug Control which shall be responsible for defining, promoting and co-ordinating the policy of the Government for the control of drug abuse and of drug Trafficking.

(2) The Commission shall be composed of:-

- (a) the Chief Minister - Chairman
- (b) the Minister of Health and Social Welfare - Member
- (c) the Minister responsible for Education - Member
- (d) the Minister responsible for Tourism - Member
- (e) the Minister responsible for Youth - Member
- (f) the Minister responsible for Legal Affairs - Member
- (g) the Minister responsible for Regional Administration - Member
- (h) the Minister responsible for Finance - Member
- (i) Attorney General - Member
- (j) the Commissioner of Police, Zanzibar - Member
- (k) Mufti of Zanzibar - Member
- (l) any other person whom the Chief Minister thinks fit
- (m) the Principal Secretary
(Chief Ministers' Office) - Secretary

(3) The Anti Drug Director shall be supported by a Secretariat which shall compose of the following members -



- (a) the Principal Secretary responsible for Ministry of Health - Chairman
- (b) the Chief Government Chemist - Member
- (c) the Director responsible for Department of Youth - Member
- (d) the Head of Police Drug Control Section - Member
- (e) the Director of Public Prosecutions - Member
- (f) the State Attorney to be appointed by the Attorney General - Member
- (g) Head of Customs Police - Member
- (h) the Co-ordinator of the Mental Health Programme - Member
- (i) the other two members active in drug abuse control appointed by the Minister - Member
- (j) the Anti-Drug Director - Secretary.

(4) The president shall by order published in the Gazette, appoint an Anti-Drug Director for the purpose of implementing the policy of the Commission and the day-to-day co-ordination of the Government action relating to drug abuse control.

(5) The Secretariat shall advise the Anti-Drug Director on such matters relating to the administration of this Act as are referred by the Commission from time to time.

(6) The Anti-Drug Director may with the approval of the Minister, recruit such other officers with such designation as he thinks fit.



Functions of the Commission and Secretariat.

5.(1) The functions of the Commission shall be to define, promote and co-ordinate the policy of the Government for the control of drug abuse and trafficking, especially in:-

- (a) developing and implementing a national plan of action for drug control;
- (b) implementing the provisions of International Conventions on narcotic drugs and psychotropic substances;
- (c) updating and adapting drug control laws and regulations;
- (d) promoting the prevention of drug abuse and public information for youngsters, families, educators religious leaders and the general public, by supporting other initiatives in the field of information and prevention;
- (e) promoting and ensuring international co-operation;

(2) The functions of the secretarial shall be to Implement the policy of the Government for the control of drug abuse and trafficking, especially in:-

- (a) establishing a viable data collection and analysis system at the national level on drug abuse and drug trafficking;
- (b) developing treatment and rehabilitation programme for drug addicts;
- (c) undertaking research on drug addiction;
- (d) training of personnel in charge of measures dealing with drug abuse and drug trafficking money laundering, precursors;
- (e) ensuring co-ordination and support of activities of non-government organizations and associations participating in drug abuse control.



(3) The Commission shall ensure that the requirements of the International Conventions are effectively fulfilled by the Government both at the national level and in its relations with other states and international bodies in charge of drug control, as well as in the implementation, at the national and international level, of the drug control machinery.

Reports of the Commission to be laid before the House of Representatives.

6. The Commission shall publish yearly report describing the national situation and its developments as regards the supply and demand of drugs and formulating any proposal likely to promote anti-drug activities and such report shall be laid before the House of Representatives.

The budget of the Commission.

7.(1) The Commission shall have its own budget for the administrative support of the Anti-Drug Department and for the support of specific activities, special events or initiatives, undertaken by administrative public offices and institutions, as well as organizations, associations and private bodies participating in the drug abuse control efforts.

(2) The source of funds for the budget of the Commission shall be:-

- (a) a sum of money allocated to the Fund by the House of Representatives;
- (b) assets and values confiscated from traffickers, and a located to the National Fund for Drug Abuse Control established under section 10 of this Act;
- (c) grants and donations given to the Fund by intergovernmental and non-governmental organizations participating in drug control efforts;

(3) The Commission shall monitor the allotment and use of funds by the Anti-Drug Department and shall administer the National Fund for Drug Abuse Control.

(4) Where assets are allocated in kind to the Fund the Commission shall decide on the distribution to a public or private body in charge of drug abuse control, depending on



the nature of the goods and the needs of the institutions concerned.

Anti Drug Director
to prepare
deliberations.

8. The Anti-Drug Director shall prepare, the Commission's deliberations and ensure that they are implemented and without prejudice to the foregoing, the Anti-Drug Director shall:-

- (a) represent the Commission within the international authorities competent in the matters of drug;
- (b) encourage and coordinate the action of relevant Ministries;
- (c) ensure proper liaison with relevant international organizations, and ensure or facilitate the transmission of information and data to the competent international bodies as required by the treaties.

Commission to
administer funds
to various needs.

9. The Commission shall administer the funds to the various initiatives to meet the specific needs of the Government departments, public institutions or public officers, associations or private bodies in execution of its decision or orientation.

PART III THE FUND FOR CONTROL OF DRUG ABUSE

Establishment of
the Fund.

10.(1) The Commission shall, by notice published in the Gazette, constitute a Fund to be known as the Fund for control of Drug Abuse and shall be credited thereto:-

- (a) a sum of money allocated to the Fund by the Government;
- (b) the sale proceeds of 25% of any property forfeited under Part VII of this Act;
- (c) any grants that be made by any person or Institution;



(d) any income from investment of the amounts credited to the Fund under the provisions of this Act.

(2) The Fund shall be applied by the Commission to meet the expenditure incurred in connection with the measures taken for combating illicit traffic in or controlling abuse of narcotic drugs and psychotropic substances.

(3) The Anti-Drug Director shall advise the Commission in regard to the application of the Fund.

(4) The expenditure report of the Commission shall be submitted to the House of Representatives for information.

PART IV PROHIBITION OF POSSESSION AND TRAFFICKING OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES AND CULTIVATION OF CERTAIN PLANTS

Prohibition of cultivation of certain plants and substances.

11. Any person who:-

- (a) cultivates any cannabis, coca plant or gathers any portion of coca plant;
- (b) cultivates papaver somniferous (opium poppy) or papaver setigerum;
- (c) being the owner, occupier or concerned in the management of any premises permits the premises to be used for cultivation, gathering or production of any drugs referred to in Paragraphs (a) and (b);
- (d) produces, possesses, transports, imports into, exports from Zanzibar, sells, purchases, uses or does any act or omits to do anything in respect of Poppy straw, coca plants coca leaves, prepared opium, opium poppy, cannabis, manufactured drug or any preparation containing any manufactured drug, psychotropic substance,



Narcotic drug, such act or omission amounting to contravention of the provisions of this Act or Rule or order made under this Act;

commits an offence and upon conviction is liable to a fine of ten million shillings or three times the market value of the prohibited plant, whichever is the greater or to imprisonment for a term not exceeding twenty years or to both the fine and imprisonment.

Power of
Commission to
permit, control and
regulate
cultivation,
production, sale of
opium, coca
leaves.

12.(1) Subject to the provision of section 11 of this Act the Commission may by regulations:-

(a) Permit and regulate:-

- (i) the cultivation, or gathering of any portion (such cultivation or gathering only on account of the Government) of coca plant, or the production, possession, sale, purchase, transport, import into Zanzibar, use or consumption of coca leaves; or
- (ii) the cultivation (such cultivation being only on account of the Government) of opium poppy; or
- (iii) the production and manufacture of opium and production of poppy straw; or
- (iv) the sale of opium and opium derivatives from Government factories for export from Zanzibar or to manufacturing chemists; or
- (v) the manufacture of manufactured drugs (other than prepared opium) but not including manufacture of medicinal opium or any preparation containing any manufactured drugs from materials which the maker is lawfully entitled to possess; or
- (vi) the manufacture, possession, transport, sale, purchase, consumption or use of psychotropic substances; or



(b) prescribe any other matter requisite to render effective the control by the Government over any of the matters specified in paragraph (a) above.

(2) Without prejudice to the generality of the power conferred by subsection (1) of this section an order made by the Commission may provide for regulating by licensing, permits or otherwise the productions, manufacture, possession, transport import into and export from Zanzibar sale, purchase, consumption, use, storage, distribution, disposal or acquisition of any narcotic drug or psychotropic substance.

Narcotic drugs and psychotropic substance not to be subject to distress or attachment.

Restriction in dealings in narcotic drugs and psychotropic substance.

Penalty for possession or purchase of coca or narcotic drugs.

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

14. No person in Zanzibar shall engage in or control any trade whereby narcotic drugs or psychotropic substance are obtained outside Zanzibar or supplied to any person outside the country except with the prior permission or authorization of the Commission and subject to such condition as may be imposed by the Commission.

PART V OFFENCES AND PENALTIES

15. Any person who:-

(a) has in possession or does any act or omits to do any act or thing in respect of narcotic drugs or any preparation containing any manufactured drugs commits an offence and upon conviction is liable to a fine of ten million shillings or three times the market value of the narcotic drugs or any preparation containing such manufactured drugs whichever is greater or to an imprisonment for twenty years or to both the fine and imprisonment;



- (b) traffics in any narcotic drugs or psychotropic substance or any substance represented or held out by him to be narcotic drug or psychotropic substance commits an offence and upon conviction is liable:-
 - (i) in respect of any narcotic drug or psychotropic substance to a fine of ten million shillings or three times the market value of the narcotic drug or psychotropic substance whichever is the greater and in addition to imprisonment but shall not in every case be less than twenty years;
 - (ii) in respect of any other substances, other than a narcotic drug or psychotropic substance which he represents or holds to be narcotic drugs or psychotropic substances to a fine of not less than two million shillings and in addition to imprisonment but shall not in every case be less than ten years.
- (c) smokes, inhales, sniffs or otherwise¹ uses any narcotic drug or psychotropic substance;
- (d) without lawful and reasonable excuse, is found in any house, room or place to which person rents for the purposes of smoking, inhaling, sniffing or otherwise using any narcotic drug or psychotropic substance;
- (e) being the owner occupier or concerned in the management of any premises, enclosure or conveyance permit it to be used for the purpose of-
 - (i) the preparation of opium for smoking or sale or the smoking, inhaling, sniffing or otherwise using any narcotic drug or psychotropic substance; or



- (ii) the manufacture, production, sale or distribution, of a narcotic drug or psychotropic substance in contravention of this Act,
- (f) has in his possession any pipe or other utensil for use in connection with the smoking, inhaling sniffing or otherwise using opium, cannabis, heroin or cocaine or any utensil for use in connection with the smoking, inhaling sniffing or otherwise using of opium cannabis, heroin or cocaine or any utensil used in connection with the preparation of opium or any other narcotic drug or psychotropic substance for smoking,

commits an offence and upon conviction is liable to a fine of one million shillings or imprisonment for a term of ten years or to both the fine and imprisonment.

Penalty in respect of possession, use of small quantity of narcotic drugs and psychotropic substance.

16. (1) Any person who in contravention of any provision of this Act or any rule or order made or permit issued under this Act possesses in a small quantity any narcotic drug or psychotropic substance, which is proved to have been intended for his personal consumption and not for sale or distribution, or consumes any narcotic drug or psychotropic substance, shall notwithstanding anything contained in this Part, be liable-

- (a) if the narcotic drug or psychotropic substance possessed or consumed is cocaine, morphine, dialectically-morphine or any other narcotic drug or any psychotropic substance as may by notice published in the Gazette be specified by the Commission to a fine of three hundred thousand shillings, or to imprisonment for a term of five years or to both the fine and imprisonment;
- (b) if the narcotic drug or psychotropic substance possessed or consumed is other than those specified in or under paragraph (a), to a fine of two hundred thousand shillings or to imprisonment for a term of three years or to both that fine and imprisonment.



(2) Subject to subsection (1) of this section "small quantity" for the purpose of this section means:-

CANNABIS	(a) Leaves	0 – 10m.
	(b) Oil	0 – 5mg.
	(c) Resin	0 – 10mg.
COCAINE	(a) Leave	0 – 1gm.
	(b) Paste	0 – 10mg.
	(c) Cocaine	0 – 10mg.
	(d) Resin	0 – 10mg.
OPIUM	(a) Raw	0 – 1gm.
	(b) Dross	0 – 10mg.
	(c) Medicinal opium (Therapeutic dose)	
	(d) Morphine	0 – 10mg.
HEROIN		0 - 5mg.
KHAT		0 - 250mg.

Methaqualone (Mandrax, Parest, Quaalude) 0 – 600mg.

Amphetamines – (therapeutic dose)

Benzodiazapines (therapeutic dose)

Barbiturates (therapeutic dose)

Designer Drugs -

(3) Where a person possesses a small quantity of narcotic drug or psychotropic substance, the burden of proving that it was intended for the personal consumption of such person and not for sale or distribution shall be to that person.

Penalty in respect
of administration
of narcotic drugs
and psychotropic
substance.

17. Any person who:-

- administers a narcotic drug or psychotropic substance or causes or permits it to be administered, except where an authorized person or a medical practitioner or dentist acting in his professional capacity and in accordance with the prevailing norms and standard or professional practice; authorised; or



adds a narcotic drug or psychotropic substance to a food or drink without the knowledge of the consumer; or

- (b) sells, supplies or acquires a narcotic drug or psychotropic substance on presentation of prescription knowing or having reason to believe that the prescription is forged, unlawfully obtained or acquired or was issued more than six months before presentation,

commits an offence and upon conviction is liable to a fine of five million shillings or to imprisonment for a term of fifteen years or to both the fine and imprisonment.

Penalty for embezzlement by authorized cultivators.

18. Any person licenced to cultivate opium poppy on the account of the Government, who embezzles or otherwise illegally disposes of the opium produced or any part thereof, commits an offence and upon conviction is liable to a fine of five million shillings or to imprisonment for a term not exceeding fifteen years or to both such fine and imprisonment.

Penalty in respect of breach of terms, licence or permit.

19. Where a holder of a licence permit or Authorization granted in accordance with the provisions of this Act and rules or orders made under this Act:-

- (a) omits, without any reasonable cause, to maintain accounts or to submit return in accordance with this Act or rule made hereunder; or
- (b) fails to produce without any reasonable cause such licence, permit or authorization on demand of any officer authorized by the Commission; or
- (c) keeps any accounts or makes any statement which is false or which he knows or has reason to believe to be incorrect; or
- (d) wilfully and knowingly does any act in breach of any of the condition of licence, permit or authorization for which a penalty is prescribed elsewhere in this Act,



commits an offence and upon conviction is liable to a fine of five million shillings or to imprisonment for a term of fifteen years or to both the fine and imprisonment.

Penalty in respect of financing illegal activities.

20. Any person who knowingly directly or indirectly Finances any of the activities specified in paragraphs (a) – (f) of section 15, of this Act or harbours any person engaged in the aforementioned activities commits an offence and upon conviction is liable to a fine of ten million shillings or to imprisonment for a term of twenty years.

Penalty in respect of aiding to commit offences under this Act.

21. Notwithstanding anything contained in any other Written laws, any person who:-

- (a) conspires with any other person to commit; or
- (b) solicits, incites, aids or counsels or attempts to solicit, incite, aid, abet or counsel any other person to commit; or
- (c) causes or procures, or attempts to cause or procure the commission of; or
- (d) is otherwise directly or indirectly knowingly concerned in the commission of an offence under this Act;

may be charged with, tried, convicted or punished in all respect as if he were the principal offender.

Preparation or attempts to commit offence.

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



Penalty for
commission of
offence after
previous
conviction.

23.(1) Any person who is convicted of the offences under sections 15, 16, 19, 20 and 21 upon conviction is liable for the second and every subsequent offence to fine of ten million shillings or to a term of imprisonment for life.

(2) Where a person is convicted by a competent court outside Zanzibar under any law corresponding to the provisions of section 15, 16, 19, 20 and 21, that person shall in respect of the conviction be dealt with for the purpose of subsection (1) of this section as if he had been convicted by a court in Zanzibar.

Penalty for
offences for which
no penalty is
provided.

24. Any person who contravenes any provision of this Act or any rule or order made or any condition of any licence, permit or authorization issued under this Act, for which no punishment is separately provided in this Part, upon conviction is liable to a fine of not more than five million shillings or to imprisonment for a term of not more than fifteen years or to both such fine and imprisonment.

Presumption of
culpable mental
state.

25.(1) In any prosecution for an offence under this Act, the court shall presume the existence of mental state but it shall be a defence for the accused if the psychiatrist proved that he had no such mental state with respect to the act charged as an offence in that prosecution.

(2) For the purpose of subsection (1) of this section, mental state includes intention, motive, knowledge of a fact and belief in or reason to believe a fact.

(3) A fact shall be said to be proved only if the court believes it to exist beyond a reasonable doubt and not merely when its existence is established by a preponderance of probability.

Unbailable
offences.

26. (1) Notwithstanding anything contained in this section, no person shall be admitted to bail pending trial if he is accused of an offence involving heroin, cocaine, prepared opium, opium poppy, (papaver setigerum), poppy straw, coca-plant, coca leaves and imported cannabis or cannabis resin (Indian hemp) which has a value exceeding one million shillings.



(2) The condition on granting of bail specified in the Criminal Procedure Decree shall apply to an offence involving narcotic drugs or psychotropic substances specified in subsection (1) of this section.

Offences by companies.

27.(I) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to the company for the conduct of the business of the company, shall be deemed to have committed the offence and shall be liable to be proceeded against and punished accordingly.

(2) Nothing contained in subsection (1) of this section shall render any person liable to any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of the offence.

(3) Notwithstanding subsection (2) of this section, where any offence under this Part has been committed by a company and it is proved that the offence has been committed with the consent or convenience of, or is attributed to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer of the company shall be deemed to be proceeded against and punished accordingly.

Release of certain addict for the purpose of undergoing treatment.

28.(I) Where any addict is found guilty of an offence under this part and the court by which he is found guilty is of the opinion, regard being had to age, character, antecedents or physical or mental condition of the offender; that it is expedient so to do, then notwithstanding anything contained in this Act or any other law for the time being in force, the court may, instead of sentencing him at once to any imprisonment with his consent direct that he be released for undergoing medical treatment for detoxification or de-addiction from a hospital or an institution maintained or recognized by the Government and on his entering into a bond in the form prescribed by the Commission with or without sureties, direct him to appear and furnish before the court within a period not exceeding three months, a report



regarding the result of his medical treatment, and, in the meantime, to abstain from commission of any offence under this Part.

(2) Where the offender fails to comply with the condition for abstaining from commission of an offence after such an offender has been released by the court to undergo medical treatment in accordance with subsection (1) of this section the court may order the offender to appear before the court to receive sentence.

Rewards.

29. The Commission may authorise the payment of rewards to persons giving genuine and authentic information regarding offences leading to connection of an offender and may regulate the amount and payment of such rewards.

Protection of
Informers.

30.(1) Any officer empowered under this Act to do anything to protect any person who gives useful information as provided under section 29 of this Act.

(2) Any officer who fails to protect informer who gave him that information commits an offence and shall be liable on conviction to a fine not exceeding one million shilling or imprisonment for a term not exceeding five years or both such fine and imprisonment.

PART VI PROCEDURE

Application of the
Criminal Procedure
Decree with
necessary
modification.

31.(1) The provision of any law in force in Zanzibar dealing with arrests, search, seizure and powers and duties of investigation by officers of the police, customs, revenue or any other person having power of arrest, shall apply to this Act.

(2) Subject to subsection (1) of this section any such officer referred to in subsection (1) may at any time:-



- (a) enter into and search any building, conveyance, or place;
- (b) in case of resistance, break open any door or remove any obstacle to such entry;
- (c) seize any drug or substance and all materials used in the manufacture and any other article and any thing or conveyance which he has reason to believe to have committed any offence under this Act.

(3) Where an officer takes down any information in writing under subsection (2) of this section records grounds for his belief, he shall forthwith send a copy thereof to his immediate superior.

(4) The provisions of this section shall so far as may be, apply in relation to the offences under Part IV and relating to coca plants, the opium poppy or cannabis plant and for this purpose references in those sections to narcotic drugs or psychotropic substance, shall be construed as including references to coca plant, the opium poppy and cannabis plant.

Procedure of seizure where confiscation is not possible.

Land owners duty to give information of crops illegally cultivated.

32. Where it is not possible to seize any goods (including standing crop) which are liable to confiscation under this Act, any officer authorized under section 30 may serve on the owner or person in possession of the goods, an order that he shall not remove, part with or otherwise deal with the goods except with the previous permission of such officer.

33. Every holder of land shall give immediate information to any officer of police or any officer of the departments mentioned in section 30 of all the opium poppy, cannabis plant or coca plant which may be illegally cultivated within his land and every such holder of land who knowingly neglects to give such information shall be deemed to have committed an offence and upon conviction is liable to a fine of one million shillings or to imprisonment for a term of two years.



Powers of attachment of crops illegally cultivated.

Commission to direct certain substances to be disposed of

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

35.(1) The Commission may, having regard to the hazardous nature of any narcotic drug or psychotropic substance, vulnerability to theft, substitution, constraints of proper storage, space or other relevant considerations, by notice published in the Gazette, specify such narcotic drugs or psychotropic substance which shall as soon as may be after their seizure, be disposed of by such officer and in such manner as the Commission may from time to time, determine after following the procedure hereinafter specified.

(2) Where any narcotic drug or psychotropic substance has been seized the officer seizing such drug or psychotropic substance shall prepare an inventory of such narcotic drug or psychotropic substance containing such details relating to their description, quantity, mode of packing, marks, numbers or such other identifying particulars of the narcotic drugs or psychotropic substance or the packing in which they are packed, country of origin and other particulars as such officer may consider relevant to the identity of the narcotic drugs or psychotropic substance in any proceedings under this Act and make an application, to any magistrate having jurisdiction under this Act, for the purpose of:-

- (a) certifying the corrections of the inventory so prepared; or
- (b) taking, in the presence of such magistrate, photographs of such drugs or substances and certifying such photographs as true; or
- (c) allowing drawing representative samples of such drugs or substances, in the presence of such Magistrate and certifying the correctness of any list of samples so drawn.



(3) Where an application is made under subsection (2) of this section the Magistrate shall as soon as practicable allow the application.

(4) Notwithstanding any thing contained in the Evidence Decree, the Criminal Procedure Decree, every court trying an offence under this Act, shall treat the inventory, the photographs of narcotic drugs or psychotropic substances and any list of samples drawn under subsection (2) of this section and certified by a Magistrate, as primary evidence in respect of such offence.

Relevancy of
Statements under
certain
circumstances.

36. A statement made and signed by a person before any officer empowered under this Act, for the investigation of offences during the course of any inquiry or proceedings by such person shall be relevant for the purpose of proving in any prosecution for an offence under this Act, the truth of the facts which it contains: -

- (a) when the person who made the statement is dead or cannot be found, or is incapable of giving evidence, or is kept out of the way by the adverse party, or whose presence cannot be obtained without any amount of delay or expense which, under the circumstances of the case, the court considers unreasonable; or
- (b) when the person who made the statement is examined as a witness in the case before the court and the court is of the opinion that, having regard to the circumstances of the case, the statement should be admitted in evidence in the interest of justice.

Presumption of
possession of illicit
articles.

37. In trials under this Act, it may be presumed unless the contrary is proved, that the accused has committed an offence under Part IV in respect of: -

- (a) any narcotic drug or psychotropic substance; or



- (b) any opium poppy cannabis plant or coca plant growing on any land which he has cultivated; or
- (c) any apparatus specially designed or any group of utensils specially adopted for the manufacture of any narcotic drug or psychotropic substance; or
- (d) any material which have undergone any process towards the manufacture of a narcotic drug or psychotropic substance, or any residue left of the materials from any narcotic drug or psychotropic substance has been manufactured, for the possession of which he fails to account satisfactorily.

Authorized officers to take charge of articles seized.

38.(1) An officer authorized under subsection (2) of section 36 shall take charge of and keep in safe custody, pending the orders of the Magistrate, all articles seized under section 31 of this section and shall allow any seizing officer who may be deputed for the purpose, to affix his seal to such articles or to take samples of and from them and all samples so taken shall also be sealed with the seal of such officer.

(2) An officer who fails to comply with conditions under subsection (1) of this section or disappears commits an offence and upon conviction is liable to a fine of one million shillings or imprisonment for a term of five years.

Obligation of various officers to assist each other.

39.(1) All officers of the several departments mentioned in this Act shall, be legally bound to assist: each other in carrying out the provisions of this Act.

(2) Any officer who fails to assist as required under sub section (1) of this section commits an offence and on conviction is liable to a fine not less than one million shillings or imprisonment for a term not exceeding three years.



Arrest and seizures
be reported within
forty-eight hours.

Penalty for giving
false information.

Penalty against
officer refusing to
perform duties or
aiding offenders.

Power to
confiscate articles
or things etc. in
connection with
offence.

40. Where any person makes any arrest or seizure under this Act, he shall, within forty-eight hours after such arrest or seizure make a full report of all the particulars of such arrest or seizure to his immediate official superior.

41. Any person wilfully and maliciously giving false information and so causing an arrest or search being made under this Act, commits an offence and upon conviction is liable to a fine not exceeding five hundred thousand shillings or to imprisonment for a term of one year or to both such fine and imprisonment.

42.(1) Any officer on whom any duty has been imposed by or under this Act: -

- (a) refuses to perform the duties of his office, unless he has lawful excuse for doing so, or
- (b) has been given the custody of any addict or any other person who has been charged with an offence under this Act; or
- (c) wilfully aids in or connives at, the contravention of any provision of this Act or any rule or order made thereunder,

commits an offence and upon conviction is liable to a fine not exceeding five hundred thousand shillings or an imprisonment for a term of one years.

(2) The expression "officer" in this section includes any person employed in a hospital or institution maintained or recognized by the Government for providing de-addiction or detoxification treatment.

(3) No court shall take cognizance of any offence under subsection (1) of this section except on a complaint in writing made with the previous sanction of the Commission.

43.(1) Where any offence under Part IV has been committed, the narcotic drug, psychotropic substance, the opium poppy, coca-plant, cannabis plant, material, apparatus and utensils in respect of which such offence has been committed, shall be liable to confiscation.



(2) Any narcotic drug or psychotropic substance lawfully produced, imported into or exported from the Zanzibar transported, manufactured, possessed, used, purchased or sold along with, or in addition to any narcotic drug or psychotropic substance which is liable to confiscation under subsection (1) of this section and the receptacles, packages, coverings in which any narcotic drug or psychotropic substance, materials, apparatus or utensils liable to confiscation under subsection (1) of this section is found, and the other contents, if any, of such receptacles or packages shall likewise be liable to confiscation.

(3) Any goods used for concealing any narcotic drug or psychotropic substance which is liable to confiscation under this Act shall also be confiscated.

(4) Where any narcotic drug or psychotropic substance is sold by a person having knowledge or reason to believe that the drug or substance is liable to confiscation under this Act, the sale proceeds thereof shall also be confiscated.

Confiscation in
case of no
conviction.

44.(1) In the trial of offences under this Act, whether the accused, is convicted or acquitted or discharged, the court shall decide whether any article or thing seized, under this Act is liable to confiscation under section 43 and if it decides that that article is so liable, it shall order confiscation accordingly.

(2) Where any article or thing under this Act appears to be liable to confiscation, but the person who committed the offence in connection therewith is not known or cannot be found, the court may inquire into and decide such liability and may order confiscation accordingly.

(3) If any article or thing, other than a narcotic drug, psychotropic substance, the opium poppy, coca plant or cannabis plant is liable to speedy and natural decay, or if the court is of the opinion that its sale would be for the benefit of its owner, it may at any time, direct it to be sold, and the provisions of this subsection shall, as may be practicable, apply to the net proceeds of the sale.



Presumption as to documents in certain cases.

Powers of an authorized officer to call for information.

(4) Any person who claims any right to property which has been confiscated under this Act, may appeal to the High Court against the order of confiscation.

45. Where any document:-

- (a) is produced or furnished by any person or has been seized from the custody or control of any person under this Act, or under any other law; or
- (b) has been received from any place outside the United Republic, and is duly authenticated by such authority or person and in such manner as may be prescribed by the Commission; in the course of investigation of any offence under this Act,

if such document is tendered in any prosecution under this Act, in evidence against him or against any other person who is tried jointly with him the court shall:-

- (i) admit the document in evidence, notwithstanding that it is not duly stamped, if such document is otherwise admissible in evidence;
- (ii) in a case falling under paragraph (a) also presume, unless the contrary is proved, the truth of the contents of such document.

46.(1) Any officer who is authorized under this Act may, during the course of any enquiry in connection with the contravention of any provision of this Act: -

- (a) call for information from any person for the purpose of satisfying himself whether there has been any contravention of the provisions of this Act or any rule or order made thereunder;



(b) require any person to produce or deliver any document or thing useful or relevant to the inquiry.

(2) An officer acting in exercise of powers vested in him under any provision of this Act, or any rule or order made thereunder shall not be compelled to say whence he got any information as to the commission of any offence.

Procedures
relating to analysis
of seized drugs
(controlled
substances).

47.(1) As soon as possible after preparation of a report of the seizure, samples shall be taken for chemical analysis by an authorised analyst.

(2) Any sample taken under subsection (1) of this section be of a reasonable quantity representative of the consignment or lot of the seizure.

(3) Where the seizure is very small, less than 0.5gm sample need not be drawn and instead the whole seizure shall be sent for analysis.

(4) If in a package, container, or similar things, the seized substance shall be mixed to make it homogeneous and representative before the sample is taken.

(5) In case of a seizure of:

(i) a single package container, one sample shall be taken;

(ii) more than a single package or container, one sample shall be taken from each package or container unless the seizure is large enough to warrant drawing lots.

(6) Where sample one drawn, in respect of each lot, a representative sample in equal quantities shall be taken from each package, container or other things in which the seized substance is formed to make a composite sample for the lot.



(7) The seized substance or the sample shall be sent to the Government chemical laboratory for analysis and shall be sent as soon as possible after seizure to minimize the risk of physical or chemical change occurring.

(8) In proceedings for an offence against part V of this Act a certificate of analysis attached to this Act from a designated analyst signed by him and delivered to an authorised officer shall be sufficient evidence of the matters stated in the certificate relating to a substance unless it is shown to the contrary.

Disposal of seized drugs.

48.(1) Where analysis of sample indicates that the seized substance is prohibited drug, the seizing officer shall forthwith forward seizure report and analysis report to the Director of Public Prosecutions and to the Principal Secretary Ministry of Health.

(2) The Director of Public Prosecutions if, in his opinion, thinks that preservation of the seized substances until the court proceedings end is not necessary, he shall make an application to the court for an order to dispose of as soon as possible.

(3) The order shall direct the disposal in any of the following ways:

- (i) by delivery to the Ministry of Health for lawful medical or scientific use;
- (ii) by incineration; or
- (iii) such other safe means of destruction as the court may direct.

PART VII **FORFEITURE OF PROPERTY DERIVED FROM, OR USED IN ILLICIT TRAFFIC**

Forfeiture of property.

49.(1) Subject to this Part, where any person has been convicted for an offence under this Act, the property owned by him on the date of the conviction or acquired by him after that date, shall be forfeited to the Government.



(2) The provision of subsection (1) of this section shall apply to:-

- (a) every person who has been convicted of an offence under this Act;
- (b) every person who has been convicted of a similar offence by a competent court of criminal jurisdiction outside the Zanzibar;
- (c) every associate of a person referred to in paragraphs (a) and (b) of this subsection.

(3) For the purpose of this Part, unless the context requires otherwise "associate" means:-

- (i) any individual who had been or is managing the affairs or keeping the accounts of such person;
- (ii) the trustee of any trust, where:-
 - (a) the trust has been created by such person; or
 - (b) the value of the assets contributed by such person (including the value of the assets, if any, contributed by him earlier) to the trust amounts to not less than twenty percent of the value of the assets of the trust.
- (iii) where the authorised officer for reason in writing, considers that any property or such person is held on his behalf by any other person, the officer shall order such other person deliver the property for the purpose of confiscation.

Prohibition on holding illegally acquired property.

50.(1) No person shall hold any illegally acquired property either by himself or through any other person on his behalf.



(2) Where any person holds any illegally acquired property in contravention of the provision of subsection (1) of this section such property shall be forfeited to the Government.

(3) No property shall be forfeited under this Part if such property was acquired by a person to whom this Act applied before a period of three years from the date on which he was charged for an offence relating to illicit traffic.

The Court to authorize investigation or survey.

51.(1) The Court may authorize any officer to inquire, investigate or survey any person or group of persons as it may by order, direct and such officer shall on receipt of information that any person to whom this Part applies has been charged with any offence whether committed in Zanzibar or outside proceed to take all steps necessary for tracing and identifying any property illegally acquired.

(2) Where an officer conducting an inquiry or investigation under subsection (1) of this section has reason to believe that any property in relation to which such inquiry or investigation is being conducted is an illegally acquired property and such property is likely to be concealed, transferred or dealt with in any manner which will result in frustrating any proceeding relating to forfeiture of such property under this Part, he may make an order for seizing such property and where it is not practicable to seize such property, he may make an order that such property shall not be transferred or otherwise dealt with, except with the prior permission of the officer making such order, or of the competent authority and a copy of such order shall be served on the person concerned.

(3) If any property referred to in subsection (2) of this section is transferred by any mode, such transfer shall if the property is forfeited to the Government be deemed to be void.

(4) An officer making an investigation may call upon the person concerned within a period of thirty days to indicate the sources of his income, earnings or assets out of



which or by means of which he has acquired such property and to show cause why all or any of such properties should not be declared illegally acquired and forfeited to the Government.

(5) If the person affected does not appear before the authorized officer to represent his case within the specified period, that officer may proceed to record a finding on the basis of evidence available before him.

Burden of proof.

52. In any proceedings under this Part, the burden of proving that any property is not illegally acquired shall be on the person affected.

Payment in lieu of forfeiture.

53. Where an authorized officer declares that any property stands or being forfeited to the Government and it is a case where the source of only a part of the illegally acquired property has not been proved to the satisfaction of the court, the court shall make an order giving an option to the person affected to pay, in lieu of forfeiture, a sum of money equal to the market value of such property.

Appeals.

54. Any person aggrieved by any decision of an authorized officer may within thirty days from the date of such decision appeal to the High Court.

Power to take possession.

55.(1) Where any property is declared forfeited by the Court or the person affected fails to pay the amount of money in lieu of any part of the property to be forfeited, the Court may order the person affected or any other person who may be in possession of that property to surrender or deliver possession thereof.

(2) Any person who refuses or fails to comply with an order made under subsection (1) of this section commits an offence and the Court may take possession of the property and may for that purpose use such force as may be necessary.

Arrangement regarding tracing, realization etc. of property.

56.(1) The Commission may enter into an arrangement:-



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

PART VII MISCELLANEOUS

Protection of action taken in good faith.

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



Commission to have regard to international convention while making rules.

58. Where under this Act the Commission has been empowered to make rules, it may, while making the rules have regard to the provisions of Single Convention on Narcotic Drugs, 1961, the Protocol of 1972 amending the said Convention and of the Convention on Psychotropic Substances, 1971 United Nations Convention Against Illicit Traffic in Narcotic Drugs Psychotropic Substances adopted on 19th December 1988, and to the provisions of any other international convention relating to narcotic drugs or psychotropic substances to which the United Republic becomes a party.

Power of Government to establish centres for identification treatment, etc. of addicts and for supply of narcotic drugs.

59. The Government may, in its discretion, establish as many centres as it thinks fit for identification, treatment, education, after-care, rehabilitation, social reintegration of addicts and for supply, subject to such conditions and in such manner as may be prescribed, by the Commission of any narcotic drugs and addicts psychotropic substances to the addicts registered with the Government and to others where such supply is a medical necessity.

Power of Commission to give directions.

60. The Commission may give such directions as it may deem necessary to any department of the Government regarding the carrying into execution of the provisions of this Act, and that department shall comply with such directions.

Power to delegate.

61. The Commission may, by notice in Gazette, delegate, subject to such conditions and limitations as may be specified in the notice, such of its powers and functions under this Act (except the power to make rules) as it may deem necessary or expedient, to any other authority or the Anti-Drug Director.

Power of Commission to make rules.

62.(I) Subject to the other provisions of this Act, the Commission may, by notice in the Gazette, make rules for the better carrying out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-



- (a) the method by which percentages in the case of liquid preparations shall be calculated;
- (b) the form of bond to be executed for release of an addict convict for medical treatment under subsection (1) of section 28 and the bond to be executed by such convict before his release after the due admission under subsection (2) of that section;
- (c) the authority or the person by whom and the manner in which a document received from any place outside Zanzibar shall be authenticated;
- (d) the manner in which and the conditions subject to which properties confiscated or forfeited shall be managed;
- (i) the disposal of all articles or things confiscated under this Act;
- (f) the drawing of samples and testing and analysis of such samples;
- (g) the rewards to be paid to the officers, informers and other persons;
- (h) any other matter which is to be, or may be, prescribed.

Application of the
Customs
Management Act
No. 19/1972.

63.(1) All prohibitions and restrictions imposed by or under this Act on the import into Zanzibar the export from Zanzibar and transhipment of narcotic drugs and psychotropic substances shall be deemed to be prohibitions and restrictions imposed by or under the Customs Management Act, and the provisions of that Act shall apply accordingly.

(2) Where the doing of anything is an offence punishable under the Customs Act, the Pharmaceutical and Dangerous Drugs Act 1986 and under this Act, nothing in that Act or in this section shall prevent the offender from being punished under this Act.



Saving of State
and special laws.

64. Nothing in this Act or in the rules made thereunder shall affect the validity of any Act for the time being in force, or of any rule made thereunder which imposes any restriction or provides for a punishment not imposed by or provided for under this Act or imposes restriction or provides for a punishment greater in degree than a corresponding restriction imposed by or a corresponding punishment provided for by or under this Act for the cultivation of cannabis plant or consumption of, or traffic in, any narcotic drug or psychotropic substance within Zanzibar.

Power to remove
doubt.

65.(1) If any doubt arises in giving effect to the provisions of this Act the Commission may, by order published in the Gazette, make such provisions not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the doubt.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the House of Representatives for approval.



CERTIFICATE SPECIMEN

GOVERNMENT CHEMICAL LABOURATORY

**The Drugs and Prevention of Illicit Traffic Drugs
No. 16 Act 2003**

Section 47(8)

To:
I, being the Government analyst, do hereby certify that on day of 20..... The Government Chemical Laboratory received from marked sealed and said to contain

PHYSICAL OBSERVATION

ANALYSIS AND RESULTS

As witness my hand this day of 20.....

Signature

Government Analyst.



S C H E D U L E
LIST OF DRUGS INCLUDED IN SCHEDULE I

Acetorphine (3-O-acetyltetrahydro-7x(I-hydroxy-I-Methylbutyl) -6, 14-endetheno-oripavine)

Acetyl-alpha-methylfentanyl (N- [1-(a-methylphenethyl)-4-piperidyl]acetanilide)

Acetylmethadol (3-acetoxy-6 dimethylamina-4,4-diphenyiheptane)

Alfentanil (N- [1-2-(ethyl-4,5dihydro-5-oxo-I) III-tetrazol-I-yl)ethyl]-(methoxymethyl)-I-piperidinyl]-N-phenylpropamide monohydrochloride)

Aillylrodine 3 - ally - I 4phenyl - 4 -propioiioxypiperidine)

Aiphacetylmethadol (alpha-3-acetoxy-6-dimethylamino-4,4-diphenyiheptane)

Aiphameprodine (alpha-3-ethy-I-methyl -4-propionoxy piperidine)

Alphamethadol (alpha-6-dimehylamino-4,4-diphenyl-3-heptanol)

Alpha – methylfentanyl N – (I – methyl – 2 – (2 – thienyl) ethl) – 4 – piperidyl] propionanilide)

Alphaprodine (alpha I, 3-dimethyl-4-phenyl-4-propinnoxy piperidine)

Anileridine (I-para-aminophenethyl-4-phenylpiperidine – 4 - carboxylic acid ethyl ester)

Benzethidine (I- (2-benzyloxyethyl) -4-phenylpiperidine-4-carboxylic acid ethyl ester)

Benzylmorphine (3-benzylmorphine)

Betacetylmethadcl (heta-3-acetory-~-dimethylamino-4,4-diphenylheptane)



Beta-hydroxyfentaryl (N- [- beta – hydroxyphenethyl] – 4 – piperidyl]
propionanilide)

Betatmeprodine (beta-3-ethyl-l-phenyl-4-propionoxypiperidine)

Betamethadol (heta-6-dimethylamino-4, 4-diphenyl-3heptanol)

Bezitramide (1-3 cyano-3,3-diphenylpropyl) -4-(2-oxo-3-propionyl - I
Benzimidazolinyl) -piperidine)

Bezitramide (1- (3-cyano-3-diphenyl-4 (2-oxo-3-propionyl - I
benzimidazolinyl) -piperidine)

Cannabis (Indian Hemp) and cannabis resin (Resin of Indian Hemp):

Clonitazene (2 -para-chlorbenzyl-l-diethylaminoethyl-5-
nitrobenzimidazole)

Coca Leaf.

Cocaine (methyl ester of benzoyleccgonine)

Codoxime (dihydrocodeinone- 6 -carboxymethyloxime)

Concetrate of poppy straw (the material arising when poppy straw has entered
into a process for the concentration of its alkaloid when such material is made
available in trade)

Desomorphine (dihydodeoxymorphone)

Dextromoramide ((+)-4-[2-methyl-4-oxo-3,3diphenyl-4-(l-
pyrrolidinyl) -butyl] -morpholine)

Diamppromide (N- (2-methylphenethylamino) –propyl] -
propionanilide)

Diethylthiambutene (3-diethylamino-l, l-di- (2-thienyl) -
butane)

Difenoxin (l- (3-cyano-3, 3-diphenylpropyl) -4-
phenylisonipecotic acid)



Dihydromorphine

Dimenoxadol (2-dimethylaminoethyl-l-ethoxy-l,l-diphenylacetate)

Dimepheptanol (6-dimethylamino-4, 4-diphenyl-3-heptanol)

Dimethylthiambutene (3-dimethylamino-l,l-di-(2"-thienyl)-l-butene)

Dioxaphetyl butyrate (ethyl-4-morpholino-2, 2-Diphenylbutyrate)

Diphenoxylate (1-(3-cyano-3, 3-diphenylpropyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester)

Dipipanone (4,4-diphenyl-6-piperidine-3-heptarione)

Drotebanol (3,4-dimethoxy-17-methylmorphinan-6, 14-diol)

Ecgonine, its esters and derivatives, which are convertible to ecgonine and cocaine

Ethylmethylthiambutene (3-ethylmethylamino-l, l-di-(2tI-thienyl)-l-butene)

Etonitazene (l-diethylaminoet:hyd-2-para-ethoxybenzyl-5-nitrobenzimidazole)

Etorphine (tetrahydro-7x-(l-hydroxyl-lrnethylbutyl)-6,14-endoetheno-oripavine)

Furethidin-l- (2-tetrahydrofuryloxyethyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester)

Heroin (diacetylmorphine)

Hydrocodone (dihydrocodeinone)

Hydromorphenol (14 - hydroxydihydromorphine)

Hydromorphone (dihydromorphinone)



Hydroxypethidine (4 -meta-hydroxyphenyl - l-methylpiperidine-4 – carboxylic acid ethyl ester)

Isomethadone (6-dimethylamino-5-methyl-4,4-diphenyl-3-hexanone)

Ketobemidone (4-meta-bydraxyphernyl-l-methyl-3-propionylpiperidine)

Levomethorphan ((-) -3-methoxy-N-methylmorphinan)

Levomoramide((-) -4- (2~ethyl-4-oxo-3,3-diphenyl-4-(l-pyrrolidinyl)-butyl]-morpholine)

Lelophenancylmorphan ((-) - 3 -hydroxy-N-phenocylmorphinan)

Levorhonal *((-) -3-hydroxyN-rnetbyimorphinan)

Metazocine (2".hydroxy-2,5,9-trimethyl-6,7- benzomorphan)

Methadone (6-dimethylamino-4, 4-diphenyl-3-heptanone)

Methadone - Intermediate (4-cyano-2-dimethylamino-4,4-diphenylbutane)

Methyldesorphine (6-methyl-delta-6-deoxymorphine)

Methldibydromorphine 6 –methyldihydromorphine)

3 – methylthiofentanyl (N- [3-methyl-l-phenethyl-4-piperidyl] propionanilide)

3 – methylthiofentanyl (N[3-methyl-l- [2-(2-thienyl)ethyl]–4— piperidyl] propionanilide)

Metopon (5-methyldihydromorphinone)

Mirungi moramide-intermediate (2-methyl-3- morpholino-l,l-diphenylpropane carboxylic acid)

Mopheridine (1-(2-morpholinoethyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester)



Morphine

Morphine Methobromide and other pentavalent nitrogen morphine derivatives, including in particular the morphine-N-oxide derivatives, one of which is Codeine-N-Oxide

Morphine – N – Oxide

MPPP (l-menthyl-4-phenyl-4-piperidinol propionate (ester)

Myrophine (myristylbenzylmorphine)

Nicomorphine (3, 6-dinicotinylmorphine)

Noracymethadol ((+)- alpha-3 acetoxy-6 methylamino-4-4 diphenylheptane)

Norlevorphanol ((-)-3-hydroxymorphinan)

Normethadone (6-dimethylamino-4,4-diphenyl-3-hexanone)

Normorphine (dernethylmorphine) or (N-demethylated morphine)

Norpipanone (4,4-diphenyl-6-piperidine-3-hexanone)

Opium

Oxycodone (14 hydroxydihydrocodeinone)

Oxymorphone (14 - hydroxydihydromorphinone)

Para-fluorofentanyl (4"-fluoro-N- (l-phenethyl – 4 - piperidyl) propionanilide)

PEPAP (l – phenethyl – 4 – phenyl - 4 – piperdinol acetate ester)

Pethidine (l – methyl – 4 – phenylpiperidine – l – carboxylic acid Ethyl ester)

Pethidine-Intermediate-A (4-cyano-l-methyl-4-phenylpiperidine)



Pethidine - Intermediate-B (4-Phenylpiperidine-4-carboxylic acid ethyl ester)

Pethidine - Intermediate-C (l-methyl-4-phenylpiperidine-4-carboxylic acid)

Phenadoxone (6-morpholino-4,4-diphenyl-3-heptanone)

Phenampronide (N-(l-methyl-2-piperidinoethyl) - propionanilide)

Phenazocine (2"-hydroxy-5,9-dimethyl-2phemethyl-6,7-benzomorphan)

Phenomorphan (3 hydroxy-N-phenethylmorphinan)

Phenoperidine (1- (3-phenylaminopropyl) -4- Phnenylperidine -4-carboxylic acid ethyl ester

Piminodine (4-phenyl-1- (3-phenylaminopropyl)-piperidine-4- Carboxylic acid ethyl ester)

Piritramide (1-(3-cyano-3, 3-diphenylpropyl)-(l-piperidino) – piperidine-4-carboxylic acid amide)

Proheptazine (1, 3-dimethyl-4-phenyl-4- propionoxyazacycloheptane)

Properidine (l-methyl –4 – phenylpiperidine – 4 – carboxylic acid isopropyl ester)

Racemethorphan ((+) -3-methoxy-N-methylmorphinan)

Racemoramide ((+) -4- [2methyl-4-oxo-3,3-diphenyl-4-(l-pyrrolidinyl) –butyl] morpholine

Racemorphan ((-) –3-hydroxy – N – methylmorphinan)

Sufenbtanil (N-[4-(methoxymethyl) – 1-(2-thienyl)-ethyl]-4-piperidyl]-propiocanilide)

Thebacon (acetyldihydrocodeinone)



Thebaine

Thiofentanyl (N-EI-- [2- (2-thienyl) -4-piperidyl] propionanilide)

Tilidine ((+)-ethyl-trans-2-(dimethylamino)-1-phenyl-3-cyclohexene-1-carboxylate)

Trimeperidine (1,2,5-trimethyl-4-phenyl-4-propionoxypiperidine); and

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

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

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

LIST OF DRUGS INCLUDED IN SCHEDULE II

Acetyldihydrocodeine

Codeine (3-methylmorphine)

Dextropropoxyphene (x-(+)-4-dimethylamino-1,2-diphenyl-3-Methyl-2-butanol propionate)

Dihydrocodeine

Ethylmorphine (3-ethylmorphine)

Nicocodeine (6-nicotinyleodeine)

Nicodicodine (6-nicotinylhydrocodeine)

Norcodeine (N-demethyl codeine)

Pholcodine (morphinylethylmorphine)



Propiram (N- - (1-methyl-2-piperidinoethyl) -N-2-pyridylpropionamide)

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

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

LIST OF PREPARATIONS INCLUDED IN SCHEDULE III

1. Preparations of Acetyldihydrocodeine,
Codeine,
Dihydrocodeine,
Ethylmorphine,
Nicocodeine,
Nicodicodine,
Norcodeine, and
Pholcodine

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

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

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

4. Preparations of cocaine containing not more than 0.1 per cent of cocaine calculated as cocaine base and preparations of opium or morphine containing not more than 0.2 per cent of morphine calculated as anhydrous morphine base and compounded with one or more other ingredients and in such a way that the drug cannot be recovered by readily applicable means or in a yield which would constitute a risk to public health.



5. Preparations of difenoxin containing, per dosage unit, not more than 0.5 milligram of difenoxin and a quantity of atropine sulphate equivalent to at least 5 per cent of the dose of difenoxin.

6. Preparations of diphenoxylate containing, per dosage unit, not more than 2.5 milligrams of diphenoxylate calculated as base and a quantity of atropine sulphate equivalent to at least one per cent of the dose of diphenoxylate.

7. Pulvis ipecacuanha et opil compositus

10 per cent opium in powder,
10 per cent Ipecacuanha root, in powder well mixed with
80 per cent of any other powdered ingredient containing no drug.

8. Preparations conforming to any of the formulae listed in this Schedule and mixtures of such preparations with any material which contains no drug.

LIST OF DRUGS INCLUDED IN SCHEDULE IV

ACETORPHINE (3-O-acetyltetrahydor-7a-(1-hydroxy-1-methylbutyl)-6,14-endoetheno-oripavine)

ACETYL-ALPHA-METHYLFENTANYL (N-[1-(a-methylphenethyl)-4-piperidyl]acetanilide)

ALPHA-METHYLFENTANYL (N-[1-(a-methylphenethyl)-4piperidyl]propionanilide)

ALPHA-METHYLTHIOFENTANYL (N-[1-[1-methyl-2-(2-thienyl)ethyl]-4-piperidyl] propionanilide)

BETA-HYDROXYFENTANYL (N-[1-B-hydroxyphenethyl)-4-piperidyl]propionanilide)

BETA-HYDROXY-3-METHYLFENTANYL (N-[1-(B-hydroxyphenethyl)-3-methyl-4-piperidyl]propionanilide)

CANNABIS and CANABIS RESIN

DESOMORPHINE (dihydrodeoxymorphine)

ETORPHINE (tetrahydro-7a-(1-methylbutyl)-6,14-endoetheno-oripavine)

HERON (diacetylmorphine)

KETOBEMIDONE (4-meta-hydroxyphenyl-1-methyl-4-propionylpiperidine)

3-METHYLFENTANYL (N-(3-methyl-1-phenethyl-4-piperidyl)propionanilide); (cis-N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]propionanilide; Itans-N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]propionanilide)



3-METHYLTHIOFENTANYL (N-[*-methyl-L-[2-thienyl]ethyl]-4-piperidyl]propionanilide)
MPPP (*L*-methyl-4-phenyl-4-piperidinol propionate (ester))
PARA-FLUOROFENTANYL (4'-fluoro-N-(*L*-phenethyl-4-piperidyl)propionanilide)*

PEPAP (*L*-phenethyl-phenyl-4-piperidinot acetate (ester))
THIOFENTANYL (N-[*L*-[2-thienyl]ethyl]-4-piperidyl]propionanilide); and

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

LIST OF SUBSTANCES IN THE SCHEDULES

(List of Substances in Schedule I)

International Non-proprietary name	Other Non-Proprietary or Trivial Names	Chemical Name
1. BROLAMFETAMINE	DOB	(\pm)4-bromo-2,5-dimethoxy-a-methyphenethylamine
2. CATHINONE		(-)-(S)-2-aminopropiophenone
3.	DET	3-[2(diethylamino)ethyl] indole
4.	DMA	(+) -2, 5-dimethoxy-x-methyl-phenethylamine
5.	DMHP	3- (1,2-dimethylheptyl)-7,8,9,10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo [b,d] pyran-1-ol
6.	DMT	3- [2-(dimethylamino)ethyl]ndole
7.	DOET	(\pm)-4-ethyl-2, 5-dimethoxy-x-Phenethylamine
8. N-ETHYL-TENAMFETAMINE	MDE,N-ETHYL- MDA	(\pm)-N-ethyl-a-methyl-3,4(methylenedioxy)phenethylamine
9. ETICYCLIDINE	PCE	N-ethyl-1phenylcyclohexylamine



10.	N-HYDROXY-TENAMFET-AMINE	N-OH MDA, N-HYDROXY-MDA	(±)-N-[a-methyl-3,4-(methylenedioxy)phenethyl] hydroxyl-amine
11	(+)-LYSERGIVE	LSD, LSD-25	9, 10-didehydro-N,N-diethyl-6-methylergoline-8/3-carboxamide
12.		MDMA	(±)-N,a-dimethyl-3-,4-(methylenedioxy)phenethylamine dioxy) phenethylamine
13.		Mescaline	3, 4, 5-trimethoxyphenethylamine
14.	4-METHYLAMINO-REX		(±)-cis-2-amino-4-methyl-5-phenyl-2-oxazoline (±)-cis-4,5-dihydro-4-methyl-phenyl-2-oxazolamine
15.		MMDA	2-methoxy-a-methyl-4,5-(methylenedioxy)phenethylamine
16.		parahexyl	3-lexyl-7, 8,9, 10-tetrahydro-6,6,9-trimethyl-6H-dibenzo [b,d] pyran-1-ol
17.		PMA	p-methoxy-amethylphenethylamine
18.		psilocine, psilotsin	3-[2-(dimethylamino)ethyl] indol-4-01
19.	PSILOCYBINE		3-[2-(dimethylamino)ethyl] indol4-yl dihydrogen phosphate
20.	POLICYCLIDINE	PHP,PCPY	I- (I-phenylcyclohexyl)pyrrolidine
21.		STP,DOM	2, 5-dimethoxy-a-4-dimethyiphene thylamine
22.	TENAMFETAMINE	MDA	a-methyl-3,4(methylenedioxy) phenethylamine



23.	TENOCYCLIDINE	TCP	1-[1-(2-thienyl)cyclohexyl]piperidine
24.		tetrahydrocannabinol, the following isomers and their stereochemical variants:	
		7,8,9, 10-tetragidri-6, 6, 9-trimethyl-3-pentyl-6H-dibenz[b,d]pyran-1-ol	
		(9R, 10aR)-8,9,10,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenz[b,d]pyran-1-ol	
		(6aR, 9R9R10aR)-6a, 9,10,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenz[b,d]pyran-1-ol	
		(6aR,10aR)-6a,7,10,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenz[b,d]pyran-1-ol	
		6a, 7,8, 9-tetrahydro-6, 6,9-trimethyl-3-pentyl-6H-dibenz[b,d]pyran-1-ol	
		(6aR,10aR)6a, 7,8,9,10,10a-hexahydro-6,6-dimethyl-9methylene-3-pentyl-6H-dibenz[b,d]pyran-1-ol	
25.		TMA	(±)-3-4-5-trimethoxy~a~methylphenethylamine

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

List of Substances in Schedule II

International Non-proprietary name	Other Non-Proprietary or Trivial Names	Chemical Name
1. AMFETAMINE	amphetamine	(±)-a-methylphenethylamine
2. DEXAMFETAMINE	dexamphetamine	(+)-a-methylphenethylamine



3.	DRONABINOL	(-)-trans-Δ-9-tetrahydrocannabinol	(6aR,10aR)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol
4.	FENETYLINE		7-[2-[(a-methylphenethyl)amino]ethyl]theophylline
5.	LEVAMFETAMINE	levamphetamine	(-)-(R)-a-methylphenethylamine
6.		levomethamphetamine	(-)-N,a-dimethylphenethylamine
7.	MECLOQUALONE		3-(a-chlorophenyl)-2-methyl-4(3H)-quinazolinone
8.	METAMFETAMINE	methamphetamine	(+)-5-N-a-dimethylphenethylamine
9.	METAMFETAMINE RACEMATE	methamphetamine racemate	(±)-N,a-dimethylphenethylamine
10.	METHAQUALONE		2-methyl-3-a-tolyl-4(3H)-quinazolinone
11.	METHYLPHENIDATE		Methyl a-phenyl-2-piperidineacetate
12.	PHENCYCLIDINE	PCP	I-(I-phenylcyclohexyl)piperidine
13.	PHENMETRAZINE		3-methyl-2-phenylmorpholine
14.	SECOBARBITAL		5-allyl-5-(I-methylbutyl)barbituric acid

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



List of Substances in Schedule III

International Non-proprietary name	Other Non-Proprietary or Trivial Names	Chemical Name
1. AMOBARBITAL		5-allyl-5-isobutylbarbituric acid
2. UPRENORPHINE		21-cyclopropyl-7-a-[(S)-l-hydroxyl-1,2,2-trimethylpropyl]-6,14-endo-ethano-6,7,8,14-tetrahydro oripavine
3. BUTALBITAL		5-allyl-5-isobutylbarbituric acid
4. CATHINE	(+)-norpseudoephedrine	(+)-(R)-a-[(R)-l-aminoethyl]benzyl alcohol
5. CYCLOBARBITAL		5- (1-cyclohexen-l-yl)-5-ethylbarbituric acid
6. GLUTETHIMIDE		2-ethyl-2-phenylglutarimide
7. PENTAZOCINE		(2R*6R*,11R*)-1,2,3,4,5,6-hexahydro-6,11-dimethyl-3-(3-methyl-2-butenyl)-2,6-methono-3-benzazocin-8-ol
8. PENTOBARBITAL		5-ethyl-5-(l-methylbutyl) barbituric acid

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

List of Substances in Schedule IV

International Non-proprietary name	Other Non-Proprietary or Trivial Names	Chemical Name
1. ALLOBARBITAL		5,5-diallylbarbituric acid
2. ALPRAZOLAM		8-chloro-l-methyl-6-phenyl-4H-s-triazolo [4,3-q][2,4] benzodiazepine



3.	AMFEPRAMONE	2-(diethylamino)propophenone
4.	BARBITAL	5,5-diethylbarbituric acid
5.	BENZFETAMINE	benzphetamine N-benzyl-N,a-dimethyl phenethylamine
6.	BROMAZEPAM	7-bromo-1,3-dihydro-5-(2-pyridyl)- 2H-1,4-benzodiazepin-2-one
7.	BUTOBARBITAL	5-butyl-5-ethylbarbituric acid
8.	CAMAZEPAM	7-chloro-1,3-dihydro-3- hydroxy-1-methyl-5-phenyl-2H-1, 4-benzodiazepin-2-one dimethyl-carbamae (ester)
9.	CHLORDIAZEPOXIDE	7-chloro-2-(methylamino)-5- phenyl- 3H-1,4-benzodiazephine-4-oxide
10.	CLOBAZAM	7-chloro-1-methyl-5-phenyl-1H-1,5 benzo-diazepine-2,4 (3H,5H)dione
11.	CLONAZEPAM	5-o-chlorophenyl) -1, 3-dihydro-7- Nitro-2H-1,4-benzodiazepin-2-one
12.	CLORAZEPATE	7-chloro-2,3-dihydro-2-oxo-5-phenyl- 1H-1, 4-benzodiazepine-3-carboxylic acid
13.	CLOTIAZEPAM	5-(o-chlorophenyl)-7-ethyl-1,3- dihydro-1-methyl-2H-thieno [2,3-e]- 1,4-diazepin-2-one
14.	CLOXAZOLAM	10-chloro-1b-(o-chlorophenyl)- 2,3,7,11b-tetrahydroxazolo [3,2-d][1,4]benzodiazepin 6(5H)-one
15.	DELORAZEPAM	7-chloro-5-(o-chlorophenyl)-1,3- dihydro-2H-1,4-benzodiazepin-2-one



16.	DIAZEPAM		7-chloro-1,3-dihydro-1-methyl-5-phenyl-2H-1,4-benzodiazepin-2-one
17.	ESTAZOLAM		8-chloro-6-phenyl-4H-s-trazolo [4,3-a] (1,4) benzodiazepine
18.	ETHCHLORIVYNOL		1-chloro-3-ethyl-1-penten-4-yn-3-ol
19.	ETHINAMATE		1-ethynylcyclohexanol carbamate
20.	ETHYL LOFLAZEPATE		Ethyl 7-chloro-5-(o-fluorophenyl)- 2,3-dihydro-2-oxo-1H-1,4-Benzodiazepine-3-carboxylate
21.	ETILAMFETAMINE	N-ethylamphe tamime	N-ethyl-a-methylphenethylamine
22.	FENCAMFAMIN		N-ethyl-3-phenyl-2-norbornanamine
23.	FENPROPOREX		(±)-3-[(a-methylphenethyl)amino] propionitrile
24.	FLUDIAZEPAM		7-chloro-5-(o-fluorophenyl)-1,3-dihydro-1-methyl-2H-1,4-benzodiazepin-2-one
25.	FLUNITRAZEPAM		5-(o-fluorophenyl)-1,3-dihydro-1-methyl-7-nitro-2H-1,4-benzodiazepin-2-one
26.	FLURAZEPAM		7-chloro-1-[2-(diethylamino) ethyl]-5-(o-fluorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one
27.	HALAZEPAM		7-chloro-1,3-dihydro-5-phynyl-1-(2,2,2-trifluoroethyl)-2H-1,4-benzodiazepin-2-one
28.	HALOXAZOLAM		10-brorno-11b-(o-fluorophenyl) -2,3,7, 11b-tetrahydrooxazolo [3,2-d][1,4]benzodiazepin-6(5H)-one



29.	KETAZOLAM		11-chloro-8,12b-dihydro-2,8-dimethyl-12b-phenyl-4H-[1,3]oxazino[3,2-d][1,,4]benzodiazepine-4,7 (6H)-dione
30.	LEFETAMINE	SPA	(-)N,N-dimethyl-1,2-diphenylethylamine
31.	LOPRAZOLAM		6-(ochlorophenyl)-2,4-dihydro-2-[(4-methyl-1-piperazine) methylene] -8-nitro-1H-imidazo (1,2-a) (1,4]benzodiazepin-1-one
32.	LORAZEPAM		7-chloro-5- (o-chlorophenyl)-1,3-dihydro-3-hydroxy-2H-1,4-benzodazzepin-2-one
33.	LORMETAZEPAM		7-chloro-5 (o-chlorophenyl)-1,3-dihydro-3-hydroxy-1-methyl-2H-1,4-benzodiazepin-2-one
34.	MAZINDOL		5- (p-chlorophenyl)-2,5-dihydro-3H-imidazo(2,1-a) isoindol-5-ol
35.	MEDAZEPAM		7-chloro-2,3-dihydro-1-methyl-5-phenyl-1H-1,4 -benzodiazepine
36.	MEFENOREX		N-(3-chioropropyl)-a-methyl-phenethylamine
37.	MEPROBAMATE		2-methyl-2-propyl-1-3-propanediol, dicarbamate
38.	METHYLPEENOBARBITAL		5-ethyl-1-methyl-5-phenylbarbituric acid
39.	METHYPRYLON		3,3-diethyl-5-methyl-2,4-piperidine-dione
40.	MIDAZOLAM		8-chloro-6-(o-fluorophenyl)-1-methyl-4H-imidazol[1,5-a][1,4] benzodiazepine



41.	NIMETAZEPAM	1,3-dihydro-1-methyl-7-nitro-5-phenyl-2H-1,4-benzodiazepin-2-one
42.	NITRAZEPAM	1,3-dihydro-7-nitro-5-phenyl-2H-1,4-benzodiazepin-2-one
43.	NORDAZEPAM	7-chloro-1,3-dihydro-5-phenyl-2H-1,4-benzodiazepin-2-one
44.	OXAZE PAM	7-chloro-1,3-dihydro-3-hydroxy-5-phenyl-2H-1,4-benzodiazepin-2-one
45.	OXAZOLAM	10-chloro-2,3,7,11b-tetrahydro-2-methyl-11b-phenyloxazolo[3,2-d][1,4]benzodiazepin-6(5H)-one
46.	PERMOLINE	2-amino-5-phenyl-2-oxazolin-4-one 2-imino-5-phenyl-4-oxazolidinone
47.	PHENDIMETRAZINE	(+)-(5S,3S)-3,4-dimethyl-2-phenylmorpholine
48.	PHENOBARBITAL	5-ethyl-5-phenylbarbituric acid
49.	PHENTERMINE	a,a-dimethylphenethylamine
50.	PINAZEPAM	7-chloro-1,3-dihydro-5-phenyl-1-(2-propynyl)-2H-1,4-benzodiazepin-2-one
51.	PIPRADROL	a,a-diphenyl-2-piperidinemethanol
52.	PRAZEPAM	7-chloro-1-(cyclopropylmethyl)-1,3-dihydro-5-phenyl-2H-1,4-benzodiazepin-2-one
53.	PYROVALERONE	4-methyl-2-(1-pyrrolidinyl)valerenone
54.	SECBUTABARBITAL	5-sec-butyl-5-ethylbarbituric acid



55. TEMAZEPAM	7-chloro-1,3-dihydro-3-hydroxy-1-methyl-5-phenyl-2H-1,4-benzodiazepin-2-one
56. TETRAZEPAM	7-chloro-5-(1-cyclohexen-1-yl)-1,3-dihydro-1-methyl-2H-1,4-benzodiazepin-2-one
57. TRIAZOLAM	8-chloro-6-(o-chlorophenyl)-1-methyl-4H-s-triazolo[4,3-a][1,4]benzodiazepine
58. VINYLBITAL	5-(1-methylbutyl)-5-vinylbarbituric acid

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

Passed in the House of Representatives of Zanzibar on the 23rd day of October, 2003.

KJChande
{ Khamis Juma Chande }
CLERK OF THE HOUSE OF REPRESENTATIVES