

ACT No. 9 OF 2009

AN ACT TO REPEAL THE DRUGS
AND PREVENTION OF ILLICIT
TRAFFIC DRUGS ACT, No. 16 OF
2003 AND TO PROVIDE FOR THE
PREVENTION OF ILLICIT TRAFFIC
IN NARCOTICS DRUGS AND
PSYCHOTROPIC SUBSTANCES AND
TO IMPLEMENT THE PROVISION OF
THE INTERNATIONAL
CONVENTION ON NARCOTIC
DRUGS AND PSYCHOTROPIC
SUBSTANCE AND OTHER MATTERS
CONNECTED THEREWITH.



**THE DRUGS AND PREVENTION OF ILLICIT
TRAFFIC DRUGS ACT NO. 9 OF 2009**

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ACT NO. 9 OF 2009

I ASSENT

Amani Abeid Karume

{AMANI ABEBID KARUME}
PRESIDENT OF ZANZIBAR
AND

CHAIRMAN OF THE REVOLUTIONARY COUNCIL

20th JAN, 2010

AN ACT TO REPEAL THE DRUGS AND PREVENTION OF ILLICIT TRAFFIC DRUGS ACT, NO. 16 OF 2003 AND 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 PROVISIONS

Short title and
Commencement

1. This Act may be cited as the Drugs and Prevention of Illicit Traffic Drugs Act, 2009 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 uses psychoactive substance or substances, to the extent that the person is periodically or chronically intoxicated, demonstrates 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 or physical distress or disorder;

“Analyst” means a person designated as an analyst by the Minister for the purpose of this Act and the regulations;

“cannabis” means any part of the plant of the genus cannabis;

“cannabis oil” means any liquid containing any quantity however small of tetrahydrocannabinol;

“cannabis plant” means any plant of the genus cannabis by what ever 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 fourth 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;

“cocaine mixture” means any mixture thereof with or without any material but does not include any preparation containing not more than 0.1 percent of cocaine.

“coca plant” means the plant of any species of the genus *erythroxylon coca* and or *novogranatense*;

“coca paste” means an extract of the leaves of the coca plant. It contains mainly coca alkaloids;

“Commission” means the National Commission for the coordination of drug control established under section 4 of this Act;



“conveyance” means a conveyance of illicit drugs in any description whatsoever and include any aircraft, vehicle or vessel;

“Court” means a court of competent jurisdiction;

“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 licensed 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 and includes any other substances directly or indirectly connected with such narcotic drugs or psychotropic substances;

“Executive Director” means Head of the Department of Substance Abuse Prevention and Rehabilitation;

“Government” means the Government of Zanzibar;

“Government Chemist” means any Analyst appointed by the Minister according to section 55 of this Act and include Chief Government Chemist;

“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, transshipment of narcotic drugs or Psychotropic substances;
- (f) dealing in any activities in narcotic drugs or psychotropic substances;



- (g) handling and 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;

- (a) all processes other than production by which such drugs or substances may be obtained;
- (b) refining of, such drugs or substances,



- (c) transformation of such drugs or substances; and
- (d) making of preparation (otherwise than in a 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 licensed to examine, diagnose, treat, and prescribe for patients under the Medical Practitioners and Dentists Act, No. 12 of 1999;

“Medical cannabis” means cannabis which have undergone the process necessary to adapt it for medical use;

“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;

“Ministry” means the Ministry 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) phenantrene alkaloids, namely, morphine, codeine, thebaine 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 phenantrene 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;

“Police Officer” means any police not below the rank of station sergeant for the purpose of section 27 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 the 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 papaverseemniferum, papaver setigerum and (khats) mirungi;
- “Premises” include the whole or any part of structure, building, aircraft, vessel or any other place;
- “Promotion” means publish, display, cause or permit to be published or displayed anything encouraging the use of narcotic drug and psychotropic substances including any other substances directly or indirectly connected with such narcotic drugs or psychotropic substance as specified in the schedule;
- “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 glamorise, advertise and 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 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;



- (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;

“vessel” means a motor vessel or non motor vessel;

Words and expressions used herein and not defined but defined in the Criminal Procedure Act shall have the meanings respectively assigned to them in the Criminal Procedure Act.

PART II ESTABLISHMENT OF NATIONAL COMMISSION FOR THE CO-ORDINATION AND 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 include 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 and Drug Control which shall be responsible for defining, promoting and co-ordinating the policy of the Government for the control of drug abuse and 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) Director of Public Prosecutions - Member
- (i) Mufti of Zanzibar - Member
- (j) Executive Director - Secretary

(3)(a) The Executive Director shall be supported by a Secretariat which shall consist of not less than eleven members appointed by Commission.

(b) The Executive Director shall be a Chairperson of the Secretariat.

(4) (a) Secretariat shall have the following members:

- (i) Executive Director - Chairman;
- (ii) One person from Police Anti-Corruption and Drugs abuse Unit;



- (iii) One person from Office of Director of Public Prosecutions - Member;
- (iv) One person from Attorney General's Chambers - Member;
- (v) One person from Custom Prevention Services - Member;
- (vi) One person from Office of Chief Government Chemist - Member;
- (vii) Legal Officer of the Ministry - Member;
- (viii) One person from Office of Chief Government Statistician - Member;
- (ix) Coordinator of Drug Abuse Department - Secretary.

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

(5)(a) The President shall by order published in the Gazette, appoint Executive 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.

(b) A person shall not be eligible to be appointed as Executive Director unless he holds a first degree of law and not less than three years experience.

(6) The Executive Director may with the approval of the Commission, recruit such other officers with such designation as he thinks fit.

Meeting
of the
Commission.

5.(1) The Commission shall hold its meeting quarterly a year, provided that, in case of emergence the Commission may convene a meeting.

(2) Quorum of meeting of the Commission shall be half of total number of all members.

Co-option
of person.

6. The Commission when dealing with a specific matter for which extra expertise is required may co-opt persons who have the relevant expertise such co-opted person shall cease to be members when the matter is determined and shall have no right to vote.

Functions of
the
Commission
and
Secretariat.

7.(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, general public and people with special needs by supporting other initiatives in the field of information and prevention;
- (e) promoting and ensuring international co-operation;
- (f) to monitor and evaluate the effectiveness of the strategies of prevention and control of narcotic drugs and psychotropic substances.

(2) The functions of the secretariat 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 and 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.

8. 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.

Budget of the Commission.

9.(1) The Commission shall have its own budget for the administrative support of the Secretarial Office 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 allocated to the National Fund for Drug Abuse Control established under section 12 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 Secretarial Office 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.

Executive Director to prepare deliberations.

10.(1) The Executive Director shall prepare, the Commission's deliberations and ensure that they are implemented and without prejudice to the foregoing, the Executive 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.

(2) A report to be submitted by the Executive Director shall be approved by the Principal Secretary of the Ministry.

Commission to administer funds to various needs.

11. 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 FUND FOR CONTROL OF DRUG ABUSE

Establishment of the Fund.

12.(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 Executive Director shall advise the Commission in regard to the application of the Fund.
- (4) The revenue and 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.

13. Any person who:-

- (a) cultivates any cannabis, khat (Mirungi), 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, khat (mirungi) 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 imprisonment for a term of not less than fifteen years or a fine of forty millions shillings or both such fine and imprisonment;

Manufacturing of narcotics drugs and psychotropic substances.

Penalty for possession or purchase of coca or narcotic drugs.



14. Any person who unlawfully has or found in possession of clandestine machine, or laboratory used or any materials believed to be used or intended to be used for preparation or manufacturing of drugs commits an offence and upon conviction is liable to a fine of thirty million shillings and in addition to imprisonment for term of not less than thirty years.

PART V OFFENCES AND PENALTIES

15.(1) 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 psychotropic substance or any preparation containing any manufactured drugs commits an offence and upon conviction is liable to a fine of not less than twenty millions shillings or imprisonment for fifteen years or both such imprisonment and fine;
- (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 an imprisonment which shall not be less than fifteen years or to a fine of not less than twenty millions shillings or both such imprisonment and fine.
 - (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 or both such fine and imprisonment.
- (c) smokes, inhales, sniffs or otherwise uses any narcotic drug or psychotropic substance commits an offence;
- (d) without lawful and reasonable excuse, is found in any house, room or place to which person rents for the purposes of selling and smoking inhaling, sniffing or otherwise using any narcotic drug or psychotropic substance commits an offence;
- (e) being the owner occupier or concerned in the management of any premises, enclosure or conveyance permits 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.

(2) Any person convicted under paragraphs (c), (d), (e) or (f) shall be liable to imprisonment of not less than seven years or to a fine of not less than five million shillings or both such imprisonment and fine.

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 any narcotic drug or psychotropic substance, shall notwithstanding anything contained in this Part, commit an offence:-

- (a) if the narcotic drug or psychotropic substance possessed is cocaine, morphine, dialectally-morphine or any other narcotic drug or any psychotropic substance as may by notice published in the Gazette be specified by the Commission upon conviction shall be liable to a fine of not less than five millions shillings or imprisonment of not exceeding seven years or both such fine and imprisonment”;
- (b) if the narcotic drug or psychotropic substance possessed is other than those specified in or under paragraph (a), upon conviction shall be liable to a fine of not exceeding three millions shillings or imprisonment of five years or both such fine and imprisonment;
- (c) if he found uses narcotic drug or psychotropic substance, shall be send to the educational centre for period of six months then shall be send to rehabilitation centre until he recover.

(2) Subject to subsection (1) of this section “small quantity” for the purpose of this section means any quantity which may, by regulation published in the Gazette be specified by Commission.



Penalty
respect of
administra-
tion of
narcotic
drugs and
psychotropic
substance.

17. Any person who:-

- (a) 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 in
respect of
breach of
terms,
licence or
permit.

18. 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.

19. Any person who knowingly directly or indirectly finances any activities specified in paragraph (a) to (f) of section 16 of this Act and harbour or abate any person engaged in the aforementioned activities commits an offence and upon conviction is liable to a fine of not less than thirty millions shillings and to imprisonment for a term of not less than ten years.



Provided that the court shall impose another imprisonment for a term of not less than ten years for failure to pay the fine.

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

20. 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.

Attempts to commit offence.

21. If a person attempts to do or omits to do anything which constitutes an offence under this Part 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.

22.(1) Any person who is convicted of the offences under sections 16, 17, 19, 20 and 21 of this Act, upon conviction is liable for the second and every subsequent offence to fine of forty million shillings or to a term of imprisonment for a term of thirty five years.

(2) Where a person is convicted by a competent court outside Zanzibar under any law corresponding to the provisions of section 16, 17, 19, 20 and 21 of this Act, 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.

23. 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 less than five million shillings and not more than ten million shillings or to imprisonment for a term of not less than seven years and not more than fifteen years or to both such fine and imprisonment.



Presumption
of culpable
mental state.

24.(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.

25.(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/papaver somniferous), poppy straw, coca-plant, coca leaves and imported cannabis or cannabis resin (Indian hemp) or any other psychotropic substances which has higher quantity as specified by Commission in the regulations and published in the Gazette.

(2) The conditions on granting bail specified in Criminal Procedure Act shall apply mutatis mutandis to all bailable offence under this Act.

Offences by
companies.

26.(1) 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.

Ambush
and entry
during the
emergencies.

27. Any police officer not below the rank of sergeant may for the purpose of this Act make an ambush and enter any building which he has reason to believe that offence is committed or is to be committed therein.



Search and seizure without warrant in emergencies.

28. An officer authorised under section 27 of this Act, may exercise any of the powers conferred to him without a warrant if he believes, on reasonable grounds that:

- (a) it is necessary to do so in order to prevent the concealment, loss or destruction of any thing connected with an offence; and
- (b) the circumstances are of such seriousness and urgency as to require the immediate exercise of the power without the authority of a warrant or order of court.

Authority to use an appropriate imaging method.

29. Where an officer responsible for the enforcement of this Act, suspects on reasonable grounds that any person hold or has swallowed any narcotic drug or psychotropic substances, he may stop him, search his clothing that being worn by that person and search any luggage or properties under or apparently under the person immediate control, seize any document or property found in the course and take him for examination through an X-ray, ultra sound or any other appropriate imaging method.

Authority to make use of controlled delivery, traps, or undercover operations.

30.(1) The Commission may authorize any officer or any other person to make use of controlled delivery or trap or engage in an undercover operation in order to detect, investigate or uncover the commission of any offence and the evidence so obtained shall be admissible provided that the court considers the following factors:

- (a) prior to the setting of controlled delivery or trap or use of an undercover operation, approval, if it was required was obtained from Commission or any officer acting on behalf of Commission to engage such investigation methods and to the extent of instructions given thereof.
- (b) the availability of other techniques for the detection, investigation or uncovering of the commission of the offence or the prevention thereof in the particular circumstances of the case and in the area concerned;
- (c) whether before the controlled delivery or trap was set or the undercover operation was used, there existed any suspicion, entertained upon reasonable grounds, that the accused had the charge relates;
- (d) whether the official acted in good faith.

(2) The Commission may issue general or specific guidelines regarding the supervision and controlled delivery or traps and undercover operations and may require any official to obtain written approval from the Commission or any officer acting on behalf of the Commission;



(3)(a) An official who sets or participates in controlled delivery or traps on an undercover operation to detect, investigate or uncover or obtain evidence of or to prevent the commission of an offence, shall not be criminally liable in respect of any Act which constitutes an offence and which relates to controlled delivery or traps undercover operations if it was performed in good faith;

(b) No prosecution for an offence contemplated in paragraph (3) (a) of this section, shall be instituted against an official without the written authority of the Director of Public Prosecution;

(4) The condition on admissibility of evidence on this Act shall apply mutatis mutandis as specified under the law of evidence.

(5) The question whether evidence should be excluded in terms of subsection (1) of this section may, on application by the accused or the prosecution, or by order of the court of its own accord be adjudicated as a separate issues in dispute.

Rewards. **31.** 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. **32.**(1) Any officer empowered under this Act to do anything to protect any person who gives useful information as provided under section 31 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 ten million shilling or imprisonment for a term not less than five years or both such fine and imprisonment.

PART VI PROCEDURE

Application of the Criminal Procedure Act with necessary modification. **33.**(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.

Powers of attachment of crops illegally cultivated.

34. Any officer empowered under this Act may order attachment of any opium poppy, cannabis plant or coca plant and may pass such order, including an order to destroy such crops, as he thinks fit.

Commission to direct certain substances to be disposed.

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 Act, the Criminal Procedure Act, every court trying an offence under this Act, shall treat the inventory, the photographs of narcotic drugs or psychotropic substances and any list of samples drawn under subsection (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 35 shall take charge of and keep in safe custody, pending the orders of the Magistrate, all articles seized under section 33 of this Act 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 not less than five million shillings and not more than ten million shillings or imprisonment for a term of not less than seven years and not more than fifteen 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 of not less than five million shillings and not more than ten million shillings or imprisonment for a term of not less than seven years and not more than fifteen years.

Arrest and seizures be reported within twenty four hours.

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

Penalty for giving false information.

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.

Penalty against officer refusing to perform duties or aiding offenders.

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 year.

(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.



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

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 confiscated.

(2) Any narcotic drug or psychotropic substance lawfully produced, imported into or exported from 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 drugs or thing seized, under this Act is liable to confiscation under section 43 of this Act 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.

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.

Powers of an authorized officer to call for information.

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 where 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) 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.

(4) 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.

Appointment of Government Chemists.

48.(1) There shall be Government Chemists appointed by the Minister who are chemists by profession or chemist technician or bio-chemist or chemist laboratory technician.



Disposal
of seized
drugs.

49.(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 of the Ministry.

(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) Upon the completion of the trial the Court shall give an order to dispose of the seized exhibits (controlled substances) in accordance with rules and regulations as may be prescribed by the Commission

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

Forfeiture
of property.

50.(1) Subject to this Part, where any person has been convicted for an offence under this Act, the property owned by him derived from illicit drugs 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 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:-

- (a) any individual who had been or is managing the affairs or keeping the accounts of such person;
- (b) the trustee of any trust, where:-
 - (i) the trust has been created by such person; or
 - (ii) the value of the assets contributed by such person (including the value of the assets, if any, contributed by him earlier) to the trust amounts to not less than twenty percent of the value of the assets of the trust.



- (c) where the authorised officer for reason in writing, believes that any property of such person is held on his behalf by other person, the officer shall order such other person to deliver the property for the purpose of confiscation.

Prohibition on holding illegally acquired property.

51.(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.

Court to authorize investigation or survey.

52.(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.

53. 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.

54. 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.

55. 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.

56.(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.

57.(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 PROVISION

Protection of action taken in good faith.

58. 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.

59. 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, 1954, the Protocol of 1955 amending the said Convention and of the Convention on Psychotropic Substances, 1971 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances adopted on 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.

60. The Government shall establish as many centres 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.

61. 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.

62. The Commission may, by notice published in Gazette, delegate, subject to such conditions and limitations as may be specified in the notice, some 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 Executive-Director.

Power of Commission to make rules.

63.(1) 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 31 of this Act 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;
- (e) the disposal of all articles or things confiscated under this Act;
- (f) the drawing of samples and testing and analysis of such samples;
- (g) the manner in which exhibit shall be handled before and after analysis is conducted;
- (h) the rewards to be paid to the officers, informers and other persons;
- (i) any other matter which is to be, or may be, prescribed.

Application
of the East
African
Customs
Management
Act of 2004
(Act
No.8 of the
Laws of
Community).

64.(1) All prohibitions and restrictions imposed by or under this Act on the import into Zanzibar the export from Zanzibar and transshipment 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 Zanzibar Food, Drugs and Cosmetics Act No.2 of 2006 and under this Act, nothing in that Act or in this section shall prevent the offender from being punished under this Act.

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.

Repeal of
Act No.16
of 2003.

66. The Drugs and Prevention of Illicit Traffic Drugs Act, No. 16 of 2003 is hereby repealed.

Transitional
and saving.

67.(1) Nothing in the Drugs and Prevention of Illicit Traffic Drugs Act, No. 16 of 2003, regulations, license, certificates or administrative orders, directions or instructions issued or made under the provisions of that Act which are still enforce before the commencement of this Act, shall be deemed to be made or issued under the provisions of this Act and shall remain enforce until repealed, revoked or reversed by regulations, license, certificate or administrative orders, directions or instructions made under this Act.



(2) 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.



**FIRST SCHEDULE
CERTIFICATE SPECIMEN**

GOVERNMENT CHEMICAL LABORATORY

The Drugs and Prevention of Illicit Traffic Drugs

No. _____ Act 200 _____

Section 47(4)

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

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ANALYSIS AND RESULTS

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

Signature



Government Analyst.

SECOND SCHEDULE

LIST OF DRUGS

- Acetorphine (3-O-acetyl tetrahydro-7x(1-hydroxy-1-Methylbutyl) -6, 14-endetheno-orphine)
- Acetyl-alpha-methylfentanyl (N- [1-(alpha-methylphenethyl)-4-piperidyl]acetanilide)
- Acetylmethadol (3-acetoxy-6 dimethylamino-4,4-diphenylheptane)
- Alfentanil (N- [1-2-(ethyl-4,5-dihydro-5-oxo-1 H-tetrazol-1-yl)ethyl)-(methoxymethyl)-1-piperidyl]-N-phenylpropionamide monohydrochloride)
- Allylrodine 3 - allyl - 1-4-phenyl - 4 - propionoxypiperidine)
- Alphacetylmethadol (alpha-3-acetoxy-6-dimethylamino-4,4-diphenylheptane)
- Alphameprodine (alpha-3-ethyl-1-methyl -4-propionoxypiperidine)
- Alphamethadol (alpha-6-dimethylamino-4,4-diphenyl-3-heptanol)
- Alpha - methylfentanyl N - (1 - methyl - 2 - (2 - thienyl) ethyl) - 4 - piperidyl] propionanilide)
- Alphaprodine (alpha 1, 3-dimethyl-4-phenyl-4-propionoxy piperidine)



Benzylmorphine (3-benzylmorphine)

Betacetylmethadol (beta-3-acetyloxydimethylamino-4,4-diphenylheptane)

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

Betampropine (beta-3-ethyl-1-phenyl-4-propionoxypiperidine)

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

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

Benzimidazolyl)-piperidine)

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

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

Clonitazene (2-(para-chlorobenzyl-1-diethylaminoethyl)-5-nitrobenzimidazole)

Coca Leaf.

Cocaine (methyl ester of benzoylecgonine)

Codoxime (dihydrocodeinone-6-carboxymethyloxime)

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

Desomorphine (dihydrododeoxymorphine)

Dextromoramide ((+)-4-[2-methyl-4-oxo-3,3-diphenyl-4-(1-pyrrolidinyl)-butyl]-morpholine)

Diampromide (N-(2-methylphenethylamino)-propyl]-propionanilide)



Diethylthiambutene (3-diethylamino-1, 1-di- (2-thienyl) - butane)

Difenoxin (1- (3-cyano-3, 3-diphenylpropyl) -4- phenylisonipecotic acid)

Dihydromorphine

Dimenoxadol (2-dimethylaminoethyl-1-ethoxy-1,1- diphenylacetate)

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

Dimethylthiambutene (3-dimethylamino-1,1-di- (2"-thienyl) -1- butene)

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

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

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

Drotebanol (3,4-dimethoxy-17-methylmorphinan-6,8, 14-diol)

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

Ethylmethylthiambutene (3-ethylmethylamino-1, 1-di- (2tl-thienyl) -1- butene)

Etonitazene (1-diethylaminoethyl-2-para-ethoxybenzyl-5-nitrobenzimidazole)

Etorphine (tetrahydro-7 α - (1-hydroxyl-1-methylbutyl) -6,14-endoetheno-oripavine)

Furethidin-1- (2-tetrahydrofurfuryloxyethyl) -4-phenylpiperidine-4-carboxylic acid ethyl ester)

Heroin (diacetylmorphine)

Hydrocodone (dihydrocodeinone)

Hydromorphenol (14 - hydroxydihydromorphine)



- Hydromorphone (dihydromorphinone)
- Hydroxypethidine (4 -meta-hydroxyphenyl - 1-methylpiperidine-4 - carboxylic acid ethyl ester)
- Isomethadone (6-dimethylamino-5-methyl-4,4-diphenyl-3-hexanone)
- Ketobemidone (4-meta-bydraxyphernyl-1-methyl-3-propionylpiperidine)
- Levomethorphan ((-) -3-methoxy-N-methylmorphinan)
- Levomoramide((-) -4- (2--ethyl-4-oxo-3,3-diphenyl-4-(1-pyrrolidiny1)-butyl)- morpholine)
- Lelophenancylmorphin ((-) - 3 -hydroxy-N-phenocylmorphinan)
- Levorhonal *((-) -3-hydroxyN-metbyimorphinan)
- 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)
- Methyl-desorphine (6-methyl-delta-6-deoxymorphine)
- Methyldihydromorphine 6 -methyldihydromorphine)
- 3 - methylthiofentanyl (N- [3-methyl-1-phenethyl-4-piperidyl] propionanilide)
- 3 - methylthiofentanyl (N[3-methyl-1- [2-(2-thienyl) ethyl]-4- piperidyl] propionanilide)
- Metopon (5-methyldihydromorphinone)
- Mirungi moramide-intermediate (2-methyl-3- morpholino-1,1-



diphenylpropane carboxylic acid)

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

Morphine

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

Morphine – N – Oxide

MPPP (1-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 (demethylmorphine) or (N-demethylated morphine)

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

Opium

Oxycodone (14 hydroxydihydrocodeinone)

Oxymorphone (14 - hydroxydihydromorphinone)

Para-fluorofentanyl (4"-fluoro-N- (1-phenethyl - 4 - piperdy) propionanilide)

PEPAP (1 - phenethyl - 4 - phenyl - 4 - piperdinol acetate ester)



Pethidine (1-methyl-4-phenylpiperidine-1-carboxylic acid Ethyl ester)

Pethidine-Intermediate-A (4-cyano-1-methyl-4-phenylpiperidine)

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

Pethidine - Intermediate-C (1-methyl-4-phenylpiperidine-4-carboxylic acid)

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

Phenampromide (N-(1-methyl-2-pipecidinoethyl) - propionanilide)

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

Phenomorphin (3 hydroxy-N-phenethylmorphinan)

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

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

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

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

Properidine (1-methyl-4-phenylpiperidine-4-carboxylic acid isopropyl ester)

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

Racemoramide ((+) -4-[2methyl-4-oxo-3,3-diphenyl-4-(1-pyrrolidinyl)-butyl] morpholine)

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

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

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 IN GROUP III

Acetyldihydrocodeine

Codeine (3-methylmorphine)

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

Dihydrocodeine

Ethylmorphine (3-ethylmorphine)

Nicocodine (6-nicotinyleodeine)

Nicodicodine (6-nicotinyldihydrocodeine)

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 GROUP IV

1. Preparations of Acetyldihydrocodeine,
Codeine,
Dihydrocodeine,
Ethylmorphine,
Nicocodine,
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 for 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 ipecacuanhae 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 GROUP V

ACETORPHINE (3-0-acetyltetrahydro-7a-(1-hydroxy-1-methylbutyl)-6,14-endoetheno-orphavine)

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

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

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; Itrans-N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]propionanilide)

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

MPPP (1-methyl-4-phenyl-4-piperidinol propionate (ester))

PARA-FLUOROFENTANYL (4'-fluoro-N-(1-phenethyl-4-piperidyl)propionanilide)



PEPAP (1-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.

THIRD SCHEDULE
LIST OF SUBSTANCES IN GROUP VI

(List of Substances in Schedule I)

International Non-proprietary name	Other Non-Proprietary or Trivial Names	Chemical Name
1. BROLAMFETAMINE	DOB	(±)4-bromo-2,5-dimethoxy-a-methylphenethylamine
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-tetranydro-6, 6, 9-trimethyl-6H-dibenzo [b,d] pyran-1-ol
6.	DMT	3-[2-(dimethylamino)ethyl]indole
7. DOET		(±)-4-ethyl-2, 5-dimethoxy-x-Phenethylamine
8. N-ETHYL-MDE,N-ETHYL-TENAMFETAMINE	MDA	(±)-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-4methyl-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	1-(1-phenylcyclohexyl)pyrrolidine
21. STP,DOM		2, 5-dimethoxy-a-4-dimethyliphenethylamine
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 stereostereochemical variants: 7,8,9, 10-tetrahdri-6, 6, 9-trimethyl -3-pentyl-6H-dibernzo (b, d] pyran-1-ol



(9R, 10aR)-8,9,10,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzol[b,d] pyran-1-ol

(6aR, 9R, 10aR)-6a, 9,10,10a-tetrahydro-6, 6, 9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol

(6aR, 10aR)-6a,7,10,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo (b,d) pyran-1-ol

6a, 7,8, 9-tetrahydro-6, 6,9-trimethyl-3-pentyl-6H-dibenzo [b,d] pyran-1-o (6aR,10aR)6a, 7,8,9,10,10a-hexa-hydro- 6,6-dimethyl-9methylene-3-pentyl-6H- dibenzo [b,d] pyran-1-ol

25. TMA (±)-3-4-5-trimethoxy-α-methylphenethylamine

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

List of Substances in Group VII

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-9-tetrahydro-cannabinol	(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. METAMFETAMIN	Emethamphetamine(+)-5-N-a-dimethylphenethylamine
9. METAMFETAMINE RACEMATE	methamphetamine(±)-N,a dimethylphenethylamine racemate
10. METHAQUALONE	2-methyl-3-a-tolyl-4(3H)-quinazolinone
11. METHYLPHENIDATE	Methyl a-phenyl-2-piperidineacetate
12. PHENCYCLIDINE	1-(1-phenylcyclohexyl)piperidine
13. PHENMETRAZINE	3-methyl-2-phenylmorpholine
14. SECOBARBITAL	5-allyl-5-(1-methylbutyl)barbituric acid

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

List of Substances in Group VII

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)-1-hydroxy-1,2,2-trimethylpropyl]-6,14-endo-ethano-6,7,8,14-tetrahydro oripavine



3.	BUTALBITAL		5-allyl-5-isobutylbarbituric acid
4.	CATHINE	(+)-norpseudo-ephedrine	(+)-(R)-α-[(R)-1-aminoethyl]benzyl alcohol
5.	CYCLOBARBITAL		5-(1-cyclohexen-1-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-(1-methylbutyl)barbituric acid

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

List of Substances in Group VIII

International Non-proprietary name	Other Non-Proprietary or Trivial Names	Chemical Name
1. ALLOBARBITAL		5,5-diallylbarbituric acid
2. ALPRAZOLAM		8-chloro-1-methyl-6-phenyl-4H-s-triazolo [4,3-q][2,4] benzodiazepine
3. AMFEPRAMONE		2-(diethylamino)proplophenone
4. BARBITAL		5,5-diethylbarbituric acid
5. BENZFETAMINE	benzphetamine	N-benzyl-N,α-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)-5phenyl-3H-1,4-benzodiazepine-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-11b-(o-chlorophenyl)-2,3,7,11b-tetrahydrooxazolo [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-triazolo [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-ethylamphete N-ethyl-a-methylphenethylaminetamine
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-phenyl-1-(2,2,2-trifluoroethyl)-2H-1,4-benzodiazepin-2-one
28. HALOXAZOLAM		10-bromo-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-diphenyl-ethylamine
31. LOPRAZOLAM		6-(ochlorophenyl)-2,4-dihydro-2-[(4-methyl-1-piperaziny)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-benzodiazepin-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-chloropropyl)-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-piperidinedione
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. OXAZEPAM	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-pyrrolidiny)valerophenone
54. SEC BUTABARBITAL	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.



FOURTH SCHEDULE
SCHEDULE OF PRECURSORS IX

Acetic anhydride	CAS	Registry No 108-24-7
Acetone	CAS	Registry No 67-64-1
N-Acetylanthranilic acid	CAS	Registry No 89-52-1
Anthranilic acid	CAS	Registry No 118-92-3
Ephedrine	CAS	Registry No
Ergometrine	CAS	Registry No
Ergotamine	CAS	Registry No
Ethyl ether	CAS	Registry No 60-29-7
Hydrochloric acid	CAS	Registry No 7647-01-0
Isosafrole	CAS	Registry No 120-58-1
Lysergic acid	CAS	Registry No 82-58-6
Methylenedioxyphenyl propanone	CAS	Registry No 4676-39-5
Methyl Ethyl ketone	CAS	Registry No 78-93-3
Norephedrine	CAS	Registry No
Phenylacetic acid	CAS	Registry No 103-82-2
Phenyl propanone	CAS	Registry No 103-79-7
Piperidine	CAS	Registry No
Piperonal	CAS	Registry No 120-57-0
Potassium permanganate	CAS	Registry No 7722-64-7
Pseudoephedrine	CAS	Registry No
Safrole	CAS	Registry No 94-59-7
Sulphuric acid	CAS	Registry No 7664-93-9
Toluene	CAS	Registry No 108-88-3

The Salts of the substances listed in this schedule whenever the existence of such salts is possible (the salts of hydrochloric acid and sulphuric acid are specifically excluded).

PASSED in the House of Representatives of Zanzibar on 23rd day of October, 2009.

{IBRAHIM MZEE IBRAHIM}
CLERK OF THE HOUSE OF REPRESENTATIVES
ZANZIBAR.