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PART II

Statutory Notifications (S.R.O.)

GOVERNMENT OF PAKISTAN

NARCOTICS CONTROL DIVISION

NOTIFICATIONS

Islamabad, the 26th November, 2001

S.R.O. 808(I)/2001.—In exercise of the powers conferred by section 77 of the Control of Narcotic Substances Act, 1997 (XXV of 1997), read with sections 4, 6, sub-section (2) of section 7 and 10 thereof, the Federal Government is pleased to make the following rules, namely :—

CHAPTER 1.—PRELIMINARY

1. **Short title and commencement.**—(1) These rules may be called the Control of Narcotic Substances (Regulation of Drugs of Abuse, Controlled Chemicals, Equipment and Materials) Rules, 2001.

(2) These rules shall come into force at once.

Price : Rs. 63.00

[4036 (2001) Ex. Gaz.]

2. **Definitions.**—(1) In these rules unless there is anything repugnant in the subject or context :—

(i) "Act" means Control of Narcotics Substances Act, 1997 (XXV of 1997);

(ii) "analogue" means any substance not listed in any Schedule of these rules whose chemcial structure is substantially similar to any drug of abuse whose psychoactive effect it simulates ;

(iii) "animal" includes fish, birds, invertebrates or other fauna ;

(iv) "Competent Authority" means the authority notified in the official Gazette by the Federal Government to discharge various functions including registration, licensing and import, export or transit permit authorisation, etc., under these rules ;

(v) "controlled chemical" means a substance listed in Schedule V and includes a controlled chemical preparation ;

(vi) "controlled equipment" means anything listed as such in Schedule VI;

(vii) "controlled material" means anything listed as such in Schedule VI ;

(viii) "Convention State" means a State which is a party to the United Nations Convention agaist Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988 ;

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

(x) "data" means representations, in any form, of information or concepts;

(xi) "dentist" means any person who is registered under the Medical and Dental Council Ordinance, 1962 (XXXII of 1962), and entitled to practice the profession of dentistry ;

(xii) "drug dependent person", in relation to a drug of abuse or analogue, means any person who has such a condition that :—

(a) administration of the drug to him or her results in the person demonstrating impaired control in relation to the use of that drug, or drug-seeking behaviour suggesting such impaired control ; or

(b) cessation of the administration of the drug is likely to result in the person experiencing symptoms of mental or physical distress or disorder ;

(xiii) "drug of abuse" means a prohibited drug, a high-risk drug, or a risk drug, and includes a preparation ;

(xiv) "Encapsulating machine" means any device which may be used to fill shells, capsules or other containers with a drug of abuse or analogue in whatever physical form ;

(xv) "foreign State" means :—

(a) any country other than Pakistan ; and

(b) every constituent part of such country, including a territory, dependency or protectorate, which administers its own laws relating to drugs of abuse, analogues, controlled equipment and controlled materials ;

(xvi) "high-risk drug" means a substance listed in Schedule II ;

(xvii) "Inspector" means any person appointed under rule 44 ;

(xviii) "institution" means a hospital, nursing home or other institution used for the accommodation, treatment and care of persons suffering from physical or mental conditions ;

(xix) "International Drug Control Conventions" means :—

(a) the Single Convention on Narcotic Drugs done at New York on the 30th March, 1961, as amended by the 1972 Protocol amending the Single Convention done at Geneva on the 25th March 1972 ;

(b) the Convention Against Phychotropic Substances done at Vienna on the 21st February, 1971 ;

(c) the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances done at Vienna on the 20th December 1988 ; and

(d) any other international convention to which Pakistan may become party after the commencement of these rules relating in whole or in part to the control of drugs of abuse, controlled chemicals or controlled equipment ;

(xx) "medical practitioner" means any person who is registered under the Medical and Dental Council Ordinance, 1962 (XXXII of 1962), and entitled to practice the profession of medicine ;

(xxi) "open individual authorization" means an authorization permitting an operator to export from Pakistan such quantities of such controlled chemicals, equipment or materials to such countries or regions during such periods as may be specified in the authorization ;

(xxii) "operator" means any person who carries on a business of the manufacture, acquisition or supply of :—

(a) a drug of abuse, intended for medical, scientific use or other lawful use ; and

(b) a controlled chemical or any item of controlled equipment or controlled material, intended for lawful use ;

(xxiii) "permit" means a permit of the kind referred to in rules 12, 13, 14 or 15 of the rules, as the case may be ;

(xxiv) "person" means any natural or legal person ;

(xxv) "pharmacist" means any person who is registered under the Pharmacy Act, 1967 (XI of 1967) and entitled to practise the profession of pharmacy ;

(xxvi) "place" includes any land (whether vacant enclosed or built upon, or not), and any premises ;

(xxvii) "practitioner" means :—

(a) a dentist, medical practitioner or veterinary surgeon ;

(b) any person who is entitled under the laws of Pakistan to practice any other profession whose members may lawfully prescribe, dispense or administer any drug of abuse ;

(xxviii) "premises" includes the whole or any part of a structure, building, aircraft, or vessel ;

(xxix) "prescription" means a written direction by a practitioner that a stated amount of a drug of abuse be dispensed for the person named therein;

(xxx) "preparation" means a solution or mixture, in whatever physical state, containing :—

(a) a drug of abuse ; or

(b) a controlled chemical ;

(xxxi) "prohibited drug" means a substance specified in Schedule I ;

(xxxii) "record" means any material on which data are recorded or marked and which is capable of being read or understood by a person, computer system or other device ;

(xxxiii) "risk drug" means a substance specified in Schedule III ;

(xxxiv) "Schedule" means a Schedule to these rules ;

(xxxv) "supply" includes sale, consignment, despatch, transport, delivery, distribution, dispensing, as well as offer to supply ;

(xxxvi) "tabletting machine means any device which may be used to compact of mould a drug of abuse or analogue into a solid tablet ;

(xxxvii) "toxic chemical inhalant" means a substance specified in Schedule IV;

(xxxviii) "transit" means the physical transfer of any drug of abuse, analogue, controlled chemical or controlled material into, and out of, the territory of Pakistan :—

(a) without it passing through Pakistan Customs ; and

(b) where Pakistan is neither its country of origin nor destination ;

(xxxix) "veterinary surgeon" means any person who is registered under the Pakistan Veterinary Medical Council Act, 1962 (III of 1996), and entitled to practise the profession of veterinary medicine ; and

(2) The words and expressions used but not defined in these rules shall have the same meaning as are respectively assigned to them under the Act.

CHAPTER 2.—CLASSIFICATION AND SCHEDULING OF DRUGS OF ABUSE AND CONTROLLED CHEMICALS

3. **Classification of drugs of abuse and controlled chemicals.**—(1) Each of the drugs of abuse to which these rules apply is classified by the Schedule in which it appears under its international non-proprietary name or, lacking such a name, under its scientific name.

(2) Different measures of control are specified in these rules for different drugs of abuse according to the classification so adopted, with the strictest measures

being applied in relation to drugs of abuse specified in Schedule I, less strict measures in relation to those specified in Schedule II, and the least strict in relation to those specified in Schedule III.

(3) Each of the controlled chemicals to which these rules apply is classified by the divisions of Schedule V in which it is specified.

(4) Different measures of control are provided for in these rules for different controlled chemicals, according to the classification so adopted in that pre-export notification of the competent authority of exports of controlled chemicals, is required for those controlled chemicals specified in Division I of Schedule V, measures of control relating to registration or licensing as provided in rules 5, 6, and 7; reporting of material changes as provided in rule 19, suspicious transactions as provided in rule 21 and loss or theft as provided in rules 41 and 43 ; documentation and labeling, record-keeping as provided in rules 26, 27, 28, 29, 30, 34 and 35 generally apply in respect of all such chemicals, equipment and materials, and any supplementary control measures provided for in the rules for the regulatory oversight of lawful trade in controlled chemicals, controlled equipment and controlled materials (open individual authorization) as provided in rule 16, or import, export, transit or re-direction permits as provided in rules 7, 11 and 13 shall apply only if the competent authority so determines under sub-rule (1) of rule 5.

4. **Preparations.**—(1) Preparations shall be subject to the same meansures of control, under these rules, as the drugs of abuse or controlled chemicals they contain, and where any preparation contains two or more constituent drugs of abuse, it shall be subject to the measures governing the most strictly controlled constituent.

(2) The competent Authority may, by order in writing, exempt any preparation containing :—

(a) a drug of abuse specified in Schedule II or III from such measure of control provided in these rules, when the Competent Authority is satisfied that :—

(i) the preparation is compunded in such a way as to present no or negligible risk of abuse ; and

(ii) the drug of abuse cannot be readily recovered from it in a quantity liable to present such a risk ; and

(b) a controlled chemical, when the Competent Authority is satisfied that it is in such a state that the chemical cannot easily be used for the illicit manufacture of a drug of abuse.

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(3) The Competent Authority shall not exempt any preparation, under sub-rule (2) :—

(a) In so far as it relates to the manufacture, import or export of preparations containing high risk drugs or risk drugs, or the making and keeping of records relating to such activities ; and

(b) otherwise, except to the extent if any to which it may be exempted under any international drug control convention applicable to the particular preparation or class of preparation.

(4) The Competent Authority shall maintain a register of the preparation exempted under this section, specifying in relation to each such preparation each control measure from which it is exempted.

CHAPTER 3.—REGISTRATION, LICENCING AND PERMIT SYSTEM

4. **Requirement for registration, licensing etc., of controlled chemical, equipment and materials operators.**—(1) To help and ensure that there is no significant risk that controlled chemicals, equipment and materials may be diverted from lawfuil use to the unlawful manufacture of any drug of abuse in Pakistan or elsewhere, the Competent Authority, by notice published in the official Gazette, may determine in relation to any operator of class of operators which control measures, or combination of measures specified in sub-rule (2), shall apply for the purposes of this Chapter.

(2) The following control measures, or combination of control measures, which the Competent Authority may determine, shall apply for the purposes of sub-rule(1) namely :—

(a) registration, under rule 6;

(b) the grant of a licence, under rule 9, or

(c) in the case of import and export activities registration or licensing, and:—

(I) an open individual authorization issued to the operator by Competent Authority under rule 16 for all such activities :

Provided that the Competent Authority may, by written notice, restrict the open authorization temporarily or indefinitely, to one

of such activities, involving such chemicals, equipment or materials or countries as the Competent Authority may specify in the notice;

(ii) a permit for each intended import or export transaction, or for each transit or redirection, issued under rules 12 or 13 ;

(iii) an export permit for each intended export transaction, conditional on the prior receipt of an import certificate issued by the competent authorities of the country of intended import ; or

(iv) a pre-export notification made by the operator to the Competent Authority in accordance with the prescribed form in Annexure II, within a prescribed period before each export transaction.

(3) In determining, which control measure shall apply in cases under such rule (2), the competent authority shall consider :—

(a) the likely quantities and ultimate use (lawful or unlawful) of the controlled chemicals, equipment or materials involved ;

(b) in the case of transit or export, the countries or regions to which any such chemicals, equipment or materials are likely to be destined, particularly if they are ones in which drugs of abuse or the raw materials for making them are believed to be illicitly produced ;

(c) the commercial experience and integrity of operators and their staff, including their experience in dealing with the chemicals, equipment or materials concerned ; and

(d) any other relevant matter.

(4) No operator shall manufacture, import, export, acquire, supply or possess any controlled chemical or item of controlled equipment or materials except in pursuance of, and in accordance with, the relevant control measure determined by the Competent Authority under sub-rule (2).

(5) The Competent Authority may, by notification in the official Gazette, add such terms and conditions to any control measures as it thinks fit, including the those which limit or prohibit imports or exports of specified chemicals or specified quantities thereof, whether to or from specified countries, persons or classes of persons, or during specified periods.

(6) The Competent Authority, by notice published in the official Gazette, may exempt any operator or class of operator other than those whose business

include the manufacture, import or export of any controlled chemical, controlled equipment or controlled material from the operation of these rules, if satisfied, that such exemption would not give rise to any significant risk of unlawful diversion.

(7) This rule does not apply to the following classes of persons in relation to the following activities, except to the extent if any to which their activities include the import or export of any controlled chemical, controlled equipment or controlled material namely :—

(a) a pharmacist, acting in accordance with the norms and standards of the pharmacy profession, in the ordinary course of compounding and dispensing preparation containing a drug of abuse for medical, scientific or related purposes ;

(b) any person who holds a licence issued under these rules to manufacture a preparation containing a drug of abuse of which a controlled substance is an essential ingredient, in the ordinary course of such manufacture; and

(c) any person engaged in the conduct of scientific education or research in a laboratory which is attached to a university or hospital, and whose activities are recognized by the Competent Authority, in the ordinary course of such education or research.

6. **Registration of controlled chemical, equipment and material operators.**—(1) An Operator, who is required to be registered for the purposes of these rules in respect of the manufacture, import, export, acquisition supply or possession of any controlled chemical or item of controlled equipment or controlled material shall, before undertaking any such activity within ten working days from the day on which these rules come into force, intimate the Competent Authority in writing with the following particulars, namely :—

(a) the full name, private and business address of the operator ;

(b) the activity for which registration is sought ;

(c) if the operator is a company, the full name and residential address of each director and of the company secretary ;

(d) if the operator will engage in the activity, udner a business name, that name ;

(e) each controlled chemical or item of controlled equipment or material for which registration is sought ;

(f) the address of each place where the controlled chemical or item of controlled equipment or material is to be stored ;

(g) whether the person or if a company, any director or secretary of the company, has ever been convicted in Pakistan or elsewhere of an offence under Chapter II of the Act or any offence however described relating to trafficking in drugs, controlled chemicals, controlled equipment or controlled material ; and

(h) such other particulars as the Competent Authority may require.

(2) Subject to sub-rule (3), on receipt of a notification made in accordance with sub-rule (1), the Competent Authority shall register the operator, include particulars of the notification in the register, and give notice of registration to the operator.

(3) The Competent Authority may refuse to register any operator and in case of a company, any director or secretary of the company as the case may be, who has ever been convicted of any offence referred to in clause (g) of sub-rule (1).

7. **Requirements of licences and permits for drugs of abuse operators.**—(1) Subject to sub-rule (2), no operator shall :—

(a) cultivate any cannabis plant coca bush or opium poppy or ;

(b) manufacture, acquire or supply any drug of abuse, except pursuant to, and in accordance with, the terms and conditions of a licence granted by the Competent Authority under rule 9.

(2) Sub-rule (1) does not apply to professional supply by authorized persons pursuant to such-rule (1) of rule 23.

(3) No operator shall import, export, bring into Pakistan in tansit, or re-direct from Pakistan while in tansit, any drug of abuse, except pursuant to, and in accordance, with any terms and conditions of :—

(a) a licence issued by the Competent Authority under rules 9 authorizing the applicant to carry out such activities in general ; and

(b) a separate import permit, export permit, transit permit or redirection permit, as the case may be, authorizing the applicant to carry out the specific transaction the subject of the permit application.

(4) Nothing in sub-rule (2) shall apply in relation to any drug of abuse in tansit by post or forming part of the medical stores of any ship or aircraft.

8. **Application for operators licence.**—(1) An operator who is required by these rules to be licenced shall apply in writing to the Competent Authority for the grant of a licence and shall state :—

(a) the full name, private and business address of the applicant ;

(b) each activity to which the application relates ;

(c) if the applicant is a company, the full name and residential address of each director and secretary of the company ;

(d) if the applicant proposes to engage in the activity under a business name, that name ;

(e) the drug of abuse, controlled chemical or item of controlled equipment or controlled material to which the application relates ;

(f) the address of each :—

(i) place where the proposed activity would be carried out ; and

(ii) premises where the drug of abuse, controlled chemical or item of controlled equipment or controlled material would be stored ;

(g) the security arrangements that would be implemented at each address;

(h) the name, residential address and qualification of each person under whose supervision the activity would be carried out ; and

(i) such other particulars as may be prescribed (eg volume estimates in the forthcoming year, and volume statistics for the past year ; in the case of cultivation, eg the geographical location, land surface area, as well as the storage location and ultimate destination of the harvest ; and in the case of manufacture, the extraction, manufacturing and denaturing procedure to be used, name and quantities of the substances and raw materials to be used, estimates relating to each drug of abuse and preparation produced, etc.).

(2) An application for licence shall be accompanied by :—

(a) a plan of each of the relevant premises, indicating where the drug of abuse, controlled chemical or item of controlled equipment or controlled material would be stored, and the location and nature of any security devices ; and

(b) the prescribed fee.

9. **Grant of licence.**—Where an application has been made in accordance with rule 8, the Competent Authority may grant a licence if it is satisfied that :—

(a) the applicant and, if a company, each director and secretary of the company :—

(i) has never been convicted in Pakistan or elsewhere of any serious offence, or any offence, relating to a drug of abuse, controlled chemical or item of controlled equipment or controlled material ; and

(ii) is otherwise a fit and proper person to hold a licence ;

(b) the applicant proposes to engage in the activity ;

(c) all places and premises at or in which the activity is to be undertaken are in fit condition and appropriate ;

(d) the security arrangements and devices proposed at each relevant place and premises are appropriate and sufficient ;

(e) the activity shall at all times be carried out under the supervision of a person who is a fit and proper person to carry out that supervision; and

(f) where the activity relates to a drug of abuse, the activity shall be carried out exclusively for medical or scientific purposes.

10. **Contents and conditons of licences.**—(1) A licence issued by the Competent Authority under rules 9 shall specify :—

(a) the full name and address of the licensee ;

(b) each activity to which the licence relates ;

(c) the drug of abuse, controlled chemical or item of controlled equipment or controlled material to which the licence relates ;

(d) the address of each place and premises at which :—

(i) the licensed activity is to be carried out ; and

(ii) the drug of abuse, controlled chemical or item of controlled equipment, controlled materials is to be stored ;

(e) such terms and conditions as are necessary and reasonable for ensuring the proper :—

(i) carrying out and supervision of the licensed activity ;

(ii) establishment, maintenance and preservation of record relating to that activity ;

(iii) reporting to the Competent Authority in relation to the carrying out of that activity ;

(iv) maintenance and security of all places and premises at or in which the licensed activity will be carried out ;

(f) in the case of any licence to import, export or bring to Pakistan in transit a drug of abuse, controlled chemical or item of controlled equipment of controlled material, the condition that a separate import, export or transit permit be first obtained in relation to any such transaction before it takes place ; and

(g) such other particulars as the Competent Authority may, by order in writing, require.

11. **Applications for import, export or transit permits.**—(1) An application for an import, export or transit permit shall be made in writing to the Competent Authority specifying therein :—

(a) the full name and address of the importer, exporter, carrier, consignee and, if known, of any ultimate consignee ;

(b) in the case of a proposed import, export or transit of a drug of abuse :—

(i) its international non-proprietary name or failing this, its name as listed in Schedule II or III, together with its trade name, if it has one ; and

(ii) its pharmaceutical form ;

(c) in the case of a proposed import, export or tansit of a controlled chemical, the name as specified in Schedule V and trade name ;

(d) in the case of a proposed export of a drug of abuse, the intended point of entry in the foreign State of intended import ;

(e) the quantity, mass and volume or percent in mixture of any drug of abuse, controlled chemical or controlled material that is the subject of the proposed operation ;

(f) a description of the quantity and type of any controlled equipment that is the subject of operation ;

(g) the date, or period within which, the planned import, export or tansit is to take place ;

(h) the planned transport route, if known, including the planned point of entry or exit from Pakistan ; and

(i) in the case of a proposed import of a drug of abuse to a bonded warehouse, the identity and address of the warehouse.

(2) In the case of a proposed export of a drug of abuse, the import permit, by whatever name described, issued by the Government of the foreign State of intended import shall be attached to the application for export permit.

12. **Grant of import, export or transit permits.**—(1) The Competent Authority may, on written application made in accordance with rule 11 by a registered or licensed importer or licensed exporter, grant an import permit, export permit, or transit permit as the case may be, in relation to a specified import or export transaction involving a drug of abuse, controlled chemical or item of controlled equipment or controlled material.

(2) An import permit, export permit or transit permit granted under sub-rule (1) may allow import, export or transit in more than one consignment.

(3) The Competent Authority shall not grant an export permit in relation to any consignment of a drug of abuse to a bonded warehouse in a foreign State, unless the competent authority of that State has certified on the import permit refered to in sub-rule (2) of rule 11 that it has approved the import to a bonded warehouse.

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(4) An import permit, export permit or tansit permit shall specify :—

(a) the full name and address of the registered or licensed operator to whom it is granted ;

(b) the name, including any international non-proprietary name and trade name, quantity and form of any drug of abuse, controlled chemical or item of controlled equipment or controlled material for which it is granted ;

(c) in the case of an import permit :—

(i) the name and address of the exporter ; and

(ii) whether the import is to be effected in a single consignment or more than one consignment.

(d) in the case of an export permit :—

(i) the name and address of the immediate consignee, and if known, of the ultimate consignee ;

(ii) the number and date of any required import permit, affirming that the import of the drug of abuse or preparation has been authorized ;

(iii) the intended point of entry in the foreign State of import ; and

(iv) if the export consignment is intended for a bonded warehouse and is not prohibited under sub-rule (3), that the consignment is to be so exported ;

(e) the period during which import or export is to be made ;

(f) in the case of an intended import to a bonded warehouse, a term that :—

(i) any subsequent withdrawal from the bonded warehouse shall require a permit from the Competent Authority ; and

(ii) if the withdrawal is intended for a foreign destination, a separate export permit shall be first obtained prior to export ;

(g) such terms and conditions as the Competent Authority may consider necessary and reasonable ; and

(h) such other particulars as the Competent Authority may, by order in writing, require.

13. **Redirection permits.**—(1) The Competent Authority may, on production by a licensed operator of a valid import authorization issued by an authority in the foreign State to which it is proposed to redirect a drug of abuse or controlled chemical, issue a redirection permit in respect of the drug of abuse or controlled chemical in transit.

(2) A redirection permit shall specify :—

(a) the full name and address of the registered or licensed operator to whom it is granted ;

(b) the name, including any international non-proprietary name and trade name, quantity and form of any drug of abuse, controlled chemical or item of controlled equipment or controlled material for which it is granted ;

(c) the name and address of the immediate consignee, and if known, of the ultimate consignee ;

(d) the number and date of any required import permit affirming that the import of the drug of abuse or controlled chemical or item of controlled equipment or controlled material has been authorized.

(e) the intended point of entry, in the foreign State of import;

(f) if the export consignment is intended for a bonded warehouse and is not prohibited under sub-rule (3), that the consignment is to be so exported;

(g) the period during which import or export is to be made;

(h) in the case of an intended import to a bonded warehouse, a term that:–

(i) any subsequent withdrawal from the bonded warehouse shall require a permit from the Competent Authority; and

(ii) if the withdrawal is intended for a foreign destination, a separate export permit shall be first obtained prior to export;

(i) such terms and conditions as the Competent Authority may consider necessary and reasonable; and

(j) such other particulars as may be prescribed.

(3) The Competent Authority shall not issue a redirection permit under sub-rule (1) unless it is satisfied that the drug of abuse or controlled chemical is to be sent to the new country of destination in a lawful manner and for a proper purpose.

14. **Permits in relation to first-aid kits.**– (1) The Competent Authority may, on written application made in the prescribed form, grant a permit to include a drug of abuse in a first-aid kit for medical use during international flights or voyages.

(2) A permit to include a drug of abuse in a first-aid kit shall specify:–

(a) the full name and address of the authorized person;

(b) the name and maximum quantity of the drug of abuse that may be kept in the first aid kit at any one time;

(c) such terms and conditions as are necessary and reasonable to ensure the proper use and sage keeping of the drug of abuse; and

(d) such other particulars as may be prescribed.

15. Permits in relation to programmes for medical and scientific purposes.– (1) The Competent Authority may, on written application made in the prescribed form by a person, grant a permit to conduct a programme for scientific or strictly limited medical purposes that would require cultivation of:–

(a) a drug of abuse, or

(b) an analogue;

(2) An application to conduct such a programme shall specify:–

(a) the full name, address, academic, professional of other relevant qualifications of the applicant;

(b) the drug of abuse or analogue in relation to which the permit is sought;

(c) the strength and from in which the drug of abuse or analogue is to be used;

(d) the maximum quantity of the drug of abuse or analogue to be possessed at any one time, and the total quantity to be possessed during the period of the programme;

(e) details of the manner in which the drug of abuse or analogue would be used;

(f) the name and address of the place where the programme is to be conducted;

(g) the name and academic, professional or other relevant qualifications of any person other than the applicant, under whose supervision the programme would be conducted; and

(h) the security arrangements that would be undertaken while the drug of abuse or analogue is possessed, used or disposed of.

(3) An application to conduct such a programme shall be accompanied by:–

(a) a written description of the programme, including its estimated duration;

(b) in the case of a programme of research, a research protocol;

(c) in the case of a clinical trial, a clinical trial protocol; and

(d) a written statement approving the programme, signed by the person Incharge of the institution.

4. The Competent Authority may authorize such a programme if satisfied that:–

(a) the programme cannot be carried out satisfactorily without the use of the specified drug of abuse or analogue;

(b) the programme is scientifically viable having regard to any relevant protocol;

(c) the applicant is a fit and proper person to conduct the programme;

(d) the programme will be adequately supervised; and

(e) the programme is to be conducted at, or under the auspices of, a recognized institution.

(5) A permit shall specify:–

(a) the full name and address of the authorized person,

(b) the drug of abuse or analogue to which the permit relates;

(c) the strength and form in which the drug of abuse or analogue may be used;

(d) the maximum quantity of the drug of abuse or analogue that may be possessed at any one time, and the total quantity that may be possessed during the period of the programme;

(e) the purpose for which the permit is granted;

(f) the institution in relation to which the permit is granted;

(g) such conditions as are necessary and reasonable for ensuring:–

(i) the proper use and safe-keeping of the drug of abuse or analogue; and

(ii) that proper records are kept concerning its receipt, use and disposal;

(h) the condition that such reports, as the Competent Authority may specify, are sent to him or her on the use of the drug of abuse or analogue in the programme, including particulars of the quantities acquired, used, disposed of and still hold; and

(i) such other particulars as may be prescribed.

16. Open individual authorization for certain exports of controlled chemicals, etc.– (1) Where an operator is required under rule 5 sub-rule (1) to hold an open individual authorization issued by the Competent Authority, the operator shall, before undertaking any activity for which the authorization is required/within ten days from the day on which these rules come into force, intimate the Competent Authority in writing of, stating therein:–

(a) the full name, private and business address of the operator;

(b) the activity for which authorization is sought;

(c) if the operator is a company, the full name and residential address of each director and secretary of the company;

(d) if the operator engages in the activity under a business name, that name;

(e) each controlled chemical or item of controlled equipment or material for which authorization is sought;

(f) details of the operator's commercial experience relevant to the controlled chemicals, equipment or materials concerned, and of each person under whose supervision the activity will be carried out;

(g) details in summary form of export transactions in the relevant chemicals, equipment or materials during the preceding twelve months, specifying the country of export in relation to each chemical or item of equipment or material exported, the total quantities and total number of transactions involved; and

(h) such other particulars as may be prescribed.

(2) Subject to sub-rule (3), on receipt of an application made in accordance with sub rule (1), the Competent Authority may:–

(a) grant an open individual authorization; and

(b) subject the authorization to such terms and conditions as it thinks fit.

(3) The Competent Authority may refuse to grant the open individual authorization, if the operator, or if a company, any director or secretary of the company has ever:–

(a) failed to comply with a provision of these rules or any other law in Pakistan relating to any drug of abuse, controlled chemical or item of controlled equipment or material; or

(b) been convicted in Pakistan or elsewhere of any serious offence of any offence relating to trafficking in drugs, or controlled chemicals, equipment or material.

17. **Extended authorization for related activities.**–Where a person is registered or licenced, or holds a permit or authorization under these rules in relation to any activity, the person shall, subject to these rules and to any terms or conditions

of the licence, permit or authorization, be deemed to be entitled to possess the relevant drug of abuse, analogue, controlled chemical or item of controlled equipment or material for the purpose of that activity.

18. **Duration of registration, licences, permits and open individual authorizations.**–(1) A registration or licence shall remain in force for a period of one year, unless earlier surrendered, suspended or revoked, and may successively renewed for a period of one year on application in writing, signed by the applicant and accompanied with the prescribed fee.

(2) A permit or open individual authorization shall only remain in force for such period as may be specified in it, which in the case of an import permit, export permit or transit permit shall not exceed six months.

19. **Duty of authorized persons to notify material changes, etc.**–(1) Where, in relation to any licence or permit granted to any person under these rules, a material change occurs in the:–

(a) name or address of the person, or in the case of a company, of any director or secretary of the company;

(b) address of the place or premises where:–

(i) the licensed or permitted activity is carried out; or

(ii) any drug of abuse, controlled chemical or item of controlled equipment or material is stored;

(c) raw materials, or manufacturing or denaturing processes used in the licenced manufacture of any drug of abuse;

(d) security arrangements implemented at any relevant address;

(e) identity of persons under whose supervision the licensed activity is carried out; or

(f) planned transport route, including the planned point of entry or exit from Pakistan or any import, export or transit consignment for which a permit has been granted under sub-rule (1) of rule 12;

the person shall, within fourteen days of its occurrence, furnish the Competent Authority with a written notice containing full particulars of the change, and shall return to the Competent Authority any licence or permit issued under these rules.

(2) Where, in relation to any registration or open individual authorization granted to any person under these rules, a material change occurs in the:-

(a) name or address of the person, or in the case of a company, of any director or secretary of the company; or

(b) address of the place or premises where:—

(i) the registered or authorized activity is carried out; or

(ii) the controlled chemical, or item of controlled material or equipment is stored,

the person shall, within fourteen days of its occurrence, furnish with the Competent Authority with a written notice containing full particulars of the change.

20. **Variation, suspension or revocation of registration, licences, permits or authorizations.**-(1) If, at any time after the grant of a licence, permit, registration or open individual authorization, it appears to the Competent Authority that:—

(a) it was granted on the basis of information that was false or misleading in a material particular;

(b) a material change of circumstances referred to in rule 19 has occurred since it was granted, whether notified under that rule or not;

(c) a condition to which it was subject has not been complied with; or

(d) the person has been charged or convicted of an offence against the rules, or of a serious offence,

the Competent Authority may, as it thinks necessary and reasonable in all the circumstances to prevent the risk of unlawful diversion:—

(i) impose conditions, or vary any existing conditions specified in the licence, permit or authorization, within twenty-eight days of the date of issue of a notice of variation;

(ii) suspend the registration, licence, permit or authorization for such period as the Competent Authority deems fit; or

(iii) revoke the registration, licence, permit or authorization.

(2) Any person whose licence, permit or authorization is suspended or revoked under sub-rule (1) shall return it to the Competent Authority within two days after the Competent Authority notifies the person in writing of the revocation or suspension.

21. **Duty of operators to check and notify suspicious orders and transactions.**– (1) Whenever an operator:—

(a) is registered, licenced, permitted or authorized under these rules;

(b) receives an order or becomes party to a transaction involving a drug of abuse, controlled chemical or item of controlled equipment or materials; and

(c) has reasonable grounds to suspect that information, which is concerning the order or transaction may be relevant to an offence provided in Chapter II of the Act, the operator shall, immediately after forming that suspicion, communicate to the Competent Authority the particulars of the suspicion, the basis of it, and such other information, if requested, as the person has in relation to the order or transaction.

22. **Power to limit licensee's stocks.**–(1) On or before the 31st day of December each year, the Competent Authority shall, in the light of the prevailing market conditions determine the maximum quantities, if any, of each drug of abuse, controlled chemical, that each operator licenced under Chapter I of these rules may manufacture or stock for the normal conduct of its business during the following year.

(2) The Competent Authority may, at any time amend any quota determined under sub-rule (1), and shall promptly intimate each licensee in writing of the amended quota.

(3) The Competent Authority may, if satisfied that a person authorized to stock a drug of abuse holds a quantity in excess, of the annual quota as revised in accordance with sub-rule (2), it may requisition the surplus quantity upon payment of an amount not less than the amount paid by the person to acquire it.

CHAPTER 4.—PROFESSIONAL SUPPLY OF DRUGS OF ABUSE

23. **Persons authorized to engage in professional supply of drugs of abuse.**– (1) No person shall engage in conduct that constitutes professional supply of any drug of abuse except:—

(a) a pharmacist, acting in accordance with the norms and standards of the pharmacy profession, who supplies to another person on prescription or on requisition, in the ordinary course of a pharmacy business;

(b) a person licenced under clause (b) of sub-rule (1) of rule 7, provided that such supply at all times takes place under the immediate supervision of a pharmacist;

(c) a practitioner who, in accordance with the norms and standards of his or her profession:–

(i) administers the drug directly to a patient or animal in the ordinary course of treatment; or

(ii) supplies the drug to a patient or for an animal in the ordinary course of treatment from a place more than ten kilometers from the place of business of a pharmacist.

(2) Notwithstanding anything contained in sub-rule (1), where access to a practitioner is not reasonably possible by virtue of distance, the Competent Authority may authorize a licensed retail distributor to supply a drug of abuse without prescription, in exceptional cases for use by individuals in small quantities for exclusively medical purposes.

24. **Prescriptions.**– (1) No person shall prescribe a drug of abuse, unless that person is:—

(a) a medical practitioner, who prescribes the drug of abuse in the ordinary course of treatment of another person's physical or mental condition;

(b) a dentist, who prescribes the drug of abuse in the ordinary course of treatment of another person's dental condition;

(c) a veterinary surgeon, who prescribes the drug of abuse in the ordinary course of treatment of an animal; or

(d) a person or class of persons which the Competent Authority may authorize, from time to time, for the purposes of this rules to prescribe certain drugs of abuse in places where access to a practitioner is not reasonably possible.

(2) A person referred to in sub-rule (1) shall not, except in:—

(a) a medical emergency; or

(b) in the ordinary course of treatment,

prescribe a drug of abuse to a person who, he has reason to believe, may be a drug dependent person, without the prior written approval of the Competent Authority.

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(3) Subject to sub-rule (4), a prescription for a drug of abuse shall:—

(a) be on a form prescribed by the Competent Authority;

(b) be legible;

(c) be written in terms and symbols used in ordinary professional practice;

(d) specify the name, address, qualifications and registration number of the prescribing practitioner;

(e) specify the date on which it is issued if different from the date on which it was signed, and the period during which it may be filled;

(f) specify the name and address of the patient, or the owner of the animal being treated, as the case may be;

(g) specify the name, quantity, form and strength of the drug of abuse;

(h) specify the number of times up to a maximum of three time, the drug of abuse may be refilled and, if more than once, than the interval to elapse between dispensing;

(i) if the prescription is for an unusual or dangerous dose, it shall bear the initials of the prescribing practitioner beside an underlined reference to the dose;

(j) if the prescription is issued by a veterinary surgeon:—

(i) be endorsed as being for the treatment of an animal;

(ii) specify the name and address of the owner or caretaker of the animal;

(iii) specify the species of animal;

(iv) specify means of identifying the animal; and

(k) be signed with date by the prescribing practitioner.

(4) Where the need for treatment is urgent, a prescription may be given orally and acted upon, provided that it is confirmed by a written prescription within twenty-four hours.

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25. **Requisitions in an institution for purpose of treatment.**– (1) No person shall issue a requisition for a drug of abuse unless the person is:—

(a) a pharmacist in a dispensary in an institution;

(b) a practitioner practicing in an institution; or

(c) a person in charge of a ward in an institution.

(2) A person shall not supply a drug of abuse against a requisition, except to a person referred to in sub-rule (1), at an institution for the treatment of a person therein.

(3) Subject to sub-rule (4), a requisition for a drug of abuse shall:—

(a) be legible;

(b) specify the name of the person issuing it and the capacity in which he or she issues it;

(c) specify the name, quantity, form and strength of the drug of abuse;

(d) specify the ward or dispensary where the drug is required;

(e) be signed with date by the person issuing it; and

(f) be countersigned by either the pharmacist who is to supply the drug of abuse, or a medical practitioner.

(4) Where the need for the drug of abuse is urgent, a requisition may be given orally and acted upon, provided that, it is confirmed by a written requisition within twenty four hours.

CHAPTER 5.—COMMERCIAL DOCUMENTATION AND LABELLING, RECORDS AND SECURITY

26. Commercial documents.–Any commercial document, such as an invoice, cargo manifest or a customs, transport and other shipping document, relating to any transaction by an operator involving a drug of abuse, controlled chemical or item of controlled equipment, shall include:–

(a) the name and quantity of the drug of abuse, controlled chemical or item of controlled equipment as specified in the relevant Schedule; and

(b) in the case of any import or export, the name and address of the exporter, the importer and, where known, the consignee.

27. **Forwarding of import permit in advance to proposed foreign exporter.**–Where the Competent Authority issues an import permit under these rules to an operator, the operator shall, as soon as possible but no later than five working days after its receipt. forward the permit to the exporter named in the permit.

28. **Export permits to be attached to consignments.**–Where the Competent Authority issues an export permit under these rules to an operator, the operator shall attach an authenticated copy of the permit to each consignment on export.

29. **Endorsement and return of export permits following import.**–After an imported consignment has entered Pakistan or when the period stipulated in the import permit expires, the Competent Authority shall cause the export permit issued by the competent authority of the exporting country or territory to be returned to that authority, with an endorsement specifying the quantity of each drug of abuse or controlled chemical, equipment or material actually imported.

30. **Forwarding of redirection permits, etc.**–(1) Where a redirection permit is issued under sub-rule (1) of rule 13:–

(a) one copy shall accompany the drug of abuse or controlled chemical when it is exported from Pakistan; and

(b) the Competent Authority shall cause another copy of the redirection permit to be sent forthwith, upon issue, to the authority in the foreign country to which the consignment has been redirected.

(2) Upon the issue of a redirection permit, any person holding the export permit or redirection permit accompanying the drug or chemical, on its arrival in Pakistan shall remit it to the Competent Authority who shall return it to the competent authority issuing it, together with :–

(a) a notice of the name of the foreign country to which the consignment has been redirected; and

(b) an endorsement specifying the quantity of each drug of abuse or controlled chemical, equipment or material actually imported.

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31. **Liability to forfeiture of improperly or undocumented consignments.**–(1) A consignment of a drug of abuse or controlled chemical, equipment or material is liable to forfeiture if :–

(a) it is accompanied by an export permit or redirection permit, and there are reasonable grounds to believe that the permit is false, or has been obtained by fraud or wilful misrepresentation of a material particular;

(b) there are reasonable grounds to believe that any import permit relating to it is false; or

(c) in the case of a consignment of a drug of abuse, it is not accompanied by any export or redirection permit.

(2) Where the Competent Authority is satisfied that any consignment referred to in sub-rule (1) is legitimate, the consignment shall be released forthwith to the person lawfully entitled to it.

32. **Restriction for further import permit.**–If an import permit has already been issued, to an operator for a specific drug of abuse, controlled chemical, equipment and material, no further import permit for the same shall be issued to the same person unless the items covered by the earlier permit have been actually imported and report regarding its import has been sent to the Competent Authority.

33. **Importation or exportation by post.**–(1) All permits issued under these rules shall, save where import or export is authorised by post, be prominently marked "NOT AVAILABLE BY POSTS".

(2) Save as provided in sub-rule (3), the medium of the post office shall not be used for import into, or export from, Pakistan by sea or by land, of any drug of abuse, or controlled chemicals, equipment and material.

(3) Where any drug of abuse, or controlled chemicals, equipment and material is to be imported or exported in accordance with these rules by air for urgent reasons, the import or export permit may be marked "AVAILABLE BY PARCLE BY AIR".

34. **Disposal of export authorisation issued by foreign authority.**– When the importation of a drug of abuse, or controlled chemicals, equipment and material has been effected or when the period fixed for importation has expired, the importer shall submit to the Competent Authority the export authorisation, on the basis of which the import permit was granted to him, and thereon the Competent

Authority shall return the authorisation with endorsement to the effect that the quantity of the drug as specified in the endorsement has actually been imported, or, as the case may be, that the said period has expired.

35. **Quantity actually exported.**–If a lesser quantity, than that specified in an export permit, is actually exported, the quantity actually exported shall be stated by the Customs authorities on the export permit and on any official copy thereof.

36. **Trans-shipment.**–(1) Subject to the provisions of section 72 of the Act and these rules, no drug of abuse, or controlled chemicals, equipment and material, as specified in the schedules of these rules, shall be trans-shipped at any port save with the permission of the Collector of Customs.

(2) The Collector of Customs shall not grant the permission, referred to in sub-rule (1), save under the special order in writing of the Competent Authority in each case, unless:—

(a) the country from which the drugs or substances have been shifted and country to which the drugs or the substances are consigned are signatories to and have ratified the UN Conventions of 1961, 1971, and 1988, on Narcotics Drugs/Psychotropic Substances; and

(b) the drug are covered by an export authorisation or a diversion certificate granted in accordance with Article 31 of the Single Convention on Narcotics Drugs, 1961, by or under the authority of the Government of the country from which they have been shipped and such authorisation or certificate is produced for inspection of the Collector of Customs in accordance with the said Article 31.

37. **Processing or alteration or packing.**–No consignment of drug of abuse, or controlled chemicals, equipment and material while in transit or while stored in a bounded warehouse, shall be subjected to any process which would change the nature of the drugs, nor shall the packing of any such consignment be altered without the permission, in writing, of the Competent Authority.

38. **Drugs of abuse registers.**–(1) The following persons shall keep, or cause to be kept, at a place where any drug of abuse is kept, a register in the manner determined, from time to time, by the Competent Authority namely :–

(a) any person granted registration, or a licence or a permit under these rules in relation to any drug of abuse;

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(b) any person authorized under these rules to issue a prescription or requisition for a drug of abuse, or to supply such a drug by retail;

(c) any pharmacist, including a pharmacist responsible for the supervision of all other pharmacists employed in a hospital or other institution for medical treatment or care; and

(d) any duly qualified person, for the time being, in-charge of ward or other area of an institution in which any drug of abuse is administered.

(2) A person required by sub-rule (1) to keep, or cause to be kept, a register in relation to any drug of abuse, shall within twenty-four hours of any import, export, manufacture, administration, supply, acquisition, disposal or return of such drug enter or cause to be entered in the register :—

(a) the date of the import, export, manufacture, administration, supply, acquisition, disposal or return;

(b) the name, quantity, dosage, form and strength of the drug, imported, exported, manufactured, administered, supplied, acquired, disposed of or returned;

(c) the name and occupational or business address of the person to or from whom the drug was imported, exported, supplied or acquired;

(d) in case of export or supply, the quantity of the drug, if any, still kept;

(e) in case of supply on prescription for the purpose of treatment, or of administration of a drug of abuse for that purpose :–

(i) the name and address of the person who prescribed the drug or ordered its administration;

(ii) the name and residential address of the person for whom or to whom the drug was supplied or administered, or where prescribed or administered to an animal, the name of the person having custody of the animal at the time.

(iii) the name and residential address of the patient to whom the drug was prescribed, if different from the person referred to in sub-clause (ii); and

(iv) where applicable, the name and address of any person other than the treating practitioner who administered the drug, the time

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of administration, and particulars sufficient to identify any animal for whose treatment the drug was administered, prescribed or supplied on prescription;

(f) in the case of supply on requisition in an institution, details of the dispensary, ward or other place to which the drug was supplied;

(g) in the case of return, the name of the person to whom the drug was returned; and

(h) in the case of disposal :–

(i) the method of disposal; and

(ii) the signature, name and designation of the person responsible for the disposal, and of at least one witness to the disposal.

(3) A person who makes an entry in a drugs register shall sign the entry, with date.

(4) A person may, in the presence of a witness, correct, by notation, a mistake in an entry in a drugs register, provided the person making the correction makes, signs and dates the notation, and the witness countersigns the notation.

(5) Any person who :–

(a) delivers a drug of abuse to a ward or other area of an institution; or

(b) in the ordinary course of duties in a medical, dental or veterinary practice, or in a ward or other area of an institution, witnesses the administration of that drug,

shall countersign the relevant entry in the drugs register.

(6) Any person required by these rules to keep a drugs of abuse register shall, subject to any written direction to the said person by the Competent Authority, retain possession of the register and all prescriptions, requisitions and commercial documents relating to entries therein for three years after the date of the last entry in the register.

39. **Controlled chemicals, equipment and materials registers.**–(1) Any person granted registration, licence, permit or open individual authorization under these rules in relation to any controlled chemical or item of controlled equipment or

material shall keep, or cause to be kept, at a place where any such chemical or item is kept by that person, a register in accordance with the form prescribed from time to time by the Competent Authority.

(2) Any person required under sub-rule (1) to keep and maintain a register, in relation to any controlled chemical or item of controlled equipment or material, shall, within twenty-four hours of any import, export, manufacture, supply, acquisition or disposal by that person of any such chemical or item, enter or cause to be entered in such register :–

(a) the date of the import, export, manufacture, supply, acquisition or disposal ;

(b) the name of the chemical equipment or material, and the quantity involved ;

(c) in the case of a controlled chemical, its form and strength ;

(d) in the case of disposal, the method of disposal ; and

(e) in the case of import, export, acquisition or supply, the name and occupational or business address of the person to, or from whom the chemical has been acquired, documents shall be kept for at least three years after the end of the calendar year of the last entry in the register.

(3) Any register required to be kept under sub-rule (1), and all commercial documents relating to entries therein such as orders, invoices, dispatch notes, cargo manifests or customs or other shipping documents shall be kept for at least three years after the end of the calendar year of the last entry in he register.

40. **False or misleading entries in registers and records.**—Any person required to keep a register or other record under these rules shall not :—

(a) make, or cause of permit to be made, an entry which is, to the knowledge of that person a false or misleading in any material particular; or

(b) cancel, obliterate or alter any entry, except to correct an error in accordance with sub-rule (4) of rule 38.

41. **Duty to report and record loss, destruction or discrepancies in registers.**—Any person, required to keep a register under these rules, shall forthwith:—

(a) report the loss or destruction of the register, or of the whole or any part of the contents of the register ; or

(b) record any discrepancy in the register, other than a mistaken entry, and shall report to the Competent Authority in writing accordingly.

42. **Safe keeping of drugs of abuse.**—(1) Any person authorized :—

(a) to import, export, manufacture, administer, supply or acquire a drug of abuse or controlled chemical in accordance with these rules ; or

(b) to engage in professional supply in accordance with rule 23,

shall, while the drug or chemical is in the person's custody or control, keep it or cause it to be kept in vault, safe or other prescribed secure storage ;

(2) A person, referred to in sub-rule (1), shall take such measures as the Competent Authority may direct, in writing, to ensure that no unauthorized person has :—

(a) access to the combination, key or other means of access to any secure receptacle containing a drug of abuse or controlled chemcial ; or

(b) the drug or chemical contained therein.

43. **Duties where there is loss or theft of a drug of abuse or controlled chemical.**—Any person authorized :—

(a) to import, export, manufacture, administer, supply or acquire a drug of abuse or controlled chemical in accordance with these rules ; or

(b) to engage in professional supply in accordance with rules 23 ;

shall, immediately upon becoming aware of the loss or theft of any quantity of the drug or chemical in the person's custody or control shall :—

(i) if the person believes on reasonable grounds that the drug or chemical has been stolen, he shall immediately inform an Inspector and an authorized officer orally, and report the matter in writing within twenty-four hours ;

(ii) in the case of loss, give a written report of the circumstances of the loss to an inspector ; and

(iii) record relevant particulars of the loss of theft in the appropriate register.

CHAPTER 6.— INSPECTION FOR COMPLIANCE

44. Appointment of Inspectors. —(1) The Competent Authority may, by notification in the official Gazette, appoint any person to be an Inspector for the purposes of the rules.

(2) An Inspector shall perform such duties for the purposes of the rules as the Competent Authority may direct.

(3) The Competent Authority shall cause to be issued to an Inspector an identity card which states the name and appointment of the Inspector and on which shall appear a recent photograph of the Inspector.

45. Inspection of authorized premises and operations.—A person who is registered, or holds a licence or permit issued under these rules shall, when required to do so in writing by an Inspector, provide the Inspector with a statement in writing, signed and dated by the person, accounting for each drug of abuse, controlled chemical or item of controlled equipment or material in possession of the authorized person at any time since the grant of the registration, licence, or permit, as the case may be.

46. Powers of Inspectors.—(1) A person appointed as an Inspector by the Competent Authority pursuant to rule 44 may, at any time during ordinary business or professional hours, with such assistance and by such force as is necessary and reasonable, enter any premises or place at which any activity is carried out by any person who has been :—

(a) granted a registration, licence or permit under these rules, or

(b) authorized in accordance with rule 23 to engage in professional supply.

(2) Subject to rule 47, an inspector who enters any premises or place pursuant to subrule (1) may :—

(a) require the occupier of the premises to supply his or her name and address;

(b) inspect the premises or place in order to ascertain whether or not the rules or terms or conditions of any licence or permit granted pursuant to the rules has been or is being complied with;

(c) examine any label, advertising material, register, record, book, electronic data or other document therein relating to any drug of abuse, controlled chemical or item of controlled equipment or material;

(d) make an extract therefrom or take a copy thereof, and require from any person an explanation of an entry in any such register, record or document;

(e) open and examine any receptacle or package found in that place in which a drug of abuse, analogue, controlled chemical or item of controlled equipment may be found;

(f) examine any thing found in that place that is used or may be capable of being used for the manufacture, packaging or storage of a drug of abuse, analogue, controlled chemical or item of controlled equipment or material;

(g) use or cause to be used any computer system at that place to examine any electronic data referred to in clause (c) or (f), and reproduce any document from any such data or cause it to be reproduced in the form of a printout or other output;

(h) take any thing referred to in clause (c) or (f) for examination or copying;

(i) use or cause to be used any copying equipment at that place to make copies of any document;

(j) examine any substance found in that place and take, for the purpose of analysis, such samples thereof as are reasonably required;

(k) seize and detain anything, which in the opinion of the inspector, is connected with, or may provide proof of a contravention of the rules or a term or condition of any licence or permit granted under the rules and which the Inspector believes on reasonable grounds is necessary for the purpose of ensuring compliance with the rules or the regulations.

(3) Where an Inspector seizes and detains any substance suspected to be a drug of abuse, analogue, controlled chemical or item of controlled equipment or material, he may, at his discretion, be kept or stored at the place from where it was seized or be removed to any other proper place.

(4) Where an Inspector determines that for the purpose of ensuring compliance with these rules, it is no longer necessary to detain a substance suspected to be a drug of abuse, controlled chemical or item of controlled equipment or material under clauses (j), (k) of sub-rule (2), the Inspector shall notify in writing to the owner or other person in charge of the place where it was detained of that determination and, on being issued a receipt therefor shall return the substance to that person.

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(5) Where in the ordinary course of duty, an Inspector becomes aware of a possible offence against the Act, he or she shall immediately report that fact to the Anti Narcotics Force and provide such further lawful assistance as may be reasonable or necessary for the purpose of any investigation or proceeding relating to that possible offence.

47. Inspectors to produce authority. —(1) An Inspector exercising any powers conferred under rules 46 shall produce his or her identity card issued under sub-rule (3) of rule 44 to the person in charge of any place in which the Inspector entered in pursuance of the rules for the purposes of inspection.

(2) An Inspector who enters premises in accordance with these rules is not authorized to remain on the premises, if, on request by or on behalf of the occupier of the premises, the Inspector does not produce the identity card issued under sub-rule (3) of rule 44, any person on the premises is not obliged to comply with that order of the Inspector.

48. Obstruction of inspectors, etc.—No person shall, without reasonable excuse, by an act or omission :—

(a) obstruct or hinder an inspector in the exercise of the powers or performance of the duties of the inspector under these rules or regulations; or

(b) refuse or fail to comply with a reasonable request of an inspector who has entered any premises in accordance with these rules.

CHAPTER 7.— MISCELLANEOUS

49. Repeal and savings.—(1) The Dangerous Drugs (Import, Export and Trans-shipment) Rules, 1967, are hereby repealed.

(2) The repeal of the rules referred to in sub-rule (1) shall not affect anything done action taken or penalty incurred under the said rule or any investigation or legal proceeding in respect of such penalty; and any such investigation or legal proceeding may be instituted, continued or enforced and any such penalty may be imposed as if there rules had not been made.

50. Supply of data to Anti Narcotics Force.—The Competent Authorities designated under these rules shall arrange to supply on regular basis all relevant data on the registration/licensing of various operations, issuance of import/export/transit/redirection and other relevant permits under these rules to the Anti Narcotics Force, in order to meet Federal Government's obligations under UN

Conventions of 1961, 1971 and 1988 on Narcotics Drug and Psychotropic substances regarding supply of relevant data to the national agencies like INCB, UNDCP and Interpol.

SCHEDULE -I

[see clause (XXX) of rule-2]

PROHIBITED

This Schedule includes:—

(i) the following substances, designated by their international non-proprietary names or the names used in the international conventions in force;

(ii) their isomers, unless specifically excepted, whenever the existence/ of/such isomers is possible within the specific chemical/designation.

(iii) their esters and ethers, unless specifically excepted, whenever/the/ existences of such esters and ethers is possible;

(iv) their salts, including the salts of esters, ethers and isomers,/whenever the existence of such salts is possible ;

(v) preparations of these substances, unless exempted by law.

(FROM SCHEDULE IV OF THE CONVENTION ON NARCOTIC DRUGS, 1961)

Acetorphine	Acetyl-alpha-methyl-	Methyl-3fentanyl
Cannabis and	fentanyl	Methyl-3-thio-
cannabis resin	Alphacetylmethadol	fentanyl
Desomorphine	Alpha-methylfentanyl	MPPP
Etorphine	Beta-hytdroxyfentanyl	Para-fluorofentanyl
Heroin	Beta-hydroxy-methyl-3-	PEPAP
Ketobemidone	fentanyl	Thiofentanyl

(FROM SCHEDULE I OF THE CONVENTION ON PSYCHOTROPIC SUBSTANCES, 1971)

Brolamphetamine	Etryptamine	Parahexyl
Cathinone	(+)-Lysergide	PMA
DET	MDA	Psilocine, psilotsin
DMA	Mescaline	Psilocybine
DMHP	Methcathinone	Rolicyclidine
DMT	Methyl-4 aminorex	STP, DOM

DOET
Eticyclidine
MMDA
MDMA
N-ethyl MDA
N-hydroxy MDA
Tenamphetamine
Tenocyclidine
Tetrahydrocannabinol
TMA

SCHEDULE - II

[see clause (XVI) of rule 2]

HIGH RISK DRUGS OF ABUSE

(From Schedule I of the Convention on Narcotic Drugs, 1961)

Acetylmethadol
Alfentanil
Allylprodune
Alphameprodine
Alphamethadol
Alphamethylthio-fentanyl
Alphaprodine
Anileridine
Benzethidine
Benzylmorphine
Betacetylmethadol
Betameprodine
Betamethadol
Betaprodine
Bezitramide
Clonitazene
Coca (leaf)
Cocaine
Codoxime
Concentrate of poppy straw
Dextromoramide
Diampromide
Diethylthinambutene
Difenoxin
Dihydromorphine
Dimenoxadol
Dimepheptanol
Dimethylthiambutene
Ethylmethyl-thiambutene
Etonitazene
Etoxeridine
Fentanyl
Furethidine
Hydrocodone
Hydromorphinol
Hydromorphone
Hydroxypethidine
Isomethadone
Levomethorphean
Levomoramide
Levophenacylmorphan
Levorphanol
Metazocine
Methadone
Methadone intermediate (4-cyano-2-dimethyl-amino-4,4-diphenyl butane)
Methyldesorphine
Methyldihydromorphine
Metopon
Moramide
Morphine
Morphine
Morphine methobromide and other perntavalent nitrogen morphine
Normorphine
Norpipanone
Opium
Oxycodone
Oxymorphone
Pethidine
Pethidine intermediate A (4-cyano-i-methlyl-4-phenyl-piperidine)
Pethidine intermediate B (4-phenylpiperidine-4-carboxylic acid ethyl ester)
Pethidine intermediate C (l-methyl-4-phenylpiperidine-4-carboxylic acid)
Phenadoxone
Phenampromide
Phenazocine
Phenomorphan
Phenoperidine
Piritramide
Piritramide
Proheptazine
Properidine
Racemethorphan

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Dioxaphetyl butyrate	derivatives	Racemoramide
Diphenoxylate	Morphine-N-oxide	Racemorphan
Dipipanone	Mkyrophine	Sufentanil
Drotebanol	Nicomorphine	Thebacon
Ecgonine	Noracymethadol	Thebaine
its esters and	Norlevorphanol	Tilidine
derivatives	Normethadone	Trimeperidine

(from Schedule II of the Convention on Narcotic Drugs, 1961)

Acetyldigydrocodeine	Ethylmorphine	Pholcodine
Codeine	Nicodicodine	Propiram
Dextropropoxyphene	Nicocodine	
Digydrocodeine	Norcodeine	

(from Schedule II of the Convention of Psychotropic Substances, 1971)

Amphetamine	Methamphetamine	Phenmetrazine
Dexamphetamine	Methamphetamine racemate	Secobarbital
Fenetylline	Methaqualone	Zipeprol
Levamphetamine	Methylphenidate	
Mecloqualone	Phencyclidine	

SCHEDULE -III

[see clause (XXXIII) of rule 2]

RISK DRUGS OF ABUSE

SCHEDULE III
of the Convention of Psychotropic Substances, 1971

Amobarbital	Cathine	Pentazocine
Buprenorphine	Cyclobarbital	Pentobarbital
Butalbital	Glutethimide	Flunitrazepam

SCHEDULE-IV
of the Convention on Psychotropic Substances, 1971

Allobarbital		Methylprylon
Alprazolam	Ethinamate	Midazolam
Aminorex	Ethyl loflazepate	Nimetazepam
Amphepramone	Etilamphetamine	Nitrazepam

Barbital	Fencamfamin	Nordazepam
Benzphetamine	Fenproporex	Oxazepam
Bromazepam	Fludiazepam	Oxazolam
Brotizolam	Flurazepam	Pemoline
Butobarbital	Halazepam	Phendimetrazine
Camazepam	Haloxazolam	Phenobarbital
Chlordiazepoxide	Ketazolam	Phentermine
Clobazam	Lefetamine	Pinazepam
Clonazepam	Loprazolam	Piptadrol
Clorazepate	Lorazepam	Prazepam
Clotiazepam	Lormetazepam	Pyrovalerone
Cloxazolam	Mazindol	Secbutabarbital
Delorazepam	Medazepam Mefenorex	Temazepam
Diazepam	Meprobamate	Tetrazepam
Estazolam	Mesocarb	Triazolam
Ethchlorvynol	Methylpheno-barbital	Vinylbital

SCHEDULE - IV

[see clause (XXXVII of rule 2]

TOXIC CHEMICAL INHALANTS

SCHEDULE V- CONTROLLED CHEMICALS

This schedule includes :—

(i) the following substances, designated by their international non-proprietary names or the names used in the international conventions in force;

(ii) the salts of these substances, whenever the existence of such salts is possible, with the exception of sulphuric acid and hydrochloric acid.

DIVISION I

(Table I of the 1988 Convention)

Ephdrine	N-acetylanthranilic acid
Ergometrine	Isosafrole
Ergotamine	3,4 methylenedioxyphenyl-2-propanone
Lysergic acid	Piperonal
4-phenyl-2-propanone	Safrole
Pseudoephedrine	

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DIVISION II

(Table II of the 1988 Convention)

Acetic anhydride	Hydrochloric acid
Acetone	Methyl ethyl
Anthranilic acid	ketone
Ethyl ether	Potassium permanganate
Phenylacetic acid	Sulphuric acid
Piperidine	Toluene

SCHEDULE - VI

[see clauses (VI) and (VII) of rule 2]

DIVISION 1 - CONTROLLED EQUIPMENT

Encapsulating machines
Tabletting machines
Rotary evaporators
Laboratory equipment with a capacity for large volume production (eg round bottom flasks of 25 liters or above and related condensers, separating funnels and heating apparatus)

DIVISION 2 - CONTROLLED MATERIAL

Gelatin capsules
[eg glucose, lactose, phenolphthalein]
[prescribed bulking agents eg magnesium stearate, calcium oxide ("talc")]
[colouring materials or food dyes]

ANNEXURE-I

IMPORT AUTHORIZATION

Import Authorization No. _____

1. On behalf of the government of Pakistan, the undersigned, empowered by the competent authority, in the meaning of paragraph 1 of article 12 of the 1971 Convention on psychotropic substances to issue authorizations to import psychotropic substances listed in schedule I and/or Schedule II annexed to that Convention and/or preparations containing such substances, hereby authorizes the following import :—

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IMPORTERS:—
NAME_____
ADDRESS_____

3. In the case of an import (a) substance (s) listed in schedule I* and Schedule II*, III and IV.

(a) The International non-Proprietary name, lacking such a name the designation of such (a) substance(s) in the Schedule(s) :—

(Note : Consignments to a post office box are not allowed)

(b) The quantity of such (a) authorized to be imported.

4. In the case of an import of (a) preparation(s) containing(s) substance(s) listed in Schedule I and II, and IV.

(a) The International non-proprietary name (s) of such (a) substance(s) contained therein, or lacking such a name the designation of such (a) substance(s) in the Schedule(s).

(b) The name (s) and contents of active ingredients of such (a) preparation.
(c) Authorized to be imported:

(d) The quantity of such (a) preparation (s) authorized to be imported :

(e) The total quantity of each such substances contained in the total amount of such (a) preparation (s) authorized to be imported:

(f) The Pharmaceutical form (s) in which such (a) preparation (s) is (are) authorized to be imported (*e.g.* ampoules, pill powder etc.);

II. In the case of an import related to a consignment to be placed in a bonded warehouse (Note : Prohibited with regard to Schedule I substance or Preparations).

It is hereby certified that the placing of the importation specified in I above in the following bonded warehouse is approved.

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NAME: _____

ADDRESS: _____

Expiration date.

The present import authorization expires on:

(Day) (Month) (Year)

(Place) (date of Issuances)

(Signature of official, name, stamp of the competent authority).

1. Secy. NCD, Islamabad.
2. Secy. Health Dept.
3. F.I.D.
4. A.D.C

ANNEXURE-I (a)

GOVERNMENT OF PAKISTAN
MINISTRY OF HEALTH
ISLAMABAD

PERMIT FOR IMPORT OF EPHEDRINE, PSEUDOEPHEDRINE AND ITS SALTS AND OTHER RESTRICTED DRUGS

1. Import Permit No: Date of Issue:
2. Name, address and business of importer:
3. Name and address of exporter
4. Name of drug to be imported.
5. Quantity of drug to be imported.
6. The pharmaceutical form(s) in which such preparation is authorised to be imported : *(e.g.* ampoules, pill powder etc).
7. Expiration date of import permit.
8. Any special conditions to be observed:

Signed on behalf of
(Name of Authority),
Federal Government of Pakistan

Signature

Copy to:— Official Rank

1. The Secretary, Narcotics Control Division, Islamabad.
2. The Secretary, Health Department _____
3. The Secretary, Excise and Taxation Department_____
4. The Collector of Land and Customs_____
5. The Officer Incharge, Drugs Control Administration, Lahore, Karachi, Peshawar and Quetta.

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ANNEXURE - I (b)

IMPORT AUTHORIZATION

1. Importer (name and address): License or registration Number.....	2. Authorization Number..... Date of issue..... Place of issue..... 3. Date of dispatch envisaged:	
4. Exporter in the country of origin (name and address): License or registration Number.....	5. Issuing authority (name, address, telephone and telefacsimile numbers):	
6. Other operator/agent (name and address):	7. Customs office where import authorization will be lodged (name and address):	
8. Ultimate consignee (name and address):	9. Point of exit from exporting country:	10. Means of transport:
	11. Point of entry into exporting country:	12. Itinerary

13a. Full name of substance to be Imported: Number of units.....Weight/volume of each unit.....	14a. HS number: 15a. CAS number: 16a. Net weight: 17a. % of mixture: 18a. Invoice number:
13b. Full name of substance to be Imported: Number of units.....Weight/volume of each unit.....	14b. HS number: 15b. CAS number: 16b. Net weight: 17b. % of mixture: 18b. Invoice number:

19. Declaration by applicant (see Note 11) Name..... Representing.....(applicant) Signature..... Date.....	21. (For completion by customs office where import authorization is lodged) Number of customs Import declaration: ..... Stamp
20. (For completion by issuing authority) Box 18 informaltion still required: Yes/No Box 9, 10, 11, 12 information still required: Yes/No Signature:..... Function:..... Date:..... Stamp	22. CONFIRMATION OF EXIT FROM IMPORTING COUNTRY: (For completion by the Customs Authority at the point of entry) Date of exit:..... Signature of officer..... Function :..... Date :..... Stamp

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ANNEXURE-I(c)

NOTES ON THE IMPORT AUTHORIZATION

1. Boxes 1, 3, 4 and 6 to 19 inclusive are to be completed by the applicant at the time of the request; however, such information as required in boxes 9 to 12 and 18 may be supplied at a later stage, if the information is not known at the time of the request. In this case, the information for box 18 is to be supplemented at the latest when the export declaration is lodged and the supplementary information for boxes 9 to 12 is to be given to the customs or other authority at the point of exit from the exporting country at the latest before the physical departure of the chemicals.

2. Boxes 1, 4, 6 and 8: Enter full names, addresses, and if available, telephone and telefacsimile (fax) numbers, as well as trading names.

3. Box 4: In necessarily of origin of last port of call. Provide license or registration number of the exporter if applicable.

4. Box 6: Enter full name, address, and if available, telephone and telefacsimile (fax) numbers, of any other operator involved in the export operation such as transporter, broker, customs agent.

5. Box 8: Enter full name, address, and if available telephone and telefacsimile (fax) numbers, of the person or company to which the chemicals are delivered in the country of destination (not necessarily the end-user).

6. Boxes 9 and 10: Give the name of the port, airport or border point as appropriate.

7. Box 11: Specify all means of transport to be used (*e.g.* lorry, ship, plane, train, etc.)

8. Box 12: Give as full details as possible of the route to be taken.

9. Boxes 13, 14 and 15: Enter both name of substance, HS and CAS numbers.

10. Boxes 13a.b: Identify packages and substances with precision (*e.g.* 2 cans of 5 litters each). In the case of mixtures, indicate commercial name and the quantitative data concerned. Also indicate the number of units and weight/volume of each unit.

11. Box 19:

a. Indicate in block letters the name of the applicant or, where appropriate, of his authorized representative who signs this application.

h The signature by the applicant or his authorized representative shall indicate that the person concerned is declaring that all the particulars provided on the application are correctly and fully stated. Without prejudice to the possible application of penal provisions, this declaration shall be equivalent to the engagement of responsibility, under the provisions in force in the exporting country, in respect of :

(i) the accuracy of the information given in the declaration.

(ii) the authenticity of any documents attached; and

(iii) whenever the authorization is issued by means of a computerized procedure, that authorization may not contain the signature of the applicant in this box, if the application as such contains such signature.

ANNEXURE-I(d)

BACKGROUND INFORMATION

The questions below are intended to assist the Licensing Authority to deal expeditiously with this application.
Failure to provide full answers may lead to a delay in the issue of the authorization.

Information about transaction

1. Is the import for the purpose of re-export? YES/NO
   If so, please provide details.
   .....

2. Has your company been authorized previously by this department to import the chemical(s)? YES/NO
   If so, please provide reference and date:
   .....

3. Is the consignee a new customer for this chemical? YES/NO
   Is so, what is nature of customer's business?
   .....
   To what use will be chemicals be put?
   .....

4. Was the order made directly or through a broker? YES/NO
   If through broker please provide name and address :
   .....
   .....

5. What is the means of payment for the transaction?

.....

6. Please give details of customer's instructions for packaging and labelling of consignment:

.....

.....

7. Will the shipment transit, a free trade zone, free port or bounded warehouse? YES/NO

If so please provide details:

.....

.....

Declaration by applicant

I confirm that, to the best of my belief, all the information provided in this application is true.

Signature :.....

Full name :.....

Position in company :.....

Date : .....

Please note that the provision of false information is a criminal offence and may lead to prosecution.

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ANNEXURE - II

EXPORT AUTHORIZATION

1. Exporter (name, address, telephone and fax number): License or registration Number.....	2. Authorization Number..... Date of issue..... Place of issue..... 3. Date of dispatch envisaged:	
1. Importer in the country of destination (name and address): License or registration Number.....	2. Issuing authority (name, address telephone and telefacsimile numbers):	
3. Other operator/agent (name and address):	4. Customs office where export declaration will be lodged (name and address):	
5. Ultimate consignee (name and address):	9. Point of exit from exporting country:	10. Means of transport
	11. Point of entry into importing country:	12. Itinerary

13a. Full name of substance to be exported: Number of units.....Weight/volume of each unit.....	14a. HS number: 15a. CAS number: 16a. Net weight/volume 17a. %of mixture: 18a. Invoice number:
13b. Full name of substance to be exported: Number of units.....Weight/volume of each unit.....	14b. HS number: 15b. CAS number: 16b. Net weight/volume 17b. %of mixture: 18b. Invoice number:

19. Declaration by applicant *(see* Note 11) Name..... Representing.....(applicant) Signature..... Date.....	21. (For completion by customs office where export declaration is lodged) Number of customs export declaration: ..... Stamp
20. (For completion by issuing authority Box 18 information still required: Yes/No Box 9, 10, 11, 12 information still required: Yes/No Signature:..... Function:..... Date:..... Stamp	22. CONFIRMATION OF EXIT FROM EXPORTING COUNTRY: (For completion by the Customs Authority at the point of exit) Date of exit:..... Signature of officer..... Function :..... Date :..... Stamp

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Annexure-I(a)

NOTES ON THE EXPORT AUTHORIZATION

1. Boxes 1.3, 4 and 6 to 19 inclusive are to be completed by the applicant at the time of the request ; however, such information as required in boxes 9 to 12 and 18 may be supplied at a later stage, if the information is not known at the time of the request. In this case, the information for box 18 is to be supplemented at the latest when the export declaration is lodged and the supplementary information for boxes 9 to 12 is to be given to the customs or other authority at the point of exit from the exporting country at the latest before the physical departure of the chemicals.

2. Boxes 1, 4, 6, and 8: Enter full names, addresses, and if available telephone and telefacsimile (fax) numbers, as well as trading names.

3. Box 4: Not necessarily the unltimate destination; provide license or registration number of the importer if applicable.

4. Box 6: Enter full name, address, and if available, telephone and telefacsimile (fax) numbers, of any other operator involved in the export operation such as transporter, broker, customs agent.

5. Box 8: Enter full name address, and if available telephone and telefacsimile (fax) numbers, of the person or company to which the chemicals are delivered in the country of destination (not necessarily the end-user).

6. Boxes 9 and 10: Give the name of the port airport or border point as appropriate.

7. Box 11: Specify all means of transport to be used (*e.g.* lorry, ship, plane, train, etc.).

8. Box 12: Give as full details as possible of the route to be taken.

9. Boxes 13, 14 and 15: Enter both name of substance, HS and CAS numbers.

10. Boxes 13a.b: Identify packages and substances with precision (*e.g.* 2 cans of 5 litres each). In the case of mixtures, indicate commercial name and the quantitative data concerned. Also indicate the number of units and weight/volume of each unit.

11. Box 19 :

(a) Indicate in block letters the name of the applicant or, where appropriate, of his authorized representative who signs this application.

(b) The signature by the applicant or his authorized representative shall indicate that the person concerned is declaring that all the particulars provided on the application are correctly and fully stated. Without prejudice to the possible application of penal provisions, this declaration shall be equivalent to the engagement of responsibility, under the provisions in force in the exporting country, in respect of :

(i) the accuracy of the information given in the declaration.

(ii) the authenticity of any documents attached , and

(iii) whenever the authorization is issued by means of a computerized procedure, that authorization may not contain the signature of the applicant in this box, if the application as such contains such signature.

Annexure-II (b)

BACKGROUND INFORMATION

The questions below are intended to assist the Licensing Authority to deal expeditiously with this application.
Failure to provide full answers may lead to a delay in the issue of the authorization.

Information about transaction

1. Is the export for the purpose of re-export ? YES/NO
   If so, please provide details:
   .....

2. Has your company been authorized previously by this department to export the chemical (s)? YES/NO
   If so, please provide reference and date:
   .....

3. Is the consignee a new customer for this chemical ? YES/NO
   Is so, what is nature of costumer's business?
   .....
   To what use will be chemicals be put?

4. Was the order made directly or through a broker ? YES/NO
If through broker please provide name and address :
.....
.....

5. What is the means of payment for the transaction ?
.....

6. Please give details of customer's instructions for packaging and labelling of consignment:
.....
.....

7. Is the shipment destined for, or will it transit, a free trade zone, free port or bounded warehouse ? YES/NO
If so please provide details :
.....
.....

8. Has authorization for the import been obtained from the competent authorities of the importing country ? YES/NO
As evidence please attach particulars, including copies of import Authorization and any other relevant documentation.

Declaration by applicant

I confirm that, to the best of my belief, all the information provided in this application is true.

Signature:.....

Full name:.....

Position in company:.....

Date:.....

Please note that the provision of false information is a criminal offence and may lead to prosecution.

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Annexure-III

PRE EXPORT NOTIFICATION PURSUANT TO ARTICLE 12 OF THE 1988 UNITED NATIONS CONVENTION
AS WELL AS
PURSUANT TO THE AGREEMENT REACHED AT THE INTERNATIONAL CONFERENCE ON MULTILATERAL REPORTING HELD IN LISBON, PORTUGAL IN OCTOBER 1997.
MULTILATERAL CHEMICAL REPORTING NOTIFICATION

1. ACTION ADDRESSEE :
2. Additional Addressee:
3. Additional Addressee:

4. Sender:	5. Agency:	6. Country
7. Telephone:	8. Fax:	9. E-Mail:
10. Date of Request		

11. This shipment ☐ WILL/ ☐ WILL NOT proceed if a reply is not received by (date):

12. Does your office have any objections to this shipment ☐ Yes ☐ No ☐ Further Inquiry Needed

---

NOTE : Information should be provided to the extent permitted by national legislation.
PART I to be provided for Pre-Export Notification;
PART I and PART II to be provided for Inquiries, Notifications, of Requests for Action

PART I (A)

13. Chemical :	14. Harmonized Code :	15. Quantity
16. Export Country:	17. Departure Port :	18. Departure Date:
19. Import Country:	20. Entry Port:	21. Est. Arrival Date :
22. Transshipment Route/Free Trade Zone		23. Transport Mode:
24. Import Authorization No: 25. Status if Shipment:		
26. Import/Consignee Name : Address		Telephone: Fax:
27. Other Remarks:		

28. Manufacturer or Name : Exporter:	Address:	Tele/Fax:
29. Broken(s) Name:	Address:	Tele/Fax:
30. Transit Firm(s) Name:	Address:	Tele/Fax:
31. Transportation Details (flight No./Vessel, etc).		

IMPORTANT: If you do not control the listed chemical, please disregard this notification.

Annexure -IV

RECORDS TO BE KEPT BY THE "OPERATORS" UNDER THE RULES

Separate record for each Drugs of Abuse, Controlled Chemicals, Controlled Equipment and Controlled Materials including Raw materials

Name of the drug/ controlled chemical/ material	Stock on Jan. 1st 19	(a) Imported with number and dates of import licence.	(b) Exported with number and dates of Export licence.	(c) Purchased in what country and from whom	(d) Sales or other disposals with reference to prescriptions	Stock on Dec. 13st 19.....(a+b)-less (a+d)
	Quantities	Quantities	Quantities	Quantities	Quantities	
1	2	3	4	5	6	7

*Licensed wholesalers having also a retail establishment should include here quantities of the drug transferred from the wholesale to the retail establishment.

Annexure-V

RECORD TO BE KEPT BY IMPORT/EXPORT AUTHORISATION AUTHORITY

Separate record for each Drug of Abuse, Controlled Chemicals, Controlled Equipment and Controlled Materials including Raw Materials

Expressed in weight of pure drug/chemical

Name of the drug/ controlled chemical/ Total of the estimate	Desired level of stock on Dec. 31st	Import licences with number and dates	Actual imports with dates	Export authorisation with number and dates	Actual Exports with dates	Total additions (imports less exports)
	Quantities	Quantities	Quantities	Quantities	Quantities	
1	2	3	4	5	6	7	8

Annexure - VI

OBLIGATIONS OF THE SIGNATORY STATES UNDER UN CONVENTION OF 1988 CONCERNING SUBSTANCES/MATERIAL/EQUIPMENT FREQUENTLY USED IN THE ILLICIT MANUFACTURE OF NARCOTIC DRUGS OR PSYCHOTROPIC SUBSTANCES.

Article 12— **Substances Frequently used in the Illicit Manufacture of Narcotic Drugs or Psychortopic substances.**

1. The Parties shall take the measures they deem appropriate to prevent diversion of substances in Table I and Table II used for the purpose of illicit manufacture of narcotic drugs or psychotropic substances, and shall co-operate with one another to this end.

2. If a Party or the Board has information which in its opinion may require the inclusion of a substance in Table I or Table II, it shall notify the Secretary General and furnish him with the information in support of that notification. The procedure described in paragraphs 2 to 7 of this article shall also apply when a Party or the Board has information justifying the deletion of a substance from Table I or Table II, or the transfer of substance from one Table to the other.

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3. (a) Without prejudice to the generality of the provisions contained in paragraph I of this article and the provisions of the 1961 Convention, the 1961 Convention as amended and the 1971 Convention, the Parties shall take the measures they deem appropriate to monitor the manufacture and distribution of substances in Table I and Table II which are carried out within their territory :

(b) To this end, the Parties may ;

(i) Control all persons and enterprises engaged in the manufacture and distribution of such substances;
(ii) Control under licence the establishment and premises in which such manufacture or distribution may take place;
(iii) Require that licensees obtain a permit for conducting the aforesaid operations;
(iv) Prevent the accumulation of such substances in the possession of manufactures and distributors, in excess of the quantities required for the normal conduct of business and the prevailing market conditions.

4. Each Party shall, with respect to substances in Table I and Table II, take the following measures :

(a) Establish and maintain a system to monitor international trade in substances in Table I and Table II in order to facilitate the identification of suspicious transactions. Such monitoring systems shall be applied in close co-operation with manufactures, Importers, exporters, wholesalers and retailers, who shall inform the competent authorities of suspicious orders and transactions.

(b) Provide for the seizure of any substance in Table I or Table II if there is sufficient evidence that it is for use in the illicit manufacture of a narcotic drug or psychotropic substance.

(c) Notify, as soon as possible, the competent authorities and services of the Parties concerned if there is reason to believe that the import, export or transit of a substance in Table I or Table II is destined for the illicit manufacture of narcotic drugs or psychotropic substances, including in particular information about the means of payment and any other essential elements which led to that belief.

(d) Require that imports and exports be properly labelled and documented commercial documents such as invoices, cargo manifests, customs, transport and other shipping documents shall include the names, as stated in Table I or Table II, of the substances being imported or

exported, the quantity being imported or exported, and the name and address of the exporter, the importer and, when available, the consignee.

(e) ensure that documents referred to in subparagraph (d) of this paragraph are maintained for a period of not less than two years and may be made available for inspection by the competent authorities.

5. (a) In addition to the provisions of paragraph 9, and upon request to the Secretary General by the interested Party, each Party from whose territory a substance in Table I is to be exported shall ensure that, prior to such export, the following information is supplied by its competent authorities to the competent authorities of the importing country :

(i) Name and address of the exporter and importer and, when available, the consignee;
(ii) Name of the substance in Table I;
(iii) Quantity of the substance to be exported;
(iv) Expected point of entry and expected date of dispatch;
(v) Any other information which is mutually agreed upon by the Parties.

(b) A Party may adopt more strict or severe measures of control than those provided by this paragraph if, in its opinion, such measures are desirable or necessary.

6. Where a Party furnishes information to another Party in accordance with paragraphs 9 and 10 of this article, the Party furnishing such information may require that the Party receiving it keep confidential any trade, business, commercial or professional secret or trade process.

7. Each Party shall furnish annually to the board, in the form and manner provided for by it and on forms made available by it, information on :

(a) The amounts seized of substances in Table I and Table II and, when known, their origin ;

(b) Any substance not included in Table I or Table II which is identified as having been used in illicit manufacture of narcotic drugs or psychotropic substances, and which is deemed by the Party to be sufficiently significant to be brought to the attention of the board ;

(c) Methods of diversion and illicit manufacture.

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8. The board shall report annually to the Commission on the implementation of this article and the Commission shall periodically review the adequacy and propriety of Table I and Table II.

9. The provisions of this article shall not apply to pharmaceutical preparations, nor to other preparations containing substances in Table I or Table II that are compounded in such a way that such substances cannot be easily used or recovered by readily applicable means.

ARTICLE 13.—MATERIALS AND EQUIPMENT

The Parties shall take such measures as they deem appropriate to prevent trade in and the diversion of materials and equipment for illicit production or manufacture of narcotic drugs and psychotropic substances and shall co-operate to this end.

ARTICLE 16.—COMMERCIAL DOCUMENTS AND LABELLING OF EXPORTS

1. Each Party shall require that lawful exports of narcotic drugs and psychotropic substances be properly documented. In addition to the requirements for documentation under article 31 of the 1961 Convention, article 31 of the 1961 convention as amended and article 12 of the 1971 convention, commercial documents such as invoices, cargo manifests, customs, transport and other shipping documents shall include the names of the narcotic drugs and psychotropic substances being exported as set out in the respective Schedules of the 1961 Convention, the 1961 Convention as amended and the 1971 Convention, the quantity being exported, and the name and address of the exporter, the importer and, when available, the consignee.

2. Each Party shall require that consignments of narcotic drugs and psychotropic substances being exported be not mislabelled.

ARTICLE 18.—FREE TRADE ZONES AND FREE PORTS

ARTICLE 19.—THE USE OF THE MAILS

1. In conformity with their obligations under the conventions of the Universal Postal Union, and in accordance with the basic principles of their domestic legal systems, the Parties shall adopt measures to suppress the use of the mails for illicit traffic and shall co-operate with one another to that end.

2. The measures referred to in paragraph I of this article shall include, in particular.

3. Co-ordinated action for the prevention and repression of the use of the mails for illicit traffic :

(a) Introduction and maintenance by authorized law enforcement personnel of investigative and control techniques designed to detect illicit consignments of narcotic drugs, psychotropic substances and substances in Table I and Table II in the mails ;

(b) Legislative measures to enable the use of appropriate means to secure evidence required for judicial proceedings.

ARTICLE 20.—INFORMATION TO BE FURNISHED BY THE PARTIES

1. The Parties shall furnish, through the Secretary General, information to the Commission on the working of the Convention in their territories and, in particular :

(a) The text of laws and regulations promulgated in order to give effect to the Convention ;

(b) Particulars of cases of illicit traffic within their jurisdiction which they consider important because of new trends disclosed, the quantities involved, the sources from which the substances are obtained, or the methods employed by persons so engaged.

2. The Parties shall furnish such information in such a manner and by such dates as the Commission may request.

Annexure-VII

NCD POLICY LETTERS ON IMPORT AND EXPORT OF DRUGS COVERED UNDER THE CONTROL OF NARCOTICS SUBSTANCES ACT, 1997

1. (a) The matter has been considered and Narcotics Control Division agree to authorise Director General (Health) M/o Health to issue import and export licences for narcotics drugs and psychotropic substances in finished form in suitable cases.

(b) It is requested that provision of Single Convention on Narcotics Drugs 1961 as amended by the 1972 protocol amending the Single Convention on

Narcotics Drugs 1961 and Convention on Psychotropic substances 1971 may kindly be kept in view while granting import and export licences. Copies of the import and export licences may also be endorsed to Narcotics Control Division/Director General Anti Narcotics Force.

2. Narcotics Control Division agree to authorise Director General (Health), Ministry of Health to issue import and export licences for Narcotic Drugs and Psychotropic Substances in finished as well as in raw material form.

Annexure-VIII

IMPORT POLICY ORDER 1999
(Notification No. S.R.O. 895(I)/99, dated 3rd August, 1999)

CHAPTER 3

CONDITIONS FOR CERTAIN IMPORTS

Health and Safety Requirements

S. No.	H.S. No.	Commodity description	Conditions
(1)	(2)	(3)	(4)
1.	2903.1900	3,4-Methylenedi-oxyphenyl.	Importable by the concerned industrial consumers in accordance with their requirements as determined by the CBR in consultation with the narcotics Division. However, in case of import of these chemicals by licensed Pharmaceutical manufactures recommendation from Ministry of Health shall be required.
2.	2914.1100	Acetone and 1-2 Propanone	-do-
3.	2914.1990	I-Pgenyl 1-2 pro-panone.	-do-
4.	2915-2400	Acetic Anhydride	-do-
5.	2915.9000	Acetyl Chloride	-do-
6.	2915.3900	Ethylidene Diacetate	-do-
7.	2922-4900	N-acetylanthranilic Acid	-do-
8.	2932.9100 2932.9300 2932.9400	Isosafrole. Piperonal Safrole	Importable by the concerned industrial consumers in accordance with their requirements as determined by the CBR in consultation with the Narcotics and Health Divisions.
9.	2939.4100 2939.4200	Ephedrine Pseudoephedrine	Importable by only these pharmaceutical units having valid drugs Manufacturing Licence on the recommendation of Ministry of health.

(1)	(2)	(3)	(4)
10	2939.1600 2939.6200 2939.6300	Ergometrine Ergotamine lysergic Acide	Importable by only these pharmaceuticalunits having volid drug Manufacturing Licence on the recommendation of Ministry of health.
11.	2905.0000 2921.0000 2922.0000 2924.0000 2925.0000 2926.0000 2932.0000 2933.0000 2934.0000 2939.0000	All narcotic drugs and psychotropic substances, except items mentioned in the Nagative List against subheading Nos. 2925.1110 and 2939.3030	Importable by only those pharmaceutical units which have valid drugs manufacturing license and are recommended by the Ministry of Health

CHAPTER 4

NEGATIVE LIST

The import of following items including those specified in the table below unless specifically authorized, shall not be permissible :-

Heading No	Description
(1)	(2)
1211.9010	Cannabis herbs and coca leaves.
1301.9000	Cannabis resin and cannabis balsams.
1302.1100	Opium
1302.1920	Concentrate of poppy straw; extracts and tinctures of cannabis
2925.1110	Paraphene-tole carbamide and 5-Nitro-2nd proxy-aniline in both tablet and powder or crystalline forms.
2939.3010	Caffeine citrate

Annexure -IX

Official Seal of the Issuing Authority
Export Authorisation No.
F. No.

GOVERNMENT OF PAKISTAN

Authorisation for Official Approval of Export
(The Narcotics Drugs and Psychotropic substances Rules)

Exporter
Consignee
Port of Export Port of Entry

X Narcotics drugs or Psychotropic Substances to be exported

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Item No	Number of Packages	Name of the drug/substances/ preparation	Basic drug/substances/ content

The exportation to be made in one consignment from the designated port of export on or before the

Day of (month)

The importation of these drugs into the country of destination has been authorised by official import certificate No. Dated

Issued by (Authority of the importing country).

Date of Issue

Place of Issue

(Designation of the Issuing Authority)

1. This document is for.....(The Authority to..... ..... (the consignor for accompanying the consignment) whom and the purpose for which it is being sent to be indicated.

2. This authorisation is not valid unless it bears the official seal of the Issuing authority on the top right hand ~~comer~~. Corner

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[SPEED POST]

1. With reference to their letter No. dated

This Authorisation is subject to your fulfilling all the requirements under rules framed by the State Government under Drugs and Cosmetic Act, 1940 and Narcotic Gurges Drugs and Psychotropic substances Act, 1985. The number and date of foreign import certificate and our export authorisation may be mentioned in the shipping bills/ invoice etc. The following particulars may also be intimated to this office immediately :-

(a) Payment of consignment-amount with proof of payment.

(b) From whom the payment was received or sent to-if any intermediary involved, the detailed particulars and role of such intermediary.

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Annexure-A

(Narcotics Control Division)

S.R.O. 808 (I)/2001

ERRATA

To Control of Narcotic Substances (Regulation of Drugs of Abuse, Controlled Chemicals, Equipment and Materials) Rules 2001.

S. No.	Page	Line	Amendments.
1.	2741	13	*For* figure " 4 " *read* figure " 5 "
2.	2743	31	*For* " uoner " *read* " under "
3.	2744	26	*For* " Tansit " *read* " Transit "
4.	2744	27	*For* " Tansit " *read* " Transit "
5.	2744	29	*For* " Rules " *read* Rule "
6.	2745	5	*For* " Tansit " *read* " Transit "
7.	2746	27	*For* " Rules " *read* " Rule "
8.	2748	2	*For* " Tansit " *read* " Transit "
9.	2748	11	*For* " Tansit " *read* " Transit "
10.	2749	1	*For* " Tansit " *read* " Transit "
11.	2758	21	*For* " Rental " *read* " Dental "
12.	2770	20	*For* " Inspectors " *read* " Inspector "
13.	2770	31	*For* " Operations " *read* " Operators "
14.	2771	2	*For* " National " *read* " International "
15.	2771	3	*For* " Interpel " *read* " Interpol "
16.	2779	14	*For* " ot " *read* " to "
17.	2780	18	*For* " to *read* " the "
18.	2780	26	*For* " Litters " *read* " Litres "
19.	2795	36	*For* " of " *read* " oR "
20.	2796	14	")" Bracket be closed after Word " Consignment "
21.	2796	17	*For* " Comer " *read* " Corner "
22.	2796	20	*For* " Gurges " *read* " Drugs "
23.	2797	10	*For* " Chakdala " *read* " Chakala "
24.	2797	16	*For* " abai " *read* " Anti "
25.	2797	16	*For* " the Competant Authorities " *read* " Ministers "
26.	2797	24	*For* " Frowarded " *read* " Forwarded "
27.	2797	25	*For* " Center " *read* " Centre "

Item No	Number of Packages	Name of the drug/substances/ preparation	Basic drug/substances/ content

The exportation to be made in one consignment from the designated port of export on or before the

Day of (month)

The importation of these drugs into the country of destination has been authorised by official import certificate No. Dated

Issued by (Authority of the importing country).

Date of Issue

Place of Issue

(Designation of the Issuing Authority)

1. This document is for.....(The Authority to..... ..... (the consignor for accompanying the consignment) whom and the purpose for which it is being sent to be indicated.

2. This authorisation is not valid unless it bears the official seal of the Issuing authority on the top right hand comer. Corner

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[SPEED POST]

1. With reference to their letter No. dated

This Authorisation is subject to your fulfilling all the requirements under rules framed by the State Government under Drugs and Cosmetic Act, 1940 and Narcotic Gurges Drugs and Psychotropic substances Act, 1985. The number and date of foreign import certificate and our export authorisation may be mentioned in the shipping bills/ invoice etc. The following particulars may also be intimated to this office immediately :-

(a) Payment of consignment-amount with proof of payment.

(b) From whom the payment was received or sent to-if any intermediary involved, the detailed particulars and role of such intermediary.

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(c) Commission if any paid to any agency-amount with particulars and proof.

(d) Route of shipment-including the name of the port/airport of transhipment.

(e) Date and Places of departure and arrival.

(f) Actual quantity exported and reasons for short/excess shipment, if any.

[SPEED POST]

2. Duplicate and Spare Copies of the export authorisation forwarded to:

The Commissioner of Customs, Customs House, Sahar Air Cargo Complex, Chakala Andheri (east), Mumbai-400099

Attention is invited to the provisions of the Narcotics Drugs and Psychtropic substances Rules, 1985. He is requested to please return duplicate copy thereof of the substance exported from India in order to enable us to fulfill the International obligation in time.

[AIR MAIL]

3. Triplicate copy of the export authorisation forwarded to :

Director-General, Anti Narcotics Force, Old Prime ~~The Competent Authority's~~ Ministers Secretariat, Park Road, Rawalpindi, Pakistan.

It is requested that he may kindly return this copy of export authorisation to this office duly endorsed in accordance with the provisions of Article 31 of the Single Convention on Narcotic Drugs. 1961 specifying the quantity actual imported.

4. Quadruplicate copy of the export authorisation forwarded to: The Commissioner of Prohibition and Excise, Gujrat State, District Bharuch.

[AIR MAIL]

5. Quintuplicate copy of the export authorisation frowarded to the secretary, International Narcotics Control board, Vienna International Canter, Vienna, Austria.

[No. 11-6/95-Policy]

(Muhammad Ashraf Cheema)
Deputy Secretary

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FROZEN OR FORFEITED DRUG ASSETS (ADMINISTRATION, MANAGEMENT, MAINTENANCE AND DISPOSAL) RULES 2001

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S.R.O. 809(I)/2001.— In exercise of the powers conferred by section 77 of the Control of Narcotic Substances Act, 1997 (XXV of 1997), the Federal Government is pleased to make the following rules, namely:—

CHAPTER-1.—PRELIMENARY

1. **Short title and commencement.**—(1) These rules may be called the Frozen or Forfeited Drug Assets (Administration, Management, Maintenance And Disposal) Rules, 2001.

(2) They shall come into force at once.

2. **Definitions.** — (1) In these rules unless there is any thing repugnant in the subject or context:—

(a) "Act" means the Control of Narcotic Substances Act,1997(XXV of 1997);

(b) "Administrator" means any officer appointed by the Federal Government under sub-section (1) of section 44 of the Act;

(c) "Form" means form annexed to these rules;

(d) "Fund" means the national fund for Control of Drug Abuse constituted under sub-section (1) of section 54 of the Act; and

(e) "godown" means a godown for storage of assets frozen or forfeited to the Federal Government under the Act and received by the Administrator for management, maintenance and disposal.

(2) The words and expressions used but not defined herein shall have the same meaning as assigned to them in the Act.

CHAPTER-II.—ASSISTANCE TO THE ADMINISTRATORS

3. **Assistance to the Administrators.**—The Federal Government may from time to time, provide such members of staff and other persons as it thinks fit to assist the Administrator in exercise of his powers and performance of duties under these rules.

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CHAPTER-III.—DESIGNATION OF GODOWNS, RECEIPT AND MANAGEMENT OF PROPERTY

4. **Designation of godowns.**—(1) Subject to the approval of the Federal Government , the Administrator shall designate as many godowns as may be necessary for the storage of assets frozen or forfeited to the Federal Government under the Act and received by him for management, maintenance and disposal.

(2) The Director-General or the Administrator shall select godowns, referred to in sub-rule (1), as per Government rules, keeping in view the security of the permises, storage capacity, nature of assets and other relevant factors.

(3) Each designated godown shall have a godown keeper and a godown-in-charge to assists the Administrator.

5. **Proper accounting of properties.**— The Administrator shall, at the time of receiving the assets, insure proper identification of such assets with reference to its particulars mentioned in the freezing order or as the case may be, the forfeiture order made under the Act.

6. **Godown register.**— The Administrator shall cause to be maintained register in Form I for recording entries in respect of assets, other than the assets, referred to in rule 7.

7. **Godown register for valuables.**—The Administrator shall cause to be maintained a register in Form II for recording entries in respect of asset, namely gold and gold jewellery, diamonds (including rough and uncut diamonds), precious and semi-precious stones other than diamonds and wrist watches (hereinafter called 'valuables').

8. **Storage of Assets.**—(1) The Administrator shall ensure that the packages containing valuables are kept in the godown in an iron safe and vault, under double lock system and one key shall remain with the godown keeper and the other to be retained by the godown-Incharge.

(2) Valuables as mentioned in rule-7 shall preferably be kept in the State Bank of Pakistan or any nationalized bank. Their deposit or withdrawal should be allowed on a joint signatures of two officers of gazetted rank.

(3) The packages referred to in sub-rules (1) and (2) and Shall be stored systematically, inquiry-wise/case-wise, serial-wise, year-wise and with proper identification marks to facilitate re-checking and inspection.

9. **Management of landed, building, property, hotels, business concerns, factories and industrial units etc.**— The Administrator may authorise any member of staff and/ or other persons, provided to him by the Federal Government under rule 3, to take possession of vacant landed or building, property or hotels or business concern or factories or industrial unit, in respect of which:—

(a) an order or order of freezing of such landed or building or property or hotel or business concerns or factories or industrial unit have been made under the Act; and

(b) an order or order for forfeiture of such landed or buildings or property or hotel or business concern or factories or industrial unit have been made under the Act.

10. **Occupation of landed or building or property or assets like hotel, business concern, factories and industrial unites.**— (1) Where any property or business in the nature of land or building or hotel or business concern or factories or industrial unit etc. is in possession of a lessee or a tenant or any management and against such property or assets a freezing order under the Act has been made, the Administrator may, with the approval of the Federal Government, allow the lessee or tenant management of assets to continue to be in occupation of such land or building or property or assets like hotel, business concern, factory, industrial unit etc. in accordance with such terms and condition which existed on the date of passing a freezing order or orders under the Act.

(2) The income derived from such property or assets shall be kept in the National Banks of Pakistan as in the case of government money.

(3) Where any property or asset is declared not liable to be forfeited under the Act, the Administrator shall, within the time fixed by the court or in the absence of such fixation of time within reasonable time, return to the person such property or asset and the income derived therefrom after deducting such expenses, if any, which were incurred under his administrative control on the maintenance and management of the property or asset.

11. **Record of landed or building or property or assets like hotel, business concern, factory, industrial unit etc.**— The Administrator shall maintain a record of landed or building property or assets like hotel, business concern, factory, industrial unit etc in From III.

12. **Storage of assets other than valuables.**—(1) Moveable assets other than valuables shall be stored in almirahs and racks.

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(2) Each almirah and rack shall have a stockcard indicating the case number and full description of the assets stored therein.

13. **Placement of stock-cards.**— The godown in charge shall ensure that the racks or almirahs or any other thing used for storage of assets, display stock card indicating the inquiry number or Case number. and full description of the assets stored.

14. **Opening and re-sealing of the packages.**—(1) Where any package is to be opened for any reason, the same shall be opened in the presence of the owner and the concerned godown-in-charge after obtaining the order of the Director-General or Administrator.

(2) The packages shall be re-sealed immediately after the purpose, for which such packages were opened, is served in the presence of the owner and the concerned godown-in-charge

(3) At the time of re-sealing, the owner and the concerned godown-in-charge, shall affix their seals.

15. **Maintenance of frozen, forfeited or confiscated conveyances.**— Conveyance such as aircrafts, vessels, motor vehicles and any other mode of conveyance shall be properly kept in godown.

CHAPTER-IV.—DISPOSAL OF ASSETS

16. **Disposal of livestocks, perishables, etc.**— Subject to the sale proceeds being credited to the Fund, save when the Director-General otherwise directs, the committee, to be nominated by Director-General in consultation with the Administrator, shall dispose of the livestock and assets which is perishable in nature or prone to decay in the manner as deemed fit.

17. **Disposal of valuables.**— Subject to the sale proceeds being credited to the Fund and subject to the approval to the Director-General, the committee, to be nominated by Director-General in consultation with the Administrator, shall dispose of the valuables mentioned below in the following manner, namely:—

(a) the valuables, such as gold, gold jewellery, silver and silver jewellery, shall be deposited in the Fund;

(b) (i) rough and uncut diamonds shall be sold either by auction or tender to the import licence holders against debit of their licences; and

(ii) cut and polished diamonds shall be sold by auction or tender with the specific condition that such diamonds shall be exported;

(c) (i) rough and uncut precious and semi-precious stones other than diamonds shall be sold by auction or tender to holder of import licences against debit of their licences, in the internal market: and

(ii) cut and polished precious and semi-precious stones, other than diamonds shall be sold internally, by auction or by tender.

18. **Disposal of currency.**— Pakistan and Foreign currency shall be deposit in State Bank of Pakistan or in any nationalizes bank in a PLS account.

19. **Disposal of other assets.**— Assets other than those referred to yhin rules 16 to 18 shall be disposed of by public auction.

20. **Disposal of landed or building property or assets like hotel, business concern factories, industrial unit etc.**— Subject to the relevant provisions of any law relating to the acquisition or disposal of immovable property and also subject to the sale proceeds being credited to the Fund under section 54 of the Act, the landed or building property or assets like hotel, business concern, factories, industrial unit shall be disposed of by public auction by the committee to be nominated by the Director-General in consultation with the Administrator.

21. **Disposal of conveyances.**— Conveyances, such as aircrafts, vessels, vehicles and other mode of conveyance, shall be sold by public auction or by tender, by a Committee to be nominated by Director-General in consultation with the Administrator.

22. **Disposal of frozen bank deposits.**— In case of frozen bank deposits, the full amount is to be credited in Fund.

23. **Furnishing reports and returns.**— The Administrator shall furnish a quarterly statement to the Director-General for submission to the federal Government indicating the value of the assets received and disposed of and the closing balance of all assets kept in the godowns and banks.

CHAPTER-V.—PERIODICAL RECORD AND INSPECTIONS

24. **Periodical reports.**— The godown in-charge shall submit, every month, a report to the Administrator of the assets received or disposed of during that period.

25. **Periodical Inspection.**— The Director-General and Administrator with a view to ensuring safety, security, proper accounting and management of all assets in the godowns, may conduct physical inspection and verification with the help of such officers and experts as he thinks fit on six monthly basis.

26. **Record of receipt and disposal.**— The administrator shall maintain a record of receipt and disposal of all assets received and disposed of under the rules and shall also maintain an account of all income received and expenditure incurred on receipt, management and disposal of such assets.

CHAPTER-VI— SHARING WITH FOREIGN STATE

27. **Sharing forfeited property with foreign State.**— (1) In pursuance to an agreement signed between the competent authorities of a foreign State and Government of Pakistan as provided in section 65 of the Act, the Director-General, after obtaining approval of Ministry of Foreign Affairs, Ministry of Finance and the Secretary Narcotics Control Division, shall be the competent authority on behalf of the Federal Government of Pakistan to sign this agreement in order to regulate the reciprocal sharing of the following proceeds of disposition, namely:—

(i) property forfeited by the Federal Government of Pakistan in accordance with the provisions of the Act and the Proceeds arising from disposition of property by the foreign State; and

(ii) amount paid or recovered on account of fines imposed in accordance with the provisions of the Act, in relation to proceedings commenced at the instance of the Government of Pakistan and amounts paid or recovered on account of fines imposed in lieu of forfeiture under the laws of that foreign State, where law enforcement agencies of that foreign State, or of Pakistan, as the case may be, have participated in the investigation of the offence or offences that led to the forfeiture of the property of the imposition of the fine.

28. **Contribution of each State.**— The Director-General shall determine a percentage representing the contribution of the Government of Pakistan, with prior approval of Ministry of Foreign Affairs and Ministry of Finance, to be determined as per bilateral agreement between the ~~tow~~ Two countries.

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29. **Determination of amount available for sharing.**–(1) The amount that is available for sharing shall include :–

(a) amount of net proceeds of a person's property that has been forfeited in connection with one or more offences committed by such persons ; and

(b) the amount of any fine ordered by the court to be paid by the person in connection with the offence or offences committed by such persons.

(2) The following amounts may be subtracted from the above amount before sharing with foreign government or agencies, subject to the approval of law and Finance Divisions, namely :

(a) defraying expenses properly incurred in the prosecution and other processes and issues connected thereto; and

(b) payments to any person on account of compensation or rewards by Director-General.

CHAPTER-VII.–FUNCTIONS AND POWERS OF DIRECTOR-GENERAL

30. **Functions of the Director-General.**–The Director-General shall perform the following functions, namely :–

(a) provide consultative and other services to law enforcement agencies in relation to the seizure or forfeiture of any property under the Act.

(b) subject to the Code of Criminal Procedure, 1898 (Act V of 1898). the Act and any other law for the time being in force, manage any property referred to in the rules in such manner as the Director-General considers appropriate, by advancing money to :–

(i) maintain the ongoing operation of the property; and

(ii) satisfy the terms of any order concerning environmental, industrial labour or property standards to which the property is subject.

(c) supervise the Fund and ensure that the funds are kept in a profit and loss account in the National Bank of Pakistan.

(d) supervise the work of committee headed by Administrator as constituted by him.

(e) on behalf of Federal Government, receive, from Foreign Governments, all money to be transferred to Pakistan pursuant to any agreement entered into under rule 27 and share the money in accordance with the rules.

(f) hire the services of any person after due sanction of Federal Government and

(g) do any other thing that the Federal Government may consider to be incidental to, or necessary or expedient for, carrying out the purposes of these rules.

FORM I

(See rule 6)

GODOWN REGISTER

1. Godown entry S. No.
2. Narcotics drugs and Psychotropic Substances Crime No.
3. Description of asset in the sealed packages/containers.
4. No. of packages/containers.
5. Quantity (package/containerwise).
6. Name(s) and address(es) of accused.
7. Name with official designation and address of freezing/seizing/depositing officer.
8. Facsimile of the seal put on the packages/containers by the freezing officer/ seizing officer/depositing officer.
9. Date and time of deposit.
10. Particulars of exit and re-entry for exhibiting to competent authority/court.

11. Date and time of removal for disposal.

12. Disposal particulars.

13. Certificate of disposal including price payment particulars and credit to the Fund.

14. Remarks of the Inspecting Officer(s).

FORM II

(See rule 7)

GODOWN REGISTER FOR VALUABLE

1. Godown entry S. No.

2. Narcotics Drugs and Psychotropic Substances Crime No.

3. Description of the valuables in packages/containers.

4. No. of packages/containers (item-wise).

5. Condition of seal at the time of entry.

6. Quantity (package/container-wise).

7. Name(s) and address(es) of accused.

8. Name with official designation and address of freezing/seizing/depositing officer.

9. Facsimile of the seal put on the packages/containers by the freezing/seizing/depositing officer.

10. Date and time of deposit.

11. Particulars not exit and re-entry for exhibiting to Competent Authority court.

12. Date and time of removal for disposal.

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13. Disposal particulars.

14. Certificate of disposal including price payment particulars and credit to the National Fund for control of Drugs Abuse.

15. Remarks of the Inspecting Officer(s).

FORM III

(See rule 11)

RECORD FOR LANDED AND BUILDING PROPERTY

S. No.	Crime No.	Particulars of the last owner(s)	Location	Description as per Municipal revenue or other relevant records	Area in case of Land)	Value	Monthly/ Annual income	Remarks
1	2	3	4	5	6	7	8	9

ASSET SHARING MODEL AGREEMENT

AGREEMENT BETWEEN

THE GOVERNMENT OF ————————

AND

THE GOVERNMENT OF THE ————————[1]

REGARDING THE SHARING OF FORFEITED OR CONFISCATED ASSETS AND EQUIVALENT FUNDS[2]

The Governments of ————and of————, hereinafter referred to as "the Parties",

Considering the commitment of the Parties to co-operate on the basis of the Treaty On Mutual Legal Assistance in Criminal Matters, which was signed on ——— and entered into force on————, as well as the United Nations Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances of December 20, 1988; [3]

Desiring to improve the effectiveness of law enforcement in both countries in the investigation, prosecution and suppression of crime and in the tracing, freezing, seizure and forfeiture or confiscation of assets related to crime ; and[4]

Desiring also to create a framework for sharing the proceeds of disposition of such assets;[5]

---

[1]Full name of the relevant States.

[2]Somce States impose a pecuniary penalty order, rather than a confiscation or forfeiture order. Some may impose a fine in lieu of confiscation/forfeiture where the assets are dissipated or relocated to a locale where confiscation/forfeiture is difficult or impossible. If a fine is imposed a mandatory term of incarceration could be imposed to compel the offender to pay the fine. In any event sharing of the confiscated/forfeited asset or the fine is the goal of the agreement.

[3]This preamble captures 1988 Drug Convention's specific recognition of the sharing concept (*see* Article 5, subparagraph (b) (ii) and any possible mutual legal assistance in criminal matters. The parties could also elect to add references to Recommendations 38 & 39 of the FATE's Forty Recommendations.

[4]This catptures the essence of asset sharing. It recognised co-operation as a general goal rather than a specific case driven activity.

[5]This recognises the need to have a framework general agreement, rather than a case specific agreement. A general agreement is preferred since specific cases can be addressed through the channels of communication set out in paragraph 5.

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Have agreed as follows :

1. Where one party (the Assisting Party) has participated in investigations or proceedings resulting in a confiscation or a forfeiture or the payment of funds equivalent to a forfeiture in the jurisdiction of the other Party (the Assisted Party), the Assisted Party may, consistent with its domestic laws, share with the Assisting Party the net proceeds realised.[1]

2. For the purposes of this Agreement, "forfeiture or the payment of funds equivalent to a forfeiture" shall mean, for————an order of forfeiture of assets related to crime or the payment of funds equivalent to a forfeiture, either of which order is made on behalf of——— and for————, "confiscation" **[or an analogous term in either State that requires a definition or a reference to specific provision in law] shall mean** ————[2]

3. Amount to be shared and the proportion of such amounts to be received by the Assisting Party shall be determined in accordance with the laws of the Assisted Party.[3]

4. Sharing pursuant to this Agreement shall be between the Government of ——— and the Government of ———. The Assisted Party shall not place any conditions is respect of the use of amounts paid nor shall it make any payments conditional on the Assisting Party sharing them with any state, government, organisation or individual.[4]

5. The Assisting Party may bring any co-operation that led, or is expected to lead, to a confiscation, forfeiture or the payment of funds equivalent to a forfeiture to the attention of the Assisted Party.

6. Shares payable pursuant to Article 1 shall be paid in the currency of the Assisted Party. In cases where Canada is the Assisting Party, payments shall be made to the——— and sent to the ————. In cases where ——— is the Assisting Party, payments shall be made as designated by————.[5]

7. The channels of communication for all matters concerning the implementation of this Agreement shall be, for ———, the————and, for———, the————.[6]

---

[1]The State where the targeted assets are located applies its domestic laws to determine the amount available for sharing. This means that it protects innocent third parties, deducts its own costs (if any) to manage the asset and determines the net proceeds. Therefore the specific asset (e.g. a car, boat, plane or real property), other than cash, is assumed to have been sold and the proceeds of sale accumulated with any forfeited currency in order to arrive at a "net proceeds" amount that is available for sharing.

[2]Each country may define confiscation/forfeiture and fines in a different manner. They can each set out their differences in this paragraph.

[3]The country that has the "net proceeds" is responsible for determining how much it intends to share with the other country that assisted in the case that led to the forfeiture/confiscation of fine in lieu of forfeiture. This agreement covers a share of accumulated currency, rather than specific assets.

[4]Sharing is conducted at the State to State level. The country that sends the shared money is presumed to have shared with any other relevant State. It shares with another State, that is a party to this bilateral agreement, unconditionally. The recipient can determine, at its sole discretion, how it will use the shared money.

[5]This Paragraph allows both States to specify how the sharing cheque is endorsed and where the cheque is to be sent.

[6]This paragraph provides for effective channel of communication.

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8. This Agreement shall enter into force upon signature.

9. Either Party may terminate this Agreement, at any time, by giving written notice to the other Party. Termination shall become effective six months after receipt of the notice.

Done at....., ... day of....., One Thousand Nine Hundred and Ninety....., in the English and..... languages, each text being equally authentic.

For the Government of_____ For the Government of_____

[No. F. 11-6/95-Policy]

Sd/-
MUHAMMAD ASHRAF CHEEMA,
Deputy Secretary,
Government of Pakistan
Narcotics Control Division
Islamabad.

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THE CONTROL OF NARCOTIC SUBSTANCES (Government Analyst) Rules 2001

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NOTIFICATION

S.R.O. 810 (I)/2001.—In exercise of the powers conferred by section 77 of the Control of Narcotic Substances Act, 1997 (XXV of 1997), read with sections 35 and 36 thereof, the Federal Government is pleased to make the following rules, namely :—

1. **Short title and commencement.**—(1) These rules may be called the Control of Narcotic Substances (Government Analysts) Rules, 2001.

(2) They shall come into force at once.

2. **Definitions.**—In these rules, unless there is anything repugnant in the subject or context :—

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(a) "Act" means the Control of Narcotic Substances Act, 1997 (XXV of 1997).

(b) "form" means a form set forth in the schedule;

(c) "Government analyst" means a Federal Government Analyst or a Provincial Government Analyst appointed under section 35 of the Act., and

(d) "section" means a section of the Act.

3. **Qualifications of government analyst.**—(1) A Government analyst shall be a person who has a degree in Pharmacy or Pharmaceutical Chemistry or Medicine from a recognized University or of any other institution recognized by the Federal Government for this purpose and has not less than three years post-graduate experience in the test and analysis of drugs.

4. **Despatch of samples for test or analysts.**–(1) Reasonable quantity of samples from the narcotic drugs, phychotropic substances or the controlled substances seized, shall be drawn on the spot of recovery and despatched to the officer in charge of nearest Federal Narcotic Testing Laboratory, depending upon the availability for test facilities, either by insured post or through special messenger duly authorized for the purpose.

(2) Samples may be despatched for analysis under the cover of a Test Memorandum specified in Form-1 at the earliest, but not later than seventy-two hours of the seizure. The envelope should be sealed and marked "Secret Drug Sample/Test Memorandum".

5. **Receipt in the laboratory and examination of sample with reference to Test Memorandum.**—(1) The sealed envelope, containing the samples, received in the laboratory should be carefully opened and given a distinct laboratory number.

(2) A separate register be maintained for narcotic drugs which may be further subdivided agency-wise and the laboratory numbers should form a continuous series for each year.

(3) All samples shall be passed to the analyst the same day, who will then keep the same in his safe custody and will examine and record its, or their, weight in the Test Memorandum. He will compare the markings on the Test Memorandums with the markings on the packages envelopes and will ensure that he test the relevant sample, and in no case, the analysis of a narcotic drug be delayed as the

courts may refuse to extend remand beyond fifteen days in the absence of a chemical report.

6. **Report of result of test or analysis.**—After test or analysis the result thereof together with full protocols of the test applied, shall be signed in quadruplicate and supplied forthwith to the sender as specified in Form-II.

7. **Prohibition of disclosure of information.**—Except for the purpose of official business or when required by a Court of Law, the Government analyst shall not disclose to any person any information acquired by him in the course of his official duties.

8. **Signature of certificates.**—All such certificates or reports issued under rule 6 above shall be signed by the government analyst or the officer incharge of the laboratory or by any other officer authorized by the Federal Government, by notification in the official Gazette, to sign such certificates.

FORM I

(See Rule 5)

MEMORANDUM FOR THE FEDERAL NARCOTICS TESTING LABORATORY

Serial No.....

From .....

To the officer incharge, Federal Narcotics Testing

Laboratory.....

I send herewith, under the provisions of section 35 of the CNS Act, 1997, sample (s) of a narcotic drug purporting to be..... for test or analysis and request that a report ~~for~~ of the result of the test or analysis may be supplied at the earliest.

The other details are as under :—

1. Description and drug and the weight of the samples(s).
2. Date and place of seizure.....
3. Date of drawal and despatch of sample.
4. No of samples and marking on each of them for identification.

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5. Description and number of seals put on sample.

Date———————

Name and Signature
of forwarding officer

FORM II

(See rule 6)

CERTIFICATIONS OF TEST OR ANALYSIS BY FEDERAL NARCOTIC TESTING LABORATORY GOVERNMENT ANALYST

1. Certified that the samples bearing on———————purporting to be sample of——————— received on——————— with memorandum No.——————— dated——————— from———————has been tested/analyzed and the result of each test/analysis is stated below :
2. The condition of the seal on the packet on receipt was as follows; Satisfactory/Unsatisfactory/None.
3. In the opinion of the undersigned the sample is ——————— as defined in the Section-2 of the CNS Act, 1997.
4. DETAILS OF THE RESULTS OF TESTS/ANALYSIS :

Sample No.———————
Gross Wt :——————— Net Wt :———————
F.I.R. No.——————— Dated:———————
Accused :———————
———————
Physical
Examination :———————
———————

CONCLUSION :———————

NOTE : In case of mixture the %age of each Alkaloids, Opium derivatives, Opiates, Cannabis, Drugs of abuse and the synthetic compounds are as follows :

The sample identified as ——— and contains % ———

Signature of Government Analyst
Federal Narcotics Testing Laboratory

Signature of any other authorised
officer of Laboratory

———————

(No. F. 11-6/95-Policy)

Sd/-
(Muhammad Ashraf Cheema)
Deputy Secretary.

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THE SPECIAL PROSECUTORS (TERMS AND CONDITIONS) RULES, 2001

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S.R.O. No. 811(I) 2001.—In exercise of the powers conferred by section 77 of the Control Narcotic Substances Act, 1997 (XXV of 1997), read with sections, 50 and 71 thereof, the Federal Government is pleased to make the following rules, namely :—

1. **Short title and commencement.**—(1) These Rules may be called the Special Prosecutors (Terms and Conditions) Rules, 2001.

2. They shall come into force at once.

2. **Definitions.**—In these rules, unless there is anything repugnant in the subject or context :—

(i) "Act" means the Control of Narcotic Substances Act, 1997 (XXV of 1997).

(ii) "law officer" means Law Officer of Anti Narcotics Force;

(iii) "regional director" means Regional Director of Anti Narcotics Force;

(iv) "special court" means a court established under section 46 of the Act; and

(v) "special prosecutor" means a prosecutor appointed under section 50 of the Act.

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3. **Qualifications of special prosecutor.**—(1) The Special Prosecutor shall be practising advocate of High Court with at least five years experience and shall neither have been guilty of misconduct during his professional career nor convicted of any offence nor dismissed from Government service nor declared as an insolvent and who—

(a) is a member of District Bar Association and High Court Bar Association; and

(b) is a citizen of Pakistan.

4. **Terms of appointment.**—(1) The Director-General Anti-Narcotics Force, may ~~approved~~ appoint Special Prosecutors, in consultation with the Law, Justice and Human Rights Division, on such retainership fee as mutually agreed upon and shall enter into an agreement to this effect with the respective Regional Director or Law Officer of Anti Narcotics Force, Headquarters, and conduct the proceedings before the special courts and the appellate courts.

(2) The Special Prosecutor shall not appear in a narcotic case before any court in defence of an accused.

(3) In case he commits any act or omission against the interest of Anti Narcotics Force or he intentionally does not pursue a case on proper lines, his appointment may be terminated with immediate effect by the Director-General.

(4) The Special Prosecutor, by writing under his hand, shall, with a notice of at least two months in advance, to the Regional-Director concerned, terminate the agreement otherwise he shall have to refund the already received fee.

(5) Where a special prosecutor is appointed in a particular case, he shall be paid fifty per cent of the fee, in advance and the remaining amount shall be paid on completion of the trial in the special court or any other court including the appellate court as mutually agreed.

(6) Where a special prosecutor has to attend a case outside the station of his employment, he shall be entitled to TA/DA in addition to his other emoluments as per entitlement of an officer of the National Pay Scale 20 or as agreed otherwise and shall—

(a) attend the Anti Narcotics Force cases regularly in the courts and intimate the progress of each case to the respective Regional Director or Law officer and be available to them at an appointed time and place for any discussion or advice; and

(b) advise the law officers in legal matters including drafting of appeals and preparation of parawise comments on appeals made by or against the Anti Narcotics Force.

[No. F. 11-6/95-Policy.]

Sd/-
MUHAMMAD ASHRAF CHEEMA,
Deputy Secretary.

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