



**ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟΝ**

**ΤΗΣ ΕΠΙΣΗΜΟΥ ΕΦΗΜΕΡΙΔΟΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ**

ὕπ' Ἀρ. 1047 τῆς 19ης ΟΚΤΩΒΡΙΟΥ 1973

**ΝΟΜΟΘΕΣΙΑ**

Ὁ περί τῆς Συμβάσεως ἐπὶ τῶν Ψυχοτρόπων Οὐσιῶν (Κυρωτικός) Νόμος τοῦ 1973 ἐκδίδεται διὰ δημοσιεύσεως εἰς τὴν ἐπίσημον ἐφημερίδα τῆς Κυπριακῆς Δημοκρατίας συμφώνως τῷ Ἀρθρῷ 52 τοῦ Συντάγματος.

Ἀριθμὸς 81 τοῦ 1973

**ΝΟΜΟΣ ΚΥΡΩΝ ΤΗΝ ΣΥΜΒΑΣΙΝ ΕΠΙ ΤΩΝ ΨΥΧΟΤΡΟΠΩΝ ΟΥΣΙΩΝ**

Ἡ Βουλὴ τῶν Ἀντιπροσώπων ψηφίζει ὡς ἀκολούθως :

1. Ὁ παρὼν Νόμος θὰ ἀναφέρηται ὡς ὁ περί τῆς Συμβάσεως ἐπὶ τῶν Ψυχοτρόπων Οὐσιῶν (Κυρωτικός) Νόμος τοῦ 1973. Συνοπτικὸς τίτλος.

2. Ἐν τῷ παρόντι Νόμῳ, ἐκτὸς ἐὰν ἐκ τοῦ κειμένου προκύπτῃ ἕρμηνεως διάφορος ἔννοια—

«Σύμβασις» σημαίνει τὴν Σύμβασιν ἐπὶ τῶν Ψυχοτρόπων Οὐσιῶν τῆς ὁποίας τὸ κείμενον ἐν τῷ Ἀγγλικῷ πρωτοτύπῳ ἐκτίθεται εἰς τὸ Πρῶτον Μέρος τοῦ Πίνακος καὶ ἐν μεταφράσει εἰς τὴν ἑλληνικὴν εἰς τὸ Δεύτερον Μέρος τοῦ Πίνακος. Πίναξ.

Νοεῖται ὅτι ἐν περιπτώσει ἀντιθέσεως μεταξὺ τῶν δύο κειμένων ὑπερισχύει τὸ εἰς τὸ Πρῶτον Μέρος τοῦ Πίνακος ἐκτιθέμενον κείμενον.

3. Ἡ Σύμβασις, εἰς τὴν ὁποίαν ἡ προσχώρησις τῆς Κυπριακῆς Δημοκρατίας ἀπεφασίσθη διὰ τῆς ὑπ' ἀριθμὸν 11.216 καὶ ἡμερομηνίαν 23 Μαρτίου 1972, Ἀποφάσεως τοῦ Ὑπουργικοῦ Συμβουλίου, διὰ τοῦ παρόντος Νόμου κυροῦται. Κύρωσις Συμβάσεως.

ΠΙΝΑΞ

("Αρθρον 2)

ΠΡΩΤΟΝ ΜΕΡΟΣ

## CONVENTION ON PSYCHOTROPIC SUBSTANCES

## PREAMBLE

The Parties,

Being concerned with the health and welfare of mankind,

Noting with concern the public health and social problems resulting from the abuse of certain psychotropic substances,

Determined to prevent and combat abuse of such substances and the illicit traffic to which it gives rise,

Considering that rigorous measures are necessary to restrict the use of such substances to legitimate purposes,

Recognizing that the use of psychotropic substances for medical and scientific purposes is indispensable and that their availability for such purposes should not be unduly restricted,

Believing that effective measures against abuse of such substances require co-ordination and universal action,

Acknowledging the competence of the United Nations in the field of control of psychotropic substances and desirous that the international organs concerned should be within the framework of that Organization,

Recognizing that an international convention is necessary to achieve these purposes,

Agree as follows :

## ARTICLE 1

## Use of terms

Except where otherwise expressly indicated, or where the context otherwise requires, the following terms in this Convention have the meanings given below :

- (a) " Council " means the Economic and Social Council of the United Nations.
- (b) " Commission " means the Commission on Narcotic Drugs of the Council.
- (c) " Board " means the International Narcotics Control Board provided for in the Single Convention on Narcotic Drugs, 1961.
- (d) " Secretary-General " means the Secretary-General of the United Nations.
- (e) " Psychotropic substance " means any substance, natural or synthetic, or any natural material in Schedule I, II, III or IV.
- (f) " Preparation " means :
  - (i) any solution or mixture, in whatever physical state, containing one or more psychotropic substances, or
  - (ii) one or more psychotropic substances in dosage form.
- (g) " Schedule I ", " Schedule II ", " Schedule III " and " Schedule IV " mean the correspondingly numbered lists of psychotropic substances annexed to this Convention as altered in accordance with article 2.
- (h) " Export " and " import " mean in their respective connotations the physical transfer of a Psychotropic substance from one State to another State.

- (i) "Manufacture" means all processes by which psychotropic substances may be obtained, and includes refining as well as the transformation of psychotropic substances into other psychotropic substances. The term also includes the making of preparations other than those made on prescription in pharmacies.
- (j) "Illicit traffic" means manufacture of or trafficking in psychotropic substances contrary to the provisions of this Convention.
- (k) "Region" means any part of a State which pursuant to article 28 is treated as a separate entity for the purposes of this Convention.
- (l) "Premises" means buildings or parts of buildings including the appertaining land.

## ARTICLE 2

### Scope of control of substances

1. If a Party or the World Health Organization has information relating to a substance not yet under international control which in its opinion may require the addition of that substance to any of the Schedules of this Convention, it shall notify the Secretary-General and furnish him with the information in support of that notification. The foregoing procedure shall also apply when a party or the World Health Organization has information justifying the transfer of a substance from one Schedule to another among those Schedules, or the deletion of a substance from the Schedules.

2. The Secretary-General shall transmit such notification, and any information which he considers relevant, to the Parties, to the Commission and, when the notification is made by a Party, to the World Health Organization.

3. If the information transmitted with such a notification indicates that the substance is suitable for inclusion in Schedule I or Schedule II pursuant to paragraph 4, the Parties shall examine, in the light of all information available to them, the possibility of the provisional application to the substance of all measures of control applicable to substances in Schedule I of Schedule II, as appropriate.

4. If the World Health Organization finds :

(a) that the substance has the capacity to produce—

- (i)—(1) a state of dependence, and
- (2) central nervous system stimulation or depression, resulting in hallucinations or disturbances in motor function of thinking or behaviour or perception or mood, or

(ii) similar abuse and similar ill effects as a substance in Schedule I, II, III or IV, and

(b) that there is sufficient evidence that the substance is being or is likely to be abused so as to constitute a public health and social problem warranting the placing of the substance under international control,

the World Health Organization shall communicate to the Commission an assessment of the substance, including the extent or likelihood of abuse, the degree of seriousness of the public health and social problem and the degree of usefulness of the substance in medical therapy, together with recommendations on control measures, if any, that would be appropriate in the light of its assessment.

5. The Commission taking into account the communication from the World Health Organization, whose assessments shall be determinative as to medical and scientific matters, and bearing in mind the economic, social, legal, administrative and other factors it may consider relevant, may add the substance to Schedule I, II, III or IV. The Commission may seek further information from the World Health Organization or from other appropriate sources.

6. If a notification under paragraph 1 relates to a substance already listed in one of the Schedules, the World Health Organization shall communicate to the Commission its new findings, any new assessment of the substance it may make in accordance with paragraph 4 and any new recommendations on control measures it may find appropriate in the light of that assessment. The Commission, taking into account the communication from the World Health Organization as under paragraph 5 and bearing in mind the factors referred to in that paragraph, may decide to transfer the substance from one Schedule to another or to delete it from the Schedules.

7. Any decision of the Commission taken pursuant to this article shall be communicated by the Secretary-General to all States Members of the United Nations, to non-member States Parties to this Convention to the World Health Organization and to the Board. Such decision shall become fully effective with respect to each Party 180 days after the date of such communication, except for any Party which, within that period, in respect of a decision adding a substance to a Schedule, has transmitted to the Secretary-General a written notice that, in view of exceptional circumstances, it is not in a position to give effect with respect to that substance to all of the provisions of the Convention applicable to substances in that Schedule. Such notice shall state the reasons for this exceptional action. Notwithstanding its notice, each Party shall apply, as a minimum, the control measures listed below :

(a) A Party having given such notice with respect to a previously uncontrolled substance added to Schedule I shall take into account, as far as possible, the special control measures enumerated in article 6 and, with respect to that substance, shall :

- (i) require licences for manufacture, trade and distribution as provided in article 8 for substances in Schedule II ;
- (ii) require medical prescriptions for supply or dispensing as provided in article 9 for substances in Schedule II ;
- (iii) comply with the obligations relating to export and import provided in article 12, except in respect to another Party having given such notice for the substance in question ;
- (iv) comply with the obligations provided in article 13 for substances in Schedule II in regard to prohibition of and restrictions on export and import ;
- (v) furnish statistical reports to the Board in accordance with paragraph 4 (a) of article 16 ; and
- (vi) adopt measures in accordance with article 22 for the repression of acts contrary to laws or regulations adopted pursuant to the foregoing obligations.

(b) A Party having given such notice with regard to a previously uncontrolled substance added to Schedule II shall, with respect to that substance :

- (i) require licences for manufacture, trade and distribution in accordance with article 8 ;
- (ii) require medical prescriptions for supply or dispensing in accordance with article 9 ;
- (iii) comply with the obligations relating to export and import provided in article 12, except in respect to another Party having given such notice for the substance in question ;
- (iv) comply with the obligations of article 13 in regard to prohibition of and restrictions on export and import ;
- (v) furnish statistical reports to the Board in accordance with paragraphs 4 (a), (c) and (d) of article 16 ; and
- (vi) adopt measures in accordance with article 22 for the repression of acts contrary to laws or regulations adopted pursuant to the foregoing obligations.

(c) A Party having given such notice with regard to a previously uncontrolled substance added to Schedule III shall, with respect to that substance :

- (i) require licences for manufacture, trade and distribution in accordance with article 8 ;
- (ii) require medical prescriptions for supply or dispensing in accordance with article 9 ;
- (iii) comply with the obligations relating to export provided in article 12, except in respect to another Party having given such notice for the substance in question ;
- (iv) comply with the obligations of article 13 in regard to prohibition of and restrictions on export and import ; and
- (v) adopt measures in accordance with article 22 for the repression of acts contrary to laws or regulations adopted pursuant to the foregoing obligations.

(d) A Party having given such notice with regard to a previously uncontrolled substance added to Schedule IV shall, with respect to that substance :

- (i) require licences for manufacture, trade and distribution in accordance with article 8 ;
- (ii) comply with obligations of article 13 in regard to prohibition of and restrictions on export and import ; and
- (iii) adopt measures in accordance with article 22 for the repression of acts contrary to laws or regulations adopted pursuant to the foregoing obligations.

(e) A Party having given such notice with regard to a substance transferred to a Schedule providing stricter controls and obligations shall apply as a minimum all of the provisions of this Convention applicable to the Schedule from which it was transferred.

8.—(a) The decisions of the Commission taken under this article shall be subject to review by the Council upon the request of any Party filed within 180 days from receipt of notification of the decision. The request for review shall be sent to the Secretary-General together with all relevant information upon which the request for review is based.

(b) The Secretary-General shall transmit copies of the request for review and the relevant information to the Commission, to the World Health Organization and to all the Parties, inviting them to submit comments within ninety days. All comments received shall be submitted to the Council for consideration.

(c) The Council may confirm, alter or reverse the decision of the Commission. Notification of the Council's decision shall be transmitted to all States Members of the United Nations, to non-member States Parties to this Convention, to the Commission, to the World Health Organization and to the Board.

(d) During pendency of the review, the original decision of the Commission shall, subject to paragraph 7, remain in effect.

9. The Parties shall use their best endeavours to apply to substances which do not fall under this Convention, but which may be used in the illicit manufacture of psychotropic substances, such measures of supervision as may be practicable.

### ARTICLE 3

#### Special provisions regarding the control of preparations

1. Except as provided in the following paragraphs of this article, a preparation is subject to the same measures of control as the psychotropic substance which it contains, and if it contains more than one such substance, to the measures applicable to the most strictly controlled of those substances.