LAWS AND REGULATIONS
PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF THE CONVENTION OF 13 JULY 1931 FOR LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS, AS AMENDED BY THE PROTOCOL OF 11 DECEMBER 1946

KUWAIT
Communicated by the Government of Kuwait

NOTE BY THE SECRETARY-GENERAL—In accordance with Article 21 of the Convention of 13 July 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, as amended by the Protocol of 11 December 1946, the Secretary-General has the honour to communicate the following legislative text.

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LAW ON THE CONTROL OF TRADE IN AND USE OF NARCOTIC DRUGS IN KUWAIT

AMIRI DECREES No. 26/60

Issued on 22 June 1960

We, Abdullah al-Salem al-Sabah, Ruler of Kuwait,

Further to the submission of the President of the Health Department,

Have enacted the following law:

Article 1

It shall be prohibited for any person to import, export, possess, buy, sell, deliver, or give any of the narcotic drugs specified in the attached schedule, nor may any person act as middleman in trading in the above-mentioned drugs, either by possessing, selling, purchasing, delivering or giving any of them, except under the conditions provided for by this Law and in accordance with the terms specified in it.

Article 2

Except by special permit from the Health Department, all persons shall be prohibited from importing any narcotic drug into, or exporting any from, Kuwait. This permit may be granted to those under the following categories:

1. Proprietors of pharmacies licensed to function in Kuwait.

2. Proprietors of chemical, industrial or scientific research laboratories licensed to function in Kuwait.

3. Agents and middlemen of drug factories licensed to function in Kuwait, provided they employ for such purpose a chemist licensed to practise his profession.

4. Government Departments and scientific institutions accredited in Kuwait.
5. Directors of non-Government hospitals and clinics licensed to function in Kuwait.

6. Doctors of medicine or dentists licensed to practise in Kuwait.

Article 3

A special register shall be kept at the Health Department in which the names of persons and organizations licensed to import and export narcotic drugs shall be registered, it shall include the following particulars:

a) The registration number.

b) Name, surname, age, nationality and address of licensee.

c) Place of work where the narcotic drugs are to be stored.

d) Specification of kinds and quantities of the narcotic drugs licensed for importation or exportation, date of permit, and any other necessary details.

Article 4

Permit holders under Article 2 wishing to import or export narcotic drugs shall submit an application to the Department of Health whenever they wish to do so, showing the kind and quantity of the drugs required and the reasons for their import or export. The Health Department may reject an application or reduce the quantities shown therein. Narcotic drugs reaching Kuwait Customs (Department) may not be delivered or exported to any destination except by official permit from the Health Department, showing the name of the person or destination, the Department's registration number, the quantities permitted for importation or exportation and the date of permit; such a permit shall be considered null and void if not made use of within sixty days of its date of issue.

Article 5

The provisions of the preceding article shall apply to postal packets containing narcotic drugs. These packets shall always be insured.

Article 6

As an exception to the provisions of Article 1, individuals may be in possession of narcotic drugs in the quantities prescribed by the doctors of medicine licensed to practise their profession in Kuwait, provided these are for their own personal use and purely for health reasons. Such drugs may not, however, be given to any other person for any reason whatsoever.

Article 7

A doctor licensed to practise medicine in Kuwait may not prescribe narcotic drugs for any patient except for proper medical purposes. He must also observe the special provisions concerning the possession of such drugs in private clinics, the manner in which they are dispensed to patients, and their entry in the special registers referred to under the Law on the Practice of the Professions of Medicine and Dentistry (No. 23/60).

Article 8

Without prejudice to the provisions of the Law on the Practice of Pharmacists and the Organisation of Pharmacies, (No. 25/60), pharmacists who possess and dispense narcotic drugs shall observe the following rules:
a) Narcotic drugs shall be stored in special containers labelled 'poison'. The drugs shall be kept in a special cabinet, securely locked, and the key shall be kept by the pharmacist personally responsible for the administration of the pharmacy.

b) A pharmacist may not dispense narcotic drugs to any person except against medical prescription which shall fulfil the following conditions:

(i) It shall be issued by a doctor licensed to practise medicine in Kuwait.

(ii) It shall be written legibly in ink with no scratches or erasures.

(iii) It shall contain the name of the patient, his surname, age and address.

(iv) It shall state in words and in figures the quantity of narcotics prescribed.

(v) It shall carry the full signature of the issuing doctor and the date on which it was issued.

(vi) It shall give the full name and address of the issuing doctor and his telephone number, if any.

Article 9

A narcotic drug may not be dispensed twice against the same prescription; a new prescription shall be issued.

Article 10

No medical prescription prescribing narcotic drugs for injection under the skin may be dispensed after the lapse of two days from the date of issue of the prescription. The day on which the prescription is issued shall not be counted within this period.

Article 11

The pharmacist shall write on the label of any medicine containing narcotic drugs the term 'Poisonous' in Arabic and in a foreign language; if the medicine is prepared for dental use the label shall read 'Poison - for dental use only'; if prepared for the treatment of animals the label shall read 'poison - for veterinary use only'.

Article 12

All narcotic drugs received and dispensed by a pharmacy shall be registered exactly in the order they come in a special book whose pages shall be numbered and stamped with the stamp of the Health Department. Registration of drugs received shall include date of receipt, kind, quantity, place of origin, and number and date of import permit issued by the Health Department. Registration of drugs dispensed shall include patient's name, age and address, name and address of the doctor who has issued the prescription, date, kind, and quantity of drug dispensed, and signature of the pharmacist. These books shall be kept in the pharmacy for a period of five years from the date of the last registration recorded therein.

Article 13

Medical prescriptions for narcotic drugs may not in any circumstances be returned to the bearer, but shall be kept in a special file at the pharmacy, stamped with the stamp of the pharmacy. The date of dispensing and the pharmacist's signature shall also appear on them.
Article 14

The narcotic drugs which may be imported or prescribed by dentists are:

- Adrenaline and cocaine ampoules (containing a maximum of 2% cocaine).
- Novocaine ampoules (containing a maximum of 5% novocaine).
- Pills containing up to one or two centigrammes of cocaine or five centigrammes of novocaine; or solutions of these drugs containing active substances provided that the proportion of cocaine in them does not exceed 2% and that of the novocaine does not exceed 5%.
- Morphine and novocaine powders.

Article 15

The import of medical opium in which the proportion of morphine is less than 10% shall be absolutely forbidden. Every imported consignment of medical opium shall be accompanied by a certificate from the manufacturing company or factory stating the proportion of morphine which the opium contains. Apart from the certificate, the Health Department shall have the right to make the necessary analyses of the imported drugs before they are released from Customs. Pharmacists may not use raw opium or medical opium powder in pharmaceutical preparations unless they contain exactly 10% morphine.

Article 16

Every person licensed to import, export and possess narcotic drugs in accordance with the provisions of this Law shall register the imported and issued amounts as they come in a special book. Registration shall be written legibly in ink, without erasures or scratches. The pages of this book shall be numbered and stamped with the stamp of the Health Department. Registration of drugs received shall include date of receipt, place of origin, kind, quantity, and number and date of import permit issued by the Health Department. Registration of drugs issued shall include date and destination or name of person to whom they have been issued, the address, and issued documents, together with all other necessary particulars.

These books shall be kept up to date and shall be presented to the Health Department on demand.

A registered letter shall be sent to the Health Department in the first week of each month, containing a list of narcotic drugs received and issued during the preceding month, and the amounts remaining in stock, in accordance with the forms prepared by the Department for this purpose.

Article 17

Without prejudice to any severer penalty laid down in the Criminal Law, any person who violates the provisions of this Law shall be liable to imprisonment for a period not exceeding three years and a fine not exceeding Rs. 3,000.

Article 18

The Presidents of the Departments concerned, each within his jurisdiction, shall implement this Law which shall come into effect from date of publication in the official Gazette. The President of the Health Department shall issue the necessary decision for its implementation.

Ruler of Kuwait

ABDULLAH AL-SALEM AL-SABAH

Issued on 4 Muharram 1380, corresponding to 28 June 1960.
LIST OF NARCOTICS ATTACHED TO LAW NO. 26
OF 1960

1. Opium, raw and medicinal opium and its preparations in which the percentage of
morphine is 0.2% or more.

2. Morphine and heroin and all their salts and derivatives.

3. Cocaine and its salts.

4. Egonine.

5. Cannabis indica and all preparations and derivatives under whatever name they may
be presented commercially.

6. Dilaudid / hydromorphone / and benzoylmorphine and generally all substances known
as morphine esters; all egonine derivatives from which it may be recovered industrially.

7. Acedicon / thebacon / (acetyldemethylodihydrothebaine) / acetyldihydrocodeinone /.

8. All the salts of the esters of: morphine, dihydroxycodeinone / oxycodone /, eucodal
/ oxycodone /, dihydrocodeinone / hydromorphone /, dicyclid / hydromorphone /, dihydromorphine,
dilaudid / hydromorphone / and all the preparations which contain any of these salts
and esters, except the solution of cardiazol dicitid.

Pentamethylenetetrazole dicitid which contains a minimum of 10% of cardiazol and
a maximum of 0.5% of the salt of dicitid.

9. Dihydromorphine, paramorphide / thebaine / and esters, salts and the salts of the
esters.

10. Salts of morphine esters.

11. The esters of eucodal / oxycodone /, dicyclid / hydromorphone /, dilaudid / hydromorphone /,
asparagine and the salts of the esters.

12. Morphine-N-oxide, genomorphine and derivatives. Also all the derivatives of morphine
compounds with contain pentavalent nitrogen.


14. ...

15. Esters and salts of morphine, except codeine and ethylmorphine.

16. All the salts of acetyldemethylodihydrothebaine / thebacon / and all the preparations of
their substances whatever the percentage of acetyldemethylodihydrothebaine.

17. All sterile solutions with morphine which contain a maximum of 2% of morphine or eucodal
salt and 0.05% at least of atropin salt. (These should be available as ampouls).

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1/ Note by the Secretariat: Proposed or recommended international non-proprietary
names of drugs are underlined. The words in square brackets have been inserted
by the Secretariat.