

UNITED NATIONS

NATIONS UNIES

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LAWS AND REGULATIONS

COMMUNICATED IN COMPLIANCE WITH THE TERMS OF THE

CONVENTION FOR LIMITING THE MANUFACTURE
AND REGULATING THE DISTRIBUTION
OF NARCOTIC DRUGS OF 13 JULY 1931

AS AMENDED BY THE PROTOCOL OF 11 DECEMBER 1946



CUBA

COMMUNICATED BY THE GOVERNMENT OF

CUBA

1948

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15 October 1948

Note by the Secretary-General

In accordance with Article 21 of the Convention of 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 forward to the Members of the United Nations and to the other parties to the Convention the following law communicated by the Government of Cuba.

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REPUBLIC OF CUBA
MINISTRY OF HEALTH AND SOCIAL WELFARE

Department of Narcotic Drugs Control

TEXT OF THE CODE OF SOCIAL DEFENCE CONCERNING PENALTIES FOR THE
POSSESSION OR IMPROPER USE OF NARCOTIC DRUGS

461 - (C) If any person not being a holder of the appropriate licence or authorization prepares substances injurious to health, or consigns, sells, deals or trades in such substances without complying with the legal requirements, he shall be punished by imprisonment for a term of not less than six months and one day nor more than two years and a fine of not less than 100 (US \$50) nor more than 200 cuotas* (US \$100).

(D) In the case of toxic or narcotic drugs the penalty shall be imprisonment for a term of not less than one nor more than four years and a fine of not less than 100 (US \$50) nor more than 300 cuotas (US \$150).

(E) The mere possession of toxic or narcotic drugs without legal authorization or the prescription of a medical practitioner shall be punished, if the offender is not an addict, by imprisonment for a term of not less than six months and one day nor more than two years and a fine of not less than 100 (US \$50) nor more than 200 cuotas (US \$100).

462 - (A) If any person being engaged in the relevant profession and authorized to prescribe or make available toxic or narcotic drugs, prescribes such drugs or makes them available for purposes other than therapeutic purposes, he shall be punished by suspension (*suspensión*) for not less than six months and one day nor more than two years and a fine of not less than 60 (US \$30) nor more than 200 cuotas (US \$100), and in case of a repetition of the offence, by special interdiction (*interdicción especial*) for not less than two nor more than six years and a fine of not less than 100 (US \$50) nor more than 250 cuotas (US \$125).

(B) If a Customs official or employee permits the importation of the said products without complying with the formalities laid down by the laws, ordinances and regulations, he shall, in addition to the penalties to which he is liable thereunder, be punished by imprisonment for a term of not less than two months and one day nor more than two years, a fine of not less than 61 (US \$31) nor more than 200 cuotas (US \$100) and suspension for a period at least equal to the period of imprisonment.

(C) If a person contravenes the other provisions of the law of 25 July 1919 respecting the preparation and importation into the Republic of narcotic products he shall be liable to the same penalties.

* Fines are imposed according to a scale of unity of money termed "cuotas"; at present one "cuota" is equivalent to 50 centavos.