



**THE REPUBLIC OF UGANDA**

**THE NARCOTIC DRUGS AND PSYCHOTROPIC  
SUBSTANCES (CONTROL) ACT, 2023**

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**THE REPUBLIC OF UGANDA**

I SIGNIFY my assent to the bill.

PARLIAMENTARY L.I. No. 1  
P. O. BOX 7173, KAMPALA

★ 2/2/24 ★

ACC. NO: .....

CALL NO: .....

*Yoweri Museveni*  
.....  
President

Date of assent: *2/2/2024*

*Narcotic Drugs and Psychotropic Substances*  
**Act** (Control) Act **2023**

THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES  
(CONTROL) ACT, 2023

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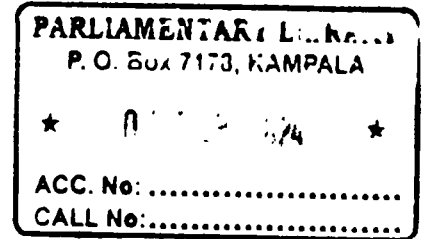
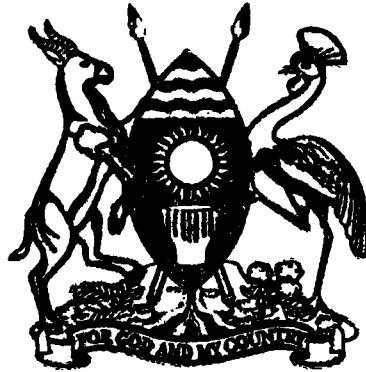
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**THE REPUBLIC OF UGANDA****THE NARCOTIC DRUGS AND PSYCHOTROPIC  
SUBSTANCES (CONTROL) ACT, 2023**

**An Act to consolidate and amend the law relating to narcotic drugs and psychotropic substances with respect to the control, possession and trafficking in narcotic drugs and psychotropic substances; to regulate the cultivation and gathering of prohibited plants; to provide for the forfeiture of property derived from or used in illicit traffic in narcotic drugs and psychotropic substances; to implement the provisions of international conventions on narcotic drugs and psychotropic substances; and for other related matters.**

DATE OF ASSENT:

*Date of Commencement:*

BE IT ENACTED by Parliament as follows:

**PART I—PRELIMINARY****1. Commencement**

This Act shall come into force on a date the Minister responsible for internal affairs, by statutory instrument, appoints.



**2. Interpretation**

In this Act, unless the context otherwise requires—

“bank” includes—

- (a) a financial institution licensed under the Financial Institutions Act, 2004;
- (b) microfinance deposit-taking institutions licensed under the Microfinance Deposit taking Act, 2003;
- (c) microfinance institution licensed under the Tier-4 Microfinance Institutions and Money Lenders Act, 2015; and
- (d) the Bank of Uganda.

“cannabis” means the flowering or fruiting tops of the cannabis plant, excluding the seeds and leaves when not accompanied by tops from which the resin has not been extracted, by whatever name they may be called;

“cannabis oil” means any liquid containing any quantity however small of tetrahydro-cannabinol;

“cannabis plant” means any plant of the *genus* cannabis by whatever name called and includes any part of that plant;

“cannabis resin” means the separated resin, whether crude or purified, obtained from cannabis but does not include cannabis oil;

“catha edulis” means the catha edulis plant;

“charge” includes a lien, hypothecation, pledge and other security on property or created to secure the payment of a debt or performance of an obligation;

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“child” means a person below the age of eighteen years;

“coca bush” means the plant of any species of the *genus erythroxylon* from which cocaine can be extracted;

“coca leaves” means the leaves of the coca bush from which cocaine can be extracted either directly or by chemical transformation;

“Commissioner” means the Commissioner of Customs;

“conveyance” means a conveyance of any description used for the carriage of persons or goods; and includes any aircraft, vehicle or vessel;

“court” means a court of competent jurisdiction;

“cultivate” in relation to any plant, includes growing the plant, sowing or scattering the seed produced by the plant or any part of the plant, nurturing or tending the plant or harvesting the flowers, fruits, leaves or seeds or the whole or any part of the plant or any other form of cultivation such as cell culture;

“currency point” has the value assigned to it in Schedule 1 to this Act;

“dentist” means a person registered as a dentist under the Medical and Dental Practitioners Act;

“export” means the taking or conveying, or causing to be taken or conveyed out of Uganda;

“facility for treatment and rehabilitation” includes a health unit defined under the Mental Health Act, 2018;

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“illicit trafficking” in relation to narcotic drugs and psychotropic substances, means—

- (a) cultivating any coca bush or gathering any portion of a coca plant;
- (b) cultivating the opium poppy, any cannabis plant; or *Catha edulis*; or
- (c) handling or letting out of any premises for the carrying on of any of the activities referred to in paragraphs (a) and (b);

other than as permitted under this Act or any regulations made or any conditions of any licence issued under this Act and includes—

- (i) financing, directly or indirectly, any of those activities;
- (ii) abetting or conspiring in the furtherance of, or in support of doing any of, those activities; and
- (iii) harbouring persons engaged in any of those activities;

“international convention” means—

- (a) the Single Convention on Narcotic Drugs, 1961 adopted by the United Nations Conference at New York in March, 1961;
- (b) the Protocol, amending the Convention mentioned in paragraph (a), adopted by the United Nations Conference at Geneva in March, 1972;
- (c) the Convention on Psychotropic Substances, 1971 adopted by the United Nations Conference at Vienna in February, 1971;

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- (d) the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances adopted at Vienna on 19th December, 1988; and
- (e) any other international convention or protocol or any other instrument amending an international convention relating to narcotic drugs or psychotropic substances which may be ratified or acceded to by Uganda after the commencement of this Act;

“khat” means the leaves, twigs or the bark of the *Catha edulis* plant;

“manufacture” in relation to narcotic drugs or psychotropic substances, includes—

- (a) all processes other than production, by which a narcotic drug or psychotropic substance may be obtained;
- (b) refining of a narcotic drug or psychotropic substance; or
- (c) making of preparations otherwise than in a pharmacy on a prescription with or containing a narcotic drug or psychotropic substance;

“medical practitioner” means a person registered under the Medical and Dental Practitioners Act;

“medical purpose” means the use of a narcotic drug or psychotropic substance for treatment or research that is provided by a medical practitioner, dentist, pharmacist or veterinary surgeon, while acting within the usual course of professional practice and in accordance with a standard of care generally recognised and accepted within the respective profession;



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“proceeds” in relation to an act or activity, means property wholly or partly derived or obtained directly or indirectly from that act or activity;

“production” where the reference is to producing a narcotic drug or psychotropic substance, means the separation of a narcotic drug or psychotropic substances from the plant from which the narcotic drug or psychotropic substance is obtained;

“prohibited plant” means any plant specified in Schedule 4;

“property” means any movable or immovable property, and includes—

- (a) any right, interest, title, claim, chose in action, power, privilege, whether present or future and whether vested or contingent, in relation to any property, or which is otherwise of value;
- (b) any transfer executed for conveying, assigning, appointing, surrendering, or otherwise transferring or disposing of immovable property where the person executing the transfer is the proprietor or possessed of or in which he or she is entitled to a contingent right, either for his or her whole interest or for any lesser interest;
- (c) any monetary instrument;
- (d) any other instrument or securities; and
- (e) any other tangible or intangible property;

“psychotropic substance” means any substance specified in Schedule 3 or anything that contains any substance specified in that Schedule;

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“registered pharmacist” means a person who is registered as a pharmacist under the Pharmacy and Drugs Act;

“substance use disorder” means a pattern of psychoactive substance use that appreciably increases the risk of harmful physical or mental health consequences to the person using a narcotic drug or psychotropic substance or others to an extent that warrants attention and advice from health professionals.

“trafficking” means the importation, exportation, manufacture, buying, sale, giving, supplying, storing, administering, conveyance, delivery or distribution by any person of a narcotic drug or psychotropic substance or any substance represented or held out by that person to be a narcotic drug or psychotropic substance or making of any offer in respect of, but does not include—

- (a) the importation or exportation of any narcotic drug or psychotropic substance or the making of any offer in respect of it by or on behalf of any person who holds a licence for it under this Act in accordance with the licence;
- (b) the manufacturing, buying, sale, giving, supplying, administering, conveying, delivery or distribution of any narcotic drug or psychotropic substance or the meaning of any offer in respect of it, by or on behalf of any person who has a licence for it under this Act in accordance with the licence; or
- (c) the selling or supplying or administering for medicinal purposes, and in accordance with this Act, or any narcotic drug or psychotropic substance or

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the making of any offer in respect of it, by a medical practitioner or veterinary surgeon or dentist or by any other person qualified to do so on the instruction of the medical practitioner or veterinary surgeon or dentist; or

- (d) the selling or supplying in accordance with this Act, of any narcotic drugs or psychotropic substances by a registered pharmacist;

“veterinary surgeon” means a veterinary surgeon licensed under the Veterinary Surgeons Act to practice veterinary surgery and medicine.

**3. Jurisdiction**

- (1) This Act applies to the entire territory of Uganda.

(2) This Act applies to conduct engaged in, inside or outside Uganda relating to the importation, exportation, manufacture, buying, sale, giving, supplying, storing, administering, conveying, delivering or distributing of a narcotic drug or psychotropic substance—

- (a) on board a vessel or aircraft registered in Uganda;
- (b) by a Ugandan citizen or any person ordinarily resident in Uganda;
- (c) by a body corporate incorporated in or carrying on business in Uganda; or
- (d) by any other person relating to the supply or possible supply by that person of a narcotic drug or psychotropic substance.



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PART II—PROHIBITION OF POSSESSION OF, AND  
TRAFFICKING IN, NARCOTIC DRUGS AND PSYCHOTROPIC  
SUBSTANCES AND PROHIBITION OF CULTIVATION OF  
PROHIBITED PLANTS

**4. Penalty for possession of narcotic drugs and psychotropic substances**

(1) Subject to subsection (3), a person who has in his or her possession any narcotic drug or psychotropic substance commits an offence.

(2) A person who commits an offence under subsection (1) is liable, on conviction—

(a) in respect of a narcotic drug listed in Schedule 2, to a fine not exceeding fifty thousand currency points or three times the market value of the narcotic drug, whichever is greater or imprisonment not exceeding twenty years or both; or

(b) in respect of a psychotropic substance listed in Schedule 3, to a fine not exceeding twenty-five thousand currency points or three times the market value of the psychotropic substance, whichever is greater or to imprisonment not exceeding fifteen years, or both.

(3) Subsection (1) does not apply to—

(a) a person who has possession of a narcotic drug or psychotropic substance under a licence issued under section 27 of the National Drug Policy and Authority Act, permitting him or her to have possession of the narcotic drug or psychotropic substance;

(b) a medical practitioner, dentist, veterinary surgeon or registered pharmacist who is in possession of a narcotic drug or psychotropic substance for any medical purpose;

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- (c) a clinical officer or a nurse with a certificate in specialist palliative care, in possession of a narcotic drug or psychotropic substance for purposes of prescription or supply authorised under the National Drug Policy and Authority Act;
- (d) a person who possesses a narcotic drug or psychotropic substance for a medical purpose from, or using a prescription of, a medical practitioner, dentist or veterinary surgeon; or
- (e) a person authorised under regulations made under this Act to be in possession of a narcotic drug or psychotropic substance.

**5. Penalty for trafficking in narcotic drugs and psychotropic substances**

A person who traffics in a narcotic drug or psychotropic substance represented or held out by him or her to be a narcotic drug or psychotropic substance commits an offence and is liable, on conviction—

- (a) in respect of the narcotic drug or psychotropic substance to a fine not exceeding fifty thousand currency points or three times the market value of the narcotic drug or psychotropic substance, whichever is greater or imprisonment for life or both; or
- (b) in respect of any substance, other than a narcotic drug or psychotropic substance, which he or she represents or holds out to be a narcotic drug or psychotropic substance, to a fine not exceeding twenty-five thousand currency points or imprisonment for a period not exceeding twenty years.

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**6. Penalty for other acts connected to narcotic drugs**

- (1) Subject to this Act, a person who—
- (a) smokes, inhales, sniffs, chews or otherwise uses any narcotic drug or psychotropic substance;
  - (b) without lawful and reasonable excuse, is found in any house, room or place where persons resort to for purposes of smoking, inhaling, sniffing, chewing or in any way using a narcotic drug or psychotropic substance.
  - (c) being the owner, occupier or concerned in the management of any premises, permits the premises to be used for—
    - (i) the preparation of narcotic drug or psychotropic substance for smoking or sale, or the smoking, inhaling, sniffing, chewing or otherwise using any narcotic drug or psychotropic substance; or
    - (ii) the manufacture, production, sale or distribution of any narcotic drug or psychotropic substance in contravention of this Act;
  - (d) diverts a precursor of a narcotic drug or psychotropic substance under his or her possession for illicit manufacture or production of a narcotic drug or psychotropic substance; or
  - (e) has in his or her possession or manufactures, any pipe, tool or other utensil for use in smoking, inhaling, sniffing or administering or in any other manner of using a narcotic drug or psychotropic substance or any other utensil used for the preparation of narcotic drug or psychotropic substance,

commits an offence and is liable, on conviction, to a fine not exceeding fifty thousand currency points or imprisonment for a period not exceeding ten years, or both.

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(2) Any person who, knowingly or who has reason to believe that a parcel, package, container or any other thing contains a narcotic drug or psychotropic substance, handles the parcel, package, container or other thing, except where the person does so in the course of his or her official duties, commits an offence and is liable, on conviction to a fine not less than twenty four currency points but not exceeding one hundred and twenty currency points or imprisonment not less than one year but not exceeding five years, or to both.

(3) A person who commits any offence under subsection (2) in relation to any narcotic drug or psychotropic substance with a view to aiding, abetting or procuring the trafficking in the narcotic drug or psychotropic substance is liable to the penalty prescribed in section 5.

**7. Provisions relating to certain prescriptions**

(1) A medical practitioner or dentist shall not—

- (a) prescribe for, administer, sell or supply to, any person a narcotic drug or psychotropic substance; or
- (b) sign any prescription or order for the supply to, any person of a narcotic drug or psychotropic substance,

except where the narcotic drug or psychotropic substance is required for the medical or dental treatment of that person.

(2) A pharmacist shall not sell or supply a narcotic drug or psychotropic substance to any person except where the narcotic drug or psychotropic substance has been prescribed by a medical practitioner, dentist or clinical officer or a nurse with a certificate in specialist palliative care.

(3) A veterinary surgeon shall not—

- (a) prescribe, administer, sell or supply a narcotic drug or psychotropic substance; or

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(b) sign any prescription or order for the supply of a narcotic drug or psychotropic substance to an animal,  
except where the narcotic drug or psychotropic substance is required for the veterinary treatment of the animal.

(4) A clinical officer or a nurse with a certificate in specialist palliative care, shall not prescribe or supply to any person a narcotic drug or psychotropic substance except where the narcotic drug or psychotropic substance is required for palliative care.

(5) The Minister responsible for health may by statutory instrument, authorise any other person to prescribe or supply a narcotic drug or psychotropic substance.

(6) A person authorised under subsection (5) shall not—

(a) prescribe or supply to, any person a narcotic drug or psychotropic substance; or

(b) sign any prescription or order for the supply to, any person of a narcotic drug or psychotropic substance,

except where the narcotic drug or psychotropic substance is required for medical treatment of that person.

(7) A person who contravenes this section commits an offence and is liable, on conviction to a fine not exceeding fifty thousand currency points or to imprisonment not exceeding ten years, or both.

**8. Removal of name from register**

Where a medical practitioner, dentist, pharmacist, veterinary surgeon, clinical officer or nurse with a certificate in specialist palliative care or any other person authorised by the Minister responsible for health is convicted of an offence under this Act, he or she shall, notwithstanding any other written law, be liable to have his or her name removed from the register of practitioners licensed or registered

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to practice within Uganda as a medical practitioner, dentist, pharmacist, veterinary surgeon, clinical officer or nurse as the case may be.

**9. Penalty for receiving additional narcotic drug, psychotropic substance or prescription without disclosure of earlier receipt**

(1) A person who, in the course of treatment for a physical, dental or mental disease, or an owner or caretaker of an animal who, is supplied with or receives a prescription of a narcotic drug or psychotropic substance by a medical practitioner, pharmacist, dentist or veterinary surgeon, shall disclose to a medical practitioner, pharmacist, dentist or veterinary surgeon that he or she was supplied with or received a prescription of a narcotic drug or psychotropic substance before he or she is supplied with or receives a prescription for additional narcotic drugs or psychotropic substance.

(2) A person who fails to disclose to a medical practitioner, pharmacist, dentist or veterinary surgeon under subsection (1) and he or she is supplied with or receives a prescription for additional narcotic drug or psychotropic substance, commits an offence and is liable, on conviction, to a fine not exceeding twenty thousand currency points or to imprisonment for a period not exceeding ten years, or both.

**10. Supply of narcotic drugs or psychotropic substances to a child**

A medical practitioner, pharmacist, dentist or any person who, knowingly supplies or administers a narcotic drug or psychotropic substance to a child, where the narcotic drug or psychotropic substance is not required in the treatment of the child, commits an offence and is liable, on conviction to a fine not exceeding fifty thousand currency points or to imprisonment for life, or both.

**11. Penalty for cultivation of prohibited plants**

(1) The Minister responsible for health may issue a license to cultivate or gather a prohibited plant.

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(2) A person shall not knowingly cultivate or gather a prohibited plant without a license issued by the Minister responsible for health.

(3) The Minister responsible for health may issue a license subject to conditions as the Minister may consider necessary.

(4) The Minister responsible for health shall issue regulations for the procedures and conditions to be fulfilled for grant of a licence under subsection (1).

(5) A person who—

(a) cultivates or gathers a prohibited plant without a license;  
or

(b) being the owner, occupier or manager of premises, knowingly permits the premises to be used for the cultivation, gathering or production of a prohibited plant,

commits an offence and is liable, on conviction to a fine not exceeding one hundred and twenty currency points or three times the market value of the prohibited plant, whichever is greater, or to imprisonment for a period not exceeding five years or both, and in the case of a second or subsequent offence, to imprisonment for life.

**12. Power of entry in respect to land**

(1) A police officer not below the rank of Inspector or a person authorised under this Act who has reasonable grounds to believe that a prohibited plant was, or is being cultivated on any land or in any premises without a licence may, by himself or herself or with such assistance as in his or her opinion is reasonable, enter upon and inspect the land or premises.

(2) A police officer who enters land or premises under subsection (1) may arrest or cause the arrest of the person suspected of cultivating the prohibited plant and confiscate the prohibited plant cultivated in contravention of the provisions of this Act.

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(3) A person who obstructs a police officer or an authorised person in the performance of his or her functions under this section commits an offence and is liable, on conviction, to a fine not exceeding fifty thousand currency points or to imprisonment not exceeding two years, or both.

**13. Power of court to order destruction of prohibited plants**

A court which convicts any person of an offence under this Act, shall direct the Inspector General of Police or any police officer authorised by the Inspector General of Police, to destroy all the prohibited plants found on any land to which the offence relates; and the Inspector General of Police or the police officer, as the case may be, shall cause all the plants to be destroyed.

**14. National Drug Authority to issue licences for export, import, manufacture, etc**

(1) The National Drug Authority may—

- (a) issue, for medical purposes, licenses, for sale, manufacture, production or distribution of specified narcotic drugs or psychotropic substances;
- (b) prescribe the manner in which a narcotic drug or psychotropic substance is to be packed or marked for export; and
- (c) prescribe the records to be kept for the export, import, receipt, sale, manufacture, production, disposal or distribution of narcotic drugs, psychotropic substances or precursors.

(2) The records prescribed under subsection (1) (c) shall be kept by a licensee for a period of seven years.



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- (3) The National Drug Authority shall—
  - (a) keep and maintain a register of persons authorised to sell, manufacture, produce, import, export or distribute narcotic or psychotropic substances; and
  - (b) regulate and issue guidelines for conducting clinical trials involving narcotic drugs and psychotropic substances.

**15. Penalty for failure to furnish information or to produce records and documents**

A person who—

- (a) fails or refuses to comply with any obligation to provide information or to produce a book, record, document or other material required under this Act or any order made under this Act;
- (b) in compliance with the provisions of this Act, gives information which is false, or produces a book, record, document or other material which contains any statement which is false in a material particular; or
- (c) for the purpose of obtaining, a grant or renewal of a licence or any other authority under the National Drug Policy and Authority Act—
  - (i) makes a statement or gives information which is false in a material particular; or
  - (ii) produces a book, record, document or other material containing a statement which is false in a material particular,

commits an offence and is liable, on conviction to a fine not exceeding twenty-five thousand currency points or imprisonment for a period not exceeding ten years, or both.

**16. Privileged Information**

A police officer or other person acting in exercise of powers vested in him or her under any provision of this Act, or any rule or order made under the Act, shall not be compelled to reveal the source of any information concerning an offence under the Act.

**17. Owner of land to report to police cultivation of prohibited plants**

(1) The owner of land or any other person with interest in land, who knowingly or has reason to believe that a prohibited plant is cultivated on that land in contravention of this Act or that the land is prepared for the purpose of cultivating a prohibited plant, shall report to a police authority.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction to a fine not exceeding five hundred currency points or three times the market value of the prohibited plant, whichever is greater, or to imprisonment for a period not exceeding five years; or both.

(3) For purposes of this section, a reference to the owner of land or any other person with interest in land includes a holder of a lease, license, grant, permit or other right in land, whether held individually or in association with others.

**18. Penalty for malicious entry, seizure or arrest**

(1) A police officer or any other person authorised by the Inspector General of Police for purposes of this Act, who—

- (a) without reasonable grounds of suspicion, enters or searches or causes to be entered or searched, any building, conveyance or place;

