
THE NATIONAL AGENCY FOR DRUG CONTROL ACT 2025

Act No. 8 of 2025

I assent

DHARAMBEER GOKHOOL, G.C.S.K

President of the Republic of Mauritius

24th April 2025

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FIRST SCHEDULE

SECOND SCHEDULE

An Act

To provide for the establishment of the National Agency for Drug Control (NADC) which shall be the apex body for addressing drug use prevention and drug control issues in Mauritius

ENACTED by the Parliament of Mauritius, as follows –

PART I – PRELIMINARY

1. Short title

This Act may be cited as the National Agency for Drug Control Act 2025.

2. Interpretation

In this Act –

“AIDS” has the same meaning as in the HIV and AIDS Act;

“Board” means the Drug Control Board referred to in section 9;

“board member” –

(a) means a member of the Board; and

(b) includes the Chairperson of the Board;

“Chief Executive Officer” means the Chief Executive Officer of NADC appointed under section 13;

“Committee” means a Committee set up under section 12(1);

“committee member” means a member of a Committee;

“Coordinator” means the Head of a Division;

“demand reduction” means to reduce the demand for drugs;

“Division” means a Division of NADC referred to in section 6(1);

“drug” means a natural or synthetic product, whether licit or illicit, which has –

(a) a potential for abuse or for dependence by an individual; and

(b) harmful effects on the physical and mental health of that individual;

“Drug Users Administrative Panel” means the Drugs Users Administrative Panel of the Ministry responsible for the subject of health referred to in section 59A of the Dangerous Drugs Act;

“harm reduction”, in relation to persons who use drugs, means to minimise –

(a) the negative health and social consequences on those persons;

(b) the transmission of HIV and AIDS and Hepatitis C in those persons;

“HIV” has the same meaning as in the HIV and AIDS Act;

“Minister” means the Minister to whom responsibility for the subject of home affairs is assigned;

“Ministry” means the Ministry responsible for the subject of home affairs;

“NADC” means the National Agency for Drug Control established under section 5;

“National Drug Control Commission” means the National Drug Control Commission referred to in section 3;

“NGO” means a non-governmental organisation;

“officer” –

(a) means an officer of NADC; and

(b) includes the Chief Executive Officer and any Coordinator of a Division;

“supervising officer” means the supervising officer of the Ministry;

“supply reduction” means to prevent, reduce or disrupt the entry, production and availability of drugs;

“treatment and rehabilitation” means medical or pharmacological therapy, counselling, psychotherapy, aftercare or such other therapy as may be necessary to assist a person who uses drugs to overcome his addictive behaviours to drugs.

PART II – FORMULATION OF NATIONAL POLICIES AND PRIORITIES IN THE FIGHT AGAINST DRUGS

3. National Drug Control Commission

(1) There shall be, for the purposes of this Act, the National Drug Control Commission.

(2) The National Drug Control Commission shall consist of –

(a) the Prime Minister, as Chairperson;

(b) the Deputy Prime Minister, as Vice-chairperson;

(c) the Minister to whom responsibility for the subject of health is assigned;

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- (d) the Attorney-General;
 - (e) the Ministers referred to in the First Schedule;
 - (f) such other Ministers as the Prime Minister may designate; and
 - (g) the Chief Commissioner of the Rodrigues Regional Assembly.

(3) The National Drug Control Commission may consist of such other members who have wide experience in medical and health care, drug use prevention or treatment and rehabilitation, as the Prime Minister may designate.

(4) The Chief Executive Officer shall attend every meeting of the National Drug Control Commission.

4. Functions and powers of National Drug Control Commission

The National Drug Control Commission shall, in the fight against the scourge of drugs –

- (a) set national objectives and goals, and determine policies and priorities with regard to drug control issues;
- (b) oversee the overall coordination of all drug control activities in Mauritius for greater collaboration and synergy among stakeholders;
- (c) monitor and evaluate the implementation of the National Drug Control Master Plan and the National Action Plan for HIV and AIDS;
- (d) oversee the enhancement of the National Drug Observatory functions and activities by incorporating a Real Time Monitoring System (RTM), in collaboration with the Ministry responsible for the subject of information technology, other relevant Ministries and NGOs; and
- (e) monitor progress made by public departments and other Government organisations through the setting up of performance indicators.

**PART III – ESTABLISHMENT OF NATIONAL AGENCY FOR
DRUG CONTROL**

Sub-Part A – Establishment of NADC

5. National Agency for Drug Control

(1) There is established, for the purposes of this Act, the National Agency for Drug Control.

(2) NADC shall be a body corporate.

(3) Subject to this Act, NADC shall, in the discharge of its functions and exercise of its powers, not be under the direction and control of any person or authority.

6. Divisions of NADC

(1) NADC shall comprise –

- (a) the Office of the Chief Executive Officer;
- (b) a Policy, Research and Strategy Division;
- (c) a Treatment and Rehabilitation Services Division;
- (d) a Prevention and Public Awareness Division;
- (e) an HIV and AIDS Prevention and Care Coordination Division;
- (f) a Supply Reduction Coordination Division; and
- (g) such other Division as the Board may, with the approval of the Minister, set up.

(2) Any Division set up under subsection (1)(g) shall have such functions and powers as the Board may determine.

(3) The Chief Executive Officer may, with the approval of the Board, direct a Division to discharge such functions and exercise such powers as may have been assigned to another Division.

7. Objects of NADC

NADC shall be responsible –

- (a) for the demand reduction of drugs –
 - (i) through drug use prevention;
 - (ii) by coordinating and monitoring the treatment and rehabilitation of persons who use drugs, and their social reintegration; and
 - (iii) through harm reduction of drugs, by minimising the negative health and social consequences on persons who use drugs and by minimising the transmission of HIV and AIDS and Hepatitis C among those persons; and
- (b) to coordinate the supply reduction of drugs by preventing, reducing or disrupting the entry, production and availability of drugs.

8. Functions and powers of NADC

(1) NADC shall have such functions and powers as may be necessary to attain its objects and shall –

- (a) through its Policy, Research and Strategy Division –
 - (i) develop the National Drug Control Policy for addressing drug control issues;
 - (ii) coordinate and facilitate efforts at national level towards the implementation of the National Drug Control Master Plan, the National Action Plan for HIV and AIDS and any other drug control strategy;
 - (iii) develop, design and formulate, in accordance with the international prevention standards of the United Nations Office on Drugs and Crime and the World Health Organisation, a national drug use prevention standard and guidelines;

- (iv) develop, design and formulate, in accordance with the international treatment standards of the United Nations Office on Drugs and Crime and the World Health Organisation, a national treatment and rehabilitation standards and guidelines;
 - (v) conduct data collection and research on, and analyse, drug use patterns and trends and the monitoring of treatment and rehabilitation outcomes using standardised tools;
 - (vi) maintain data, statistics, records and reports on drug control issues;
 - (vii) conduct research with a view to determining the extent, magnitude and impacts of drug use on the health, social and economic fabrics of Mauritius;
 - (viii) collaborate with the Forensic Science Laboratory and any other forensic laboratories for the identification of synthetic drugs and new psychoactive substances;
- (b) through its Treatment and Rehabilitation Services Division –
- (i) work in close collaboration with the Ministry responsible for the subject of health, NGOs and the Drug Users Administrative Panel for the treatment and rehabilitation of persons who use drugs, and their social reintegration;
 - (ii) mobilise resources locally and overseas for the treatment and rehabilitation of persons who use drugs, and their social reintegration;
 - (iii) coordinate and monitor the treatment and rehabilitation of persons who use drugs, and their social reintegration;

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- (iv) set up a Real Time Monitoring (RTM) system to monitor persons on methadone maintenance or any other medication used to reduce withdrawal symptoms amongst people who use drugs;
 - (v) build capacities and provide technical assistance to NGOs and any other voluntary social organisations engaged in drug use prevention, and in the treatment and rehabilitation of persons who use drugs and their social reintegration;
 - (vi) establish and manage, in collaboration with the private sector and relevant Government organisations, vocational training and employment placement programs for persons recovering from drug use disorders;
- (c) through its Prevention and Public Awareness Division –
- (i) lead national campaigns, including public information, education and communication programs on drug use which are evidence-based;
 - (ii) conduct local awareness workshops and community events, manage media campaigns, social media and public relations events, promote awareness of drug use-related risks and of available support services to sensitise the public at large on the dangers of drug use;
 - (iii) develop, with the assistance of the Ministry responsible for the subject of education, a drug use prevention curriculum to be implemented in educational institutions;
 - (iv) develop and implement a family-based drug prevention programme;
 - (v) collaborate with various organisations, including faith-based organisations, and build their capacities;

- (d) through its HIV and AIDS Prevention and Care Coordination Division –
 - (i) integrate, subject to the HIV and AIDS Act, comprehensive HIV and AIDS interventions;
 - (ii) monitor and coordinate, subject to the HIV and AIDS Act, the implementation of evidence-based HIV prevention programs, including education, condom distribution and harm reduction initiatives tailored to high-risk groups;
 - (iii) oversee and coordinate, subject to the HIV and AIDS Act, community-based testing initiatives and ensure prompt linkage to antiretroviral and counselling services;
 - (iv) coordinate, subject to the HIV and AIDS Act, the collection and analysis of data on HIV prevalence and treatment outcomes within vulnerable populations to inform policy and program adjustments;
 - (v) work in close collaboration with the Ministry responsible for the subject of health, local NGOs and international organisations to coordinate and harmonise HIV/AIDS interventions with broader drug control and public health strategies, and build the capacity of healthcare providers in delivering integrated services;
- (e) through its Supply Reduction and Coordination Division –
 - (i) coordinate national law enforcement efforts to ensure compliance with local, national and international drug control laws and international conventions;

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- (ii) facilitate cooperation with the Police, the Customs and Excise Department of the Mauritius Revenue Authority and local and international organisations;
 - (iii) facilitate the sharing of information at local, regional and international level;
 - (iv) assist the Financial Intelligence Unit and any other relevant organisations in tracing and detecting money-laundering and forensic financial trails related to drug trafficking;
- (f) do such other things as may be necessary in the fight against drug abuse.
- (2) In the discharge of its functions and exercise of its powers under subsection (1), NADC shall –
- (a) develop a strategic vision and national policy for the fight against drug abuse;
 - (b) enhance, subject to the HIV and AIDS Act, the existing needle and syringe program (NSP) and Opioid Agonist Therapy (OAT) programs to minimise health risks, such as HIV and AIDS and Hepatitis C among persons who use drugs;
 - (c) collaborate and establish links with local, regional and international institutions, agencies, organisations or other bodies in the fight against drug abuse;
 - (d) coordinate on-going capacity building for its staff, healthcare workers and social service providers with a view to providing non-judgemental care and counselling services free from stigma and discrimination;
 - (e) coordinate the integration of drug treatment and rehabilitation services into primary health care facilities;

- (f) plan and coordinate the introduction of other evidence-based pharmacotherapies to diversify treatment and rehabilitation of persons who use drugs;
- (g) coordinate drug use prevention and treatment and rehabilitation services within prisons and closed settings;
- (h) facilitate prompt exchange of scientific and technical information geared towards drug control;
- (i) provide a confidential hotline for individuals and families seeking help for drug abuse or reporting drug use and trafficking;
- (j) coordinate the promotion of extracurricular activities, sports and life skills training programs to keep the youth engaged against, and resilient to, drug use;
- (k) plan and coordinate nationwide Life Skills Training (LST) in community centres, schools and universities;
- (l) collaborate with the private sector to provide job placements opportunities, and give support and incentives to persons recovering from drug use disorders to develop sustainable livelihood;
- (m) liaise with the private sector for the setting up of drug use prevention on their respective workplaces;
- (n) coordinate the organisation of sensitisation workshops on drug use prevention and other activities to promote alternatives to drug use;
- (o) discharge such other functions and exercise such other powers as may be conferred upon it under this Act.

Sub-Part B – Administration and Management of NADC

9. Drug Control Board

(1) NADC shall be administered and managed by the Drug Control Board.

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- (2) The Board shall consist of –
- (a) a Chairperson, to be appointed by the Prime Minister;
 - (b) the supervising officer of the Ministry or his representative;
 - (c) a representative of the Attorney-General’s Office;
 - (d) the supervising officer of the Ministry responsible for the subject of agro-industry or his representative;
 - (e) the supervising officer of the Ministry responsible for the subject of education or his representative;
 - (f) the supervising officer of the Ministry responsible for the subject of environment or his representative;
 - (g) the supervising officer of the Ministry responsible for the subject of gender or his representative;
 - (h) the supervising officer of the Ministry responsible for the subject of health or his representative;
 - (i) the supervising officer of the Ministry responsible for the subject of labour or his representative;
 - (j) the supervising officer of the Ministry responsible for the subject of social security or his representative;
 - (k) the supervising officer of the Ministry responsible for the subject of youth or his representative;
 - (l) the Commissioner of Police or his representative;
 - (m) the Commissioner of Prisons or his representative;
 - (n) the Secretary-General of the National Social Inclusion Foundation; and
 - (o) 6 members from the civil society, including representatives of NGOs and community-based organisations, to be appointed by the Minister.

(3) The Chairperson of the Board and the board members referred to in subsection (2)(o) shall –

- (a) be persons who have wide experience in medical and health matters, drug use prevention or treatment and rehabilitation;
- (b) hold office for a period of 3 years and shall be eligible for reappointment.

(4) At least one of the members to be appointed under subsection (2)(o) shall be from Rodrigues.

10. Meetings of Board

(1) The Board shall meet as often as necessary but at least once every month.

(2) Every meeting of the Board shall be convened by the Chairperson.

(3) At any meeting of the Board, 11 members shall constitute a quorum.

(4) The Board may co-opt other persons capable of assisting it with expert advice but that person shall have no right to vote on any matter considered by it.

(5) A board member who has a direct or an indirect interest in a matter being considered or about to be considered by the Board shall forthwith, or as soon as is practicable after the relevant facts have come to his knowledge, disclose in writing the nature of his interest to the Board and shall not –

- (a) be present during the deliberations of the Board with respect to that matter; and
- (b) take part in any decision of the Board with respect to that matter.

(6) The Board shall regulate its meetings and procedures in such manner as it may determine.

11. Secretary to Board

- (1) There shall be a Secretary to the Board who shall –
 - (a) prepare and attend every meeting of the Board;
 - (b) keep minutes of the proceedings of every meeting of the Board;
 - (c) follow up on the implementation of the decisions of the Board;
 - (d) service the Board and such other Committees as may be set up by it; and
 - (e) perform such other duties as may be conferred upon him by the Board.
- (2) The Secretary to the Board shall be an officer of NADC.

12. Committees

(1) The Board may set up such Committees as it deems necessary to assist it in the discharge of its functions, including a Committee for each Division.

(2) A Committee may consist of board members and such other persons as the Board may designate.

- (3) Every Committee shall –
 - (a) be subject to, and act in accordance with, any directive given to it by the Board; and
 - (b) report to the Board.

(4) Every Committee shall regulate its meetings and proceedings in such manner as it may determine.

(5) A Committee may request any person to attend any of its meetings for the purpose of advising it on any matter under discussion but that person shall have no right to vote on any matter considered by it.

(6) Every committee member or any person requested under subsection (5) to attend any meeting of a Committee may be paid such fees and allowances as the Minister may approve.

Sub-Part C – Staff of NADC

13. Chief Executive Officer

(1) There shall be a Chief Executive Officer of NADC, to be appointed by the Prime Minister.

(2) The Chief Executive Officer shall –

- (a) be appointed for a term of 3 years and on such other terms and conditions as the Prime Minister may determine; and
- (b) be eligible for reappointment.

(3) The Chief Executive Officer shall be the head of NADC and shall –

- (a) be responsible for the control and management of the day to day business and operations of NADC;
- (b) attend every meeting of the Board and take part in its deliberations, but shall have no right to vote;
- (c) be responsible for the execution of the policy and functions of the Board;
- (d) have all powers relating to the administrative and operational matters pertaining to the roles and functions of the respective Divisions and ensure effective coordination between the Divisions; and
- (e) do such other things as may be necessary to meet the objectives of NADC.

(4) The Chief Executive Officer may delegate any of his functions and powers to any officer.

14. Coordinator of Division

(1) Every Division shall be under the responsibility of a Coordinator.

(2) Every Coordinator shall be under the administrative control of the Chief Executive Officer.

15. Other staff of NADC

(1) The Board may, on such terms and conditions as it may determine, appoint such officers and consultants as it considers necessary for the proper discharge of its functions and exercise of its powers under this Act.

(2) The Secretary to Cabinet and Head of the Civil Service may, subject to the approval of the Public Service Commission, designate such public officers to assist NADC in the discharge of its functions and exercise of its powers under this Act.

(3) Every officer and every public officer designated under subsection (2) shall be under the administrative control of the Chief Executive Officer.

(4) The Board may make provisions to govern the conditions of service of the officers and, in particular, for –

- (a) the appointment, dismissal, discipline, pay and leave of the officers;
- (b) appeals by officers against dismissal and other disciplinary measures; and
- (c) the establishment and maintenance of a superannuation scheme and the contributions and the benefits payable to, or from the scheme.

PART IV – FINANCIAL PROVISIONS AND ACCOUNTS**16. General Fund**

NADC shall establish a General Fund –

- (a) into which all monies received from any source by it shall be paid, including revenues, as may approved by the Minister, from public-private partnerships and international donor organisations; and
- (b) out of which all payments required to be made under this Act shall be effected.

17. Estimate of income and expenditure

(1) NADC shall submit to the Minister, not later than 31 March in every year, an estimate of its income and expenditure in respect of the following financial year for his approval.

- (2) The Minister may –
 - (a) give his approval under subsection (1); or
 - (b) approve only part of the estimate and direct NADC to amend the estimate.

18. Annual report

(1) NADC shall, in accordance with the Statutory Bodies (Accounts and Audit) Act, prepare an annual report and submit it to the Minister, together with an audited statement of accounts on the operations of NADC, in respect of every financial year.

(2) The Minister shall, at the earliest available opportunity, lay a copy of the annual report and the audited statement of accounts of NADC before the Assembly.

19. Audit report

- (1) The auditor of NADC shall be the Director of Audit.

(2) For the purpose of this section, the first financial year of NADC shall be the period starting on the commencement of this Act and ending on 30 June of the following year.

(3) Section 7(1) of the Statutory Bodies (Accounts and Audit) Act shall not apply in relation to the first financial year of NADC.

PART V – MISCELLANEOUS

20. Reporting on activities and operations of NADC

(1) The Chief Executive Officer shall, at every meeting of the National Drug Control Commission, report on the activities and operations of NADC.

(2) The Minister may require NADC to furnish such information in such manner and at such time as he thinks necessary with respect to its activities and operations and NADC shall supply such information.

(3) This section shall not apply to personal information on persons who use drugs, persons recovering from drug use disorders or any other person who, directly or indirectly, is a victim of drug.

21. Protection from liability

No liability, civil or criminal, shall attach to NADC, the Board, a board member, a Committee, a committee member or any officer in respect of any act done or omitted to be done in good faith in the discharge of its or his functions under this Act.

22. Execution of deed, contract or cheque

No deed, contract or cheque shall be executed by, or on behalf of, NADC unless it is signed by –

- (a) the Chairperson of the Board, or in his absence, a board member designated by the Board; and
- (b) the Chief Executive Officer, or in his absence, any officer designated by the Board.

23. Oath of secrecy

Every board member, officer and committee member shall, before assuming his functions under this Act, take the oath set out in the Second Schedule.

24. Confidentiality

(1) Subject to subsection (2), every board member, officer and committee member shall, during or after his period of service with NADC, maintain the confidentiality of any matter relating to this Act which comes to his knowledge.

(2) No person shall disclose to any other person any matter relating to this Act which comes to his knowledge in the performance of his duties except –

- (a) for the purpose of administering this Act;
- (b) where he is required to do so by law;

(3) Any person who, without reasonable excuse, contravenes subsection (1) shall commit an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.

25. Protection of whistleblowers

(1) No civil or criminal action shall lie against a person who, in good faith, makes a report or disclosure to NADC that relates to a matter in respect of which NADC shall discharge its functions and exercise its powers under this Act, whether or not the person is required to make the report or disclosure.

(2) A board member, an officer or a committee member shall not, without the consent of the person making a report or disclosure under this section, disclose the identity of that person except where it is necessary to do so for the fulfilment of the functions of NADC.

(3) (a) Any person who commits an act of victimisation or retaliation against a person who has made a disclosure or report pursuant

to this Act shall commit an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.

(b) In this subsection –

“victimisation” or “retaliation” means an act –

- (a) which causes injury, damage or loss;
- (b) of intimidation or harassment;
- (c) of discrimination, disadvantage or adverse treatment in relation to a person’s employment; or
- (d) amounting to threats or reprisals.

(4) Any person who knowingly makes a false, malicious or vexatious report or disclosure under this Act shall commit an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.

26. Regulations

(1) The Minister may make such regulations as he thinks fit for the purposes of this Act.

(2) Any regulations made under subsection (1) may provide for –

- (a) the levying of fees and the taking of charges;
- (b) the amendment of the Schedules; and
- (c) any matter necessary for, or consequential to, the implementation of this Act.

27. Consequential amendments

(1) The Dangerous Drugs Act is amended –

- (a) in section 2, by inserting, in the appropriate alphabetical order, the following new definition –

“NADC” means the National Agency for Drug Control established under the National Agency for Drug Control Act 2025;

- (b) in section 59A, in subsection (2) –
 - (i) by deleting the words “In the discharge of its functions and exercise of its powers” and replacing them by the words “With the assistance of NADC”;
 - (ii) by repealing paragraph (a) and replacing it by the following paragraph –
 - (a) may direct a drug user to undergo rehabilitation such as medical or pharmacological therapy, counselling, psychotherapy, aftercare or such other therapy as may be necessary to assist him to overcome his addictive behaviours to drugs;
- (c) in section 59C, in subsection (3), by inserting, after the words “Director or Public Prosecutions”, the words “and NADC”.

(2) The Statutory Bodies (Accounts and Audit) Act is amended, in the Schedule, by inserting, in the appropriate alphabetical order, the following new item and its corresponding entry –

National Agency for
Drug Control

National Agency for
Drug Control Act 2025

28. Commencement

(1) Subject to subsection (2), this Act shall come into operation on a date to be fixed by Proclamation.

(2) Different dates may be fixed for the coming into operation of different sections of this Act.

Passed by the National Assembly on the twenty second day of April two thousand and twenty five.

Navin Gopall

Acting Clerk of the National Assembly

FIRST SCHEDULE

[Section 3(2)(e)]

MINISTERS ON NATIONAL DRUG CONTROL COMMISSION

1. The Minister to whom responsibility for the subject of agro-industry is assigned
 2. The Minister to whom responsibility for the subject of arts and culture is assigned
 3. The Minister to whom responsibility for the subject of education is assigned
 4. The Minister to whom responsibility for the subject of environment is assigned
 5. The Minister to whom responsibility for the subject of finance is assigned
 6. The Minister to whom responsibility for the subject of gender is assigned
 7. The Minister to whom responsibility for the subject of labour is assigned
 8. The Minister to whom responsibility for the subject of local government is assigned
 9. The Minister to whom responsibility for the subject of social security and social integration is assigned
 10. The Minister to whom responsibility for the subject of tertiary education is assigned
 11. The Minister to whom responsibility for the subject of youth is assigned
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SECOND SCHEDULE

[Section 23]

OATH OF SECRECY

I,, hereby make oath/solemn affirmation* as a and declare that in the performance of my duties as a board member of the Drug Control Board/officer of the National Agency for Drug Control/committee member of the Committee* under the National Agency for Drug Control Act 2025, I will deal with and regard all documents and information relating to the operations of the National Agency for Drug Control and to which I have access as SECRET AND CONFIDENTIAL and refrain from delivering and disclosing any such document and information to any unauthorised person.

Sworn/solemnly affirmed* by the abovenamed before me at this day of 20.....

Before me

.....
District Magistrate of
..... Court

* delete as appropriate
