



PROTECTION FROM DRUG ABUSE/ MINIMUM AGE FOR SALE OF ALCOHOL AND DRUGS: INTERNATIONAL AND REGIONAL LAWS

African Charter on the Rights and Welfare of the Child, 1990

Article 28: Drug Abuse

States Parties to the present Charter shall take all appropriate measures to protect the child from the use of narcotics and illicit use of psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the production and trafficking of such substances.

Convention on the Rights of the Child, 1989

Article 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

COUNTRY	PROTECTION FROM DRUG ABUSE/ MINIMUM AGE FOR SALE OF ALCOHOL AND DRUGS
<p>Algeria</p>	<p>No Legal Minimum Age</p> <p>Second periodic report on the Convention on the Rights of the Child: Algeria, 2003</p> <p>Article 192 of Act No. 85- 05 of 16 February 1985 relating to the protection and promotion of health stipulates that “it is forbidden for any importer, producer or manufacturer of essences that could be used in the manufacture of alcoholic beverages to sell or offer, free of charge, such products to any persons other than beverage manufacturers who are authorized to store such products on behalf of the authorities, the indirect taxation service, pharmacists, the perfume trade and direct export organizations”.</p> <p>The sale of such products by all the above-mentioned categories, in kind on the domestic market, is prohibited, with the exception of pharmacists who may issue them on a medical prescription after recording the requirements pertaining thereto in their prescriptions register.</p> <p>Anyone who contravenes the provisions of article 190 of the Act relating to the production, transport, import, export, holding, supply, possession, acquisition and use of non-narcotic poisonous substances or plants shall be liable to a term of imprisonment of between two months and two years and a fine of between 2,000 and 10,000 dinars.</p>
<p>Angola</p>	<p>No Legal Minimum Age</p> <p>Consolidated Second, Third and Fourth Periodic Report on the Convention on the Rights of the Child: Angola, 2008</p> <p>Drugs are consumed by citizens beginning at age 15.</p>
<p>Benin</p>	<p>No Legal Minimum Age</p> <p>Second periodic report on the Convention on the Rights of the Child: Benin, 2005</p> <p>There are no official measures prohibiting children from consuming alcohol, tobacco or other substances harmful to their health.</p> <p>Concluding Observation to the Second Periodic Report on the Convention on the Rights of the Child: Benin, 2006</p>



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	<p>The Committee is concerned at the lack of information and data on the level of drug abuse and alcohol consumption in the State party and that these practices are not prohibited.</p>
Botswana	<p>18 Years</p> <p style="text-align: center;">Children Act, 2009</p> <p>Section 60 Exposing Children to Narcotics etc</p> <p>No person shall expose a child to the use or influence of narcotic or intoxicating drugs or alcohol, neither shall any person use a child in the production nor trafficking of such substances.</p> <p>Section 63 penalty</p> <p>A person who contravenes the provisions of sections 59 to 63 shall be guilty of an offence and liable to a fine of not less than P30 000 but not more than P50 000, or to imprisonment for a term of not less than seven years but not more than ten years, or both.</p> <p>Section 2</p> <p>“child” means any person who is below the age of 18 Years;</p>
Burkina Faso	<p>20 years</p> <p style="text-align: center;">Third and Fourth Periodic Report on the Convention on the Rights of the Child: Burkina Faso, 2008</p> <p>Act No. 17-99/AN of 22 April 1999 on the Drugs Code, under article 63 of which supplying toxic chemical inhalants to a minor carries imprisonment or a fine;</p> <p style="text-align: center;">Code on the Individual and the Family, 1989</p> <p>Article 554: The minor is a person of either sex who has not yet reached the age of twenty years.</p>
Burundi	<p>No Legal Minimum Age</p> <p style="text-align: center;">Second Periodic Report on the Convention on the Rights of the child: Burundi, 2008</p> <p>A child may not have a medical consultation or treatment or be operated on without prior parental consent and is not permitted to use alcohol or other drugs of any kind.</p>

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<p>Cameroon</p>	<p>No Legal Minimum Age</p> <p>Second Periodic Report on the Convention on the Rights of the Child: Cameroon, 2008</p> <p>It is no secret that children in Cameroon are exposed to drugs and alcohol. The Ministry of Social Affairs (department for combating social scourges), the Ministry of Health and the law enforcement authorities are timidly addressing the issue.</p>
<p>Cape Verde</p>	<p>No Legal Minimum Age</p> <p>Initial State Party Report on the Convention on the Rights of the Child: Cape Verde, 1999</p> <p>Drug use is prohibited and punishable by up to three months' imprisonment (Act No. 78/IV/93 of 29 November). However, if the user is a minor and not a repeat offender and undertakes not to use drugs any more, he or she may be spared punishment.</p> <p>Civil Code, 1997</p> <p>Article 133 Minors: minors are persons who have not yet reached the age of eighteen.</p>
<p>Central African Republic</p>	<p>No Legal Minimum Age</p> <p>Initial State Party Report on the Convention on the Rights of the Child: Central African Republic, 1998</p> <p>The consumption of alcohol or other psychotropic substances in the Central African Republic is regulated on the basis of age. However, admission to bars and dance halls is governed by Decree No. 61/107 of 24 June 1961 on the protection of young persons.</p>
<p>Chad</p>	<p>No Legal Minimum Age</p> <p>Initial State Party Report on the Convention on the Rights of the Child: Chad, 1997</p> <p>Act No. 28 of 29 December 1965 establishing regulations for pharmacies in Chad already dealt in a subsidiary manner with the problem of drug use and trafficking by minors. Chad also recently adopted Act No. 22/PR/95 of 28 September 1995 concerning the control of drugs. In addition, there is a narcotic drug control squad within the Criminal Investigation Department and a private association for drug control.</p> <p>Second Periodic Report on the Convention on the Rights of the Child: Chad, 2007</p> <p>The legal context remains unchanged from the one described in the initial report.</p>

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<p>Comoros</p>	<p>No Legal Minimum Age</p> <p style="text-align: center;">Initial State Party Report on the Convention on the Rights of the Child: Comoros, 2000</p> <p>Even though the legal and legislative arsenal for fighting drug abuse is poorly developed, the State is nevertheless concerned at the proliferation of all forms of drug addiction, which it intends to combat effectively.</p>
<p>Congo Brazzaville</p>	<p>No Legal Minimum Age</p> <p style="text-align: center;">Child Code, 2010</p> <p>Article 69: It is prohibited to</p> <ul style="list-style-type: none"> - Encourage the child to use drugs and alcohol; - To use the child in the production and flow such substances <p>Article 123: Anyone who incites a child to substance use such as narcotics, drugs or alcohol, or in the production and trafficking of such substances shall be punished with the term of one year to five years imprisonment and a fine ranging from one million to 10 million CFA francs.</p>
<p>Cote d'Ivoire</p>	<p>No Legal Minimum Age</p> <p style="text-align: center;">Initial State Party Report on the Convention on the Rights of the Child: Cite d'Ivoire, 1993</p> <p>Article 2 of Act No. 88-686 of 22 July 1988 banning all illegal traffic in narcotics and other psychotropic substances imposes very severe penalties on anyone facilitating the use of drugs by minors or using children for the drugs traffic.</p> <p style="text-align: center;">Minority Act, 1970</p> <p>Article 1: A minor is an individual of either sex who has not yet reached twenty-one years.</p>
<p>Democratic Republic of Congo</p>	<p>No Legal Minimum Age</p> <p style="text-align: center;">Initial State Party Report on the Convention on the Rights of the Child: Democratic Republic of Congo, 1998</p> <p>The Legislative Ordinance of 22 January 1903, as approved by the Decree of 10 March 1917, prohibits the cultivation, sale, transport, possession or consumption of hemp. These provisions need to be expanded to cover other drugs and narcotic substances such as morphine, cocaine, roche-4, etc</p>

<p>Djibouti</p>	<p>No Legal Minimum Age</p> <p style="text-align: center;">Law on the organization of health protection against smoking, 2008</p> <p>Article 6: It is forbidden to smoke in particular</p> <ul style="list-style-type: none"> - Kindergartens, nurseries and day care centers; - The public and private primary and secondary education institutions; - Parastatal and private vocational education public institutions; <p>Article 14: In the boats, trains, buses, taxis, transport vehicles for children or staff, as well as welcoming all passenger vehicle, the smoking ban is total, the signs must be visible and legible for users .</p> <p>Initial state party report on the Convention on the Rights of the Child: Djibouti, 1998</p> <p>Drug abuse is formally prohibited in Djibouti. Djiboutian law sets severe penalties for users and traffickers. If a minor is exploited in the illicit drug trade, the law regards this as an aggravating circumstance in the offence committed.</p>
<p>Egypt</p>	<p>No Legal Minimum Age</p> <p style="text-align: center;">Initial State Party Report on the African Charter on the Rights and Welfare of the Child, 2008</p> <p>Anti Drug Law No.182 of 1960</p> <p>If the culprit brings him drugs or hands over or sell them to a person under 21 Years or provides drugs to be taken by any coercive means or cheating or instigating to use or assaulting or facilitating to do so</p> <p style="text-align: center;">Child Code, 2008</p> <p>Article 96</p> <p>The child shall be considered at risk if he is exposed to a situation threatening the sound upbringing that should be made available to him, or in any of the following cases:</p> <p>6) If the child is exposed in the family, school, care institutions, or other to violence, or to acts contrary to public morals, or pornographic material, or to commercial exploitation of children, or to harassment or sexual exploitation, or to the illegal use of alcohol or narcotic substances affecting the mental state.</p>



Equatorial Guinea	<p>No Legal Minimum Age</p> <p style="text-align: center;">Initial state party report on the Convention on the Rights of the Child: Equatorial Guinea, 2003</p> <p>The Ministry of Health and Social Welfare, and the Ministry of Planning and Economic Development among others has the function</p> <p>(e) To collaborate with public and private institutions in the adoption and implementation of legislative and administrative measures to protect children against the illicit use of drugs, tobacco and alcohol, and against any form of sexual exploitation or abuse;</p>
Eritrea	<p>18 Years</p> <p style="text-align: center;">Initial State Part Report on the Convention on the Rights of the Child: Eritrea, 1996</p> <p>Alcoholic drinks are not permitted to be sold to minors under the age of 18 Years. According to article 514 of TPCE, “whosoever endangers the health of another, intentionally and unscrupulously, by administering or serving, or by causing or permitting to be administered or served to minors [...] alcoholic beverages or spirituous liquors of such kind or in such quantity as to make their injurious effect certain or probable [...] is punishable with simple imprisonment”. In addition, those who sell, offer or serve or allow to be served alcohol in a public place to children or young persons are punishable with a fine or arrest not exceeding one month (art. 773, TPCE).</p> <p>Similarly, article 510/3/b of TPCE prohibits the sale of drugs. The court could pass a sentence of rigorous imprisonment not exceeding five years and impose a fine not exceeding Nakfa 30,000 (the figure does not take inflation into account) where a forbidden toxic substance is furnished for gain or improper motive to a child or young person.</p>
Ethiopia	<p>18 Years on premise</p> <p>15 Years off premise</p> <p style="text-align: center;">Criminal Code, 2004</p> <p>Article 531: Endangering the Health of Another by Alcoholic Beverages or Spirituous Liquors.</p> <p>(1) Whoever endangers the health of another, intentionally and unscrupulously, by administering or serving, or by causing or permitting to be administered or served, to minors or to persons already manifestly suffering from excessive</p>

	<p>consumption thereof, alcoholic beverages or spirituous liquors of such kind or in such quantity as to make their injurious effect certain or probable, is punishable with simple imprisonment not exceeding one year, and fine.</p> <p>Article 818.- Measures against Alcoholism</p> <p>Whoever, apart from the cases punishable under the Criminal Code:</p> <p>(c) Sells, offers, serves or allows to be served in a public place alcohol in substantial quantities to infants or young persons, persons who are irresponsible, or are manifestly drunk or dangerous; or is punishable with fine or arrest not exceeding one month.</p> <p>Article 53: young person between the ages of nine and fifteen years.....</p> <p style="text-align: center;">The Revised Family Code, 2002</p> <p>Article 215: A minor is a person of either sex who has not attained the full age of eighteen years.</p>
<p>Gabon</p>	<p>No Legal Minimum Age</p> <p style="text-align: center;">Initial state party report on the Convention on the Rights of the Child: Gabon, 2000</p> <p>In Gabon, aside from article 237 of the Penal Code, which establishes penalties for the administration of substances harmful to health, article 208 of the Code punishes anyone who, without authorization, cultivates, owns, offers, sells, acquires, buys or uses substances or plants classified by regulation as narcotic drugs (opium and its derivatives, heroin, morphine, etc.). The penalties were made more severe by Act No. 19/93 of 27 August 1993, amending article 208 of the Penal Code. Article 209 bis of the Penal Code also establishes penalties for drunk and disorderly conduct</p>
<p>Gambia</p>	<p>17 Years</p> <p style="text-align: center;">Initial State Party Report on the Convention on the Rights of the Child: Gambia, 1999</p> <p>“A person commits an offence if he supplies or distributes a controlled drug to a child or young person as defined in the Children and Young Person Act, Cap 45</p> <p style="text-align: center;">Children and Young Persons Act, 1949</p> <p>Section 2</p> <p>"child": means a person under the age of fourteen years;</p>

	<p>“Young person”: means a person who attained the age of fourteen years and is under the age of seventeen years.</p>
Ghana	<p>18 Years</p> <p style="text-align: center;">Liquor Act, 1970</p> <p>Section 15-Young Persons to be Excluded.</p> <p>(1) No holder of a license to sell spirits, wine or beer shall allow any person under the apparent age of eighteen years to be at any time in the bar of the licensed premises during permitted hours.</p> <p>(2) Any licensee who contravenes this section, and any person who causes or procures any person under the apparent age of eighteen years to enter or to be in the bar of any licensed premises during the permitted hours, shall be guilty of an offence and liable on conviction to a fine not exceeding fifty new cedis and in default of payment to imprisonment not exceeding one month.</p> <p>(3) If a person under the apparent age of eighteen years is found in the bar of any licensed premises during permitted hours, the holder of the license shall be deemed to have committed an offence under this section unless he shows that he had used all due care to prevent that person from being admitted to the bar or the young person had attained the age of eighteen years.</p> <p>(4) No licensee under this Act shall sell any spirit, wine or beer to any drunken person or permit any disorderly or improper conduct on his premises or any part of the premises attached thereto.</p>
Guinea	<p>No Legal Minimum Age</p> <p style="text-align: center;">Concluding Observation to the Initial State Party Report on the Convention on the Rights of the Child</p> <p>The Committee is particularly concerned at the high and increasing incidence of drug and substance abuse among youth; the lack of legal provisions in relation to narcotic drugs and psychotropic substances.</p>
Guinea-Bissau	<p>No Legal Minimum Age</p> <p style="text-align: center;">Combined Second, Third and Fourth Periodic Report on the Convention on the Rights of the Child: Guinea Bissau, 2009</p> <p>Legally, the sale and consumption of alcohol to an underage child is not permitted and this prohibition is based on a generic law, which is incorporated in the incapacity of a minor. Regarding the consumption of drugs, Decree No. 2-B/93 of</p>



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	<p>28 October forbids its production, sale and consumption to all individuals. However, when such substances, which are considered illicit, are destined or given to children the legal charges are aggravated. In that context, the notion of a child is extended to the beginning of his/her full legal age/adulthood.</p>
Kenya	<p>No Legal Minimum Age</p> <p style="text-align: center;">Child Act, 2001</p> <p>Section 16 protection from drugs</p> <p>Every child shall be entitled to protection from the use of hallucinogens, narcotics, alcohol, tobacco products or psychotropic drugs and any other drugs that may be declared harmful by the Minister responsible for health and from being involved in their production trafficking or distribution.</p>
Lesotho	<p>18 years</p> <p style="text-align: center;">Children’s Protection and Welfare Act, 2011</p> <p>Section 3 Interpretation:</p> <p>In this Act, unless the context otherwise requires –</p> <p>"abuse" in relation to a child, means any form of harm or ill-treatment deliberately inflicted on a child, and includes subjecting a child to harmful substances such as alcohol and drug</p> <p>Section 18 Right to be protected from harmful substances</p> <p>A child has a right to be protected from the use of hallucinogens, narcotics, alcohol, tobacco products or psycho- tropic drugs and any other substances declared harmful, and from being involved in their production, trafficking or distribution.</p> <p>Section 3: “Child” means a person under the age of 18 years</p>



<p>Liberia</p>	<p>18 Years</p> <p style="text-align: center;">Children’s Act, 2011</p> <p>Section 1.2: without prejudice to the generality of subsection 1, a child is in a situation of special vulnerability if she or he v. consumes or is exposed to alcohol or any intoxicating or narcotic drug</p> <p>Section 16.6: selling, sending a child to procure or serving of beverages, narcotics and cigarettes to a child; employment in sale</p> <p>a parent or any person eighteen years old and above, who sells, sends a child to procure or serves alcoholic beverages, cigarettes or any narcotic or intoxicating drugs to a child or who employs a child in the sale of such beverage, cigarettes or narcotics and intoxicating drugs is guilty of a misdemeanor of the first degree.</p> <p>Section 3: “Child” shall mean any person below the age of 18 years</p>
<p>Libya</p>	<p>No Legal Minimum Age</p> <p style="text-align: center;">Third and Fourth Periodic Report on the Convention on the Rights of the Child: Libya, 2009</p> <p>To that end, a national strategy to combat the illicit use of narcotic drugs and psychotropic substances was promulgated pursuant to General People’s Committee Decision No. 150 of 1996. The strategy is built on three core areas: combating the supply of drugs; arresting, prosecuting and investigating criminal gangs and bringing them to justice; and awareness, education, treatment and rehabilitation.</p>
<p>Madagascar</p>	<p>No Legal Minimum Age</p> <p style="text-align: center;">Law to Control Psychotropic Substances, 1997</p> <p>Title IV Supply to minors toxic chemical inhalants</p> <p>Article 116: When an addict is convicted of an offense under sections 95 to 103, 142 and 143, the court may, as an alternative or complement to the punishment, asked to undergo treatment or appropriate care has its state. One that will evade these measures will be sentenced to imprisonment for 1 to 5 years and a fine of 10,000 to 250,000 FMG or one of these penalties.</p>

	<p>Section 108: when the offense was committed in a prison, a military establishment, an educational institution or, a hospital or, social service center or other places where pupils and students engage in educational, sporting or social or in the immediate vicinity of these institutions and these places;</p> <p>- The penalties forced to time provided for in Articles 95 to 103 works will be replaced by those forced to work life: when the drug was delivered or offered or that its use has been facilitated to a minor, a mentally handicapped person or a person in rehab;</p>
Malawi	<p>18 Years</p> <p style="text-align: center;">Liquor Act, 1979</p> <p>Section 74: Supply of liquor to young person's Any licensee under a sales license issued under this Act who supplies liquor to any young person (irrespective of whether the said liquor is supplied for the personal use of such young person or of some other person) shall be liable to a fine of one hundred Kwacha and to imprisonment for a term of six months.</p>
Mali	<p>18 Years</p> <p style="text-align: center;">Second Periodic Report on the Convention on the Rights of the Child: Mali 1997</p> <p>Act No. 01-078 of 18 July 2001 on control of drugs and precursors prohibits-and punishes by fines or imprisonment any person who supplies products categorized as drugs or precursors to a minor child.</p>
Mauritania	<p>Use of Drugs is Illegal</p> <p style="text-align: center;">Initial State Party Report on the Convention on the Rights of the Child, 2000</p> <p>The use of drugs is formally prohibited in Mauritania.</p>
Mauritius	<p>18 years</p> <p style="text-align: center;">Child Protection Act, 1995</p> <p>Section 16 Licensed premises</p> <p>(1) (a) No person shall sell any liquor, rum or compounded spirits to a child. (b) Any person who causes or allows a child to have access to premises in respect of which a license has been issued for the sale of liquor, rum or compounded spirits for consumption on the premises other than premises in respect of which –</p>

	<p>(i) a restaurant (liquor, rum and compounded spirits) retailer license; or (ii) a hotel or boarding house keeper (liquor, rum and compounded spirits) retailer license has been issued, shall commit an offence. (c) In this section, “liquor”, “rum” and “compounded spirits” have the same meaning as in the Excise Act. (2) Any person who causes or allows a child to have access to a gaming house shall commit an offence. (3) Any person, other than an agent of an educational or cultural institution or organization, who, in respect of a child under the age of 16 – (a) allows the child who is unaccompanied by an adult to have access to a video club; (b) Rents out a video tape to the child, shall commit an offence. Section 2: child” means any unmarried person under the age of 18;</p>
Morocco	<p>No Legal Minimum Age</p> <p>Initial State Party Report on the Convention on the Rights of the Child: Morocco, 1995</p> <p>The law stipulates severe punishment (dahir of 21 May 1974 on the suppression of drug abuse and the prevention of drug addiction). The penalties for the import, trade, possession and use of substances or plants classed as narcotic drugs can be as much as 10 years’ imprisonment accompanied by large fines and confiscation. The penalty is increased for doctors or pharmacists who issue or fill prescriptions facilitating the use of narcotic drugs by persons under 21 Years of age.</p>
Mozambique	<p>No Legal minimum age</p> <p>Initial State Party Report on the Convention on the Rights of the Child: Mozambique, 2000</p> <p>Current legislation does not expressly prohibit the consumption of alcohol and tobacco by minors. However, Law 3/97 prohibits the sale of alcoholic beverages and tobacco to minors under 18. Article 40 of the same law regulates the protection of children against the use of drugs, with aggravated penalties when such substances or preparations are provided to or destined for minors.</p>
Namibia	<p>No Legal Minimum Age</p> <p>Promulgation of Liquor Act, 1998 (Act No.6 of 1998) do not have a provision on protection of children from drug abuse</p>
Niger	<p>No Legal Minimum Age</p> <p>Initial State Party Report on the African Charter on the Rights and Welfare of the Child: Niger, 2008</p> <p>Ordinance No. 99-42 of 23 September 1999 related to the fight against drugs in Niger regulates the possession, sale, transfer and consumption of narcotics, mood modifying drugs and precursors.</p>



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	<p>Section 147 of the above-mentioned ordinance forbids the supply of toxic chemical sniff glue to children, on pain of imprisonment sentence ranging from 1 to 5 years and fine from 100,000 to 500, 000 Francs</p> <p style="text-align: center;">Civil Code, 2005</p> <p>Article 388: A minor is a person of either sex who has not reached the age of 21 Years</p>
<p>Nigeria</p>	<p>18 Years</p> <p style="text-align: center;">Child Act, 2003</p> <p>Section 25. Exposure to use, production and trafficking of narcotic drugs, etc.</p> <p>(1) No person shall-</p> <p>(a) expose or involve a child in the use of narcotic drugs and psycho tropic substances; or</p> <p>(b) expose or involve a child in the production or trafficking of narcotic drugs or psychotropic substances; or</p> <p>(2) A person who contravenes the provisions of subsection (1) or (2) of this section commits an offence and is liable on conviction to imprisonment for life.</p> <p>Section 277: "child" means, a person under the age of eighteen years</p>
<p>Rwanda</p>	<p>18 Years</p> <p style="text-align: center;">Law Relating to the Rights and Protection of the Child, 2011</p> <p>Article 44: Parent, guardian and any other person must refrain from giving, selling to a child alcoholic drinks or any other form of drugs or asking him/her to bring such products. They shall also refrain from causing the child to work in any place where such products are offered for sale.</p> <p>Any person organizing a party which children attend shall ensure they do not take alcoholic drinks or any other form of drugs. a child shall not enter any place where alcoholic drinks are sold or consumed unless he/she is accompanied.</p> <p>A child also shall not enter places where night clubs are held and alcoholic drinks or drugs are consumed even if he/she is</p>



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	<p>accompanied</p> <p>Any person contravening the provisions of paragraphs 3 and 4 of this Article shall be punishable with penalties provided for by the Penal Code.</p> <p>Article 3 (10): a child: any person under the age of eighteen (18) years.</p>
Sao Tome & Principe	<p>16 years</p> <p>Initial State Party Report on the Convention on the Rights of the Child: Sao Tome and Principe, 2003</p> <p>National legislation includes Regulation No. 4,544 of 3 April 1954 on the consumption of alcohol, which prohibits access by minors under 16 and unaccompanied by their parents or other persons responsible for their care to outlets for the sale and consumption of alcohol. In practice the instrument is rarely applied, and is not enough to protect minors.</p>
Senegal	<p>No Legal Minimum Age</p> <p>Constitution, 2001</p> <p>Article 20</p> <p>Parents shall have the natural right and the duty to raise their children. They shall be supported in this task by the state and public collectivities. Youth shall be protected by the state and public groups against exploitation, drugs, narcotics, moral neglect and delinquency.</p>
Seychelles	<p>18 Years</p> <p>Children Act, 1982</p> <p>Section 72.(1) Children not to be given liquor</p> <p>No person shall -</p> <p>(a) Give to a child; or</p> <p>(b) Allow a child in his custody, care or charge to drink, any liquor in a quantity which might be detrimental to the child's health.</p>

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	<p>(4) A person who contravenes subsection (1) is guilty of an offence and is liable to a fine of R.20,000</p> <p>Section 73 (1) Children not to be given drugs</p> <p>No person shall -</p> <p>(a) Give to a child;</p> <p>(b) Sell to a child;</p> <p>(c) Allow a child to purchase; or</p> <p>(d) Allow a child in his custody, care or charge to use or take, any controlled drug.</p> <p>(4) A person who contravenes sub-section (1) is guilty of an offence and is liable to imprisonment for 15 Years and to a fine of R.200, 000</p> <p>Section 73A.(1) Children not to be given tobacco</p> <p>A person shall not -</p> <p>(a) Give to a child;</p> <p>(b) Sell to a child, or</p> <p>(c) Allow a child in his custody, care or charge to smoke, any tobacco or product containing tobacco.</p> <p>(2) A person who contravenes subsection (1) is guilty of an offence and liable to imprisonment for 2 years and to a fine of R20, 000.</p> <p>Section 2: "child", except where used to express a relationship and except in sections 9 to 14, means a person under 18 Years of age and includes a young person;</p>
<p>Sierra Leone</p>	<p>No Legal Minimum Age</p> <p style="text-align: center;">National Drugs Control Act, 2008</p> <p>Article 8: A person who, without lawful authority–</p> <p>(a) buys, sells, possesses or has under his control, any drug or uses any drug by smoking, inhaling, sniffing, injecting or otherwise introduces the drug into his body; or</p>

	<p>(b) Injects any person with or in any manner administers a drug to any person, commits an offence and is liable on conviction to imprisonment for a term not less than five years.</p> <p>Article 12 (2): Where a minor has been convicted of an offence under section 8, the court may order as an alternative to the penalty prescribed for that offence, that the minor undergoes treatment, education, aftercare, rehabilitation or social reintegration, as the circumstances may require.</p> <p>“drug” means a prohibited drug, high-risk drug, a risk drug or a preparation;</p> <p>Article 1: minor” means an individual who is below the age of eighteen years;</p>
Somalia	-
South Africa	<p>18 Years</p> <p style="text-align: center;">Children’s Act, 2005</p> <p>Section 140 (3): No alcohol or tobacco products may be sold, served or made available to children at places of entertainment</p> <p>Section 1: “Child” means a person under the age of 18 Years</p>
South Sudan	<p>18 Years</p> <p style="text-align: center;">The Child Act, 2008</p> <p>Article 24. Right to Protection from Harmful Substances.</p> <p>(1) Every child has the right to be protected from drug abuse and the use of hallucinogens, narcotics, alcohol, tobacco products, drugs and any other substances declared harmful and from being involved in their production, trafficking or distribution.</p> <p>(2) It is an offence to sell drugs, hallucinogens, narcotics, alcohol, tobacco products or any other substances declared harmful to children.</p> <p>(3) Whoever commits such an offence shall on conviction, be sentenced to imprisonment for a term not exceeding fourteen years.</p> <p>Article 5: “Child” means a human being under the age of eighteen years</p>

<p>Sudan</p>	<p>18 Years</p> <p style="text-align: center;">Child Act, 2010</p> <p>Article 18 Sale of Tobacco and volatile substances to Children prohibited</p> <p>There shall be prohibited sale, use or distribution of volatile substances, such as rubber adhesive and other narcotic substances, or alcohol to Children except in necessity and for legitimate cause.</p> <p>Article 4: means every person, who is not above the age of eighteen years;</p>
<p>Swaziland</p>	<p>No Legal Minimum Age</p> <p style="text-align: center;">Initial State Party Report on the Convention on the Rights of the Child: Swaziland, 2005</p> <p>The draft of the Public Health Bill (1997) provides for the control of the manufacture, procurement and distribution of drugs and other controlled substances. The Bill also contains various provisions which prohibit the manufacture, sale, distribution and use of opium-based or habit forming drugs and subject to certain conditions being met in the administration of medical treatment. However, minimum ages for the use of such substances are not provided.</p>
<p>Tanzania</p>	<p>18 Years</p> <p style="text-align: center;">Law of the Child Act, 2009</p> <p>Section 17(1) Child Protection</p> <p>A person, being an owner or occupier who runs or is in-charge of a discotheque, bar or night club, shall not allow a child to enter into the premises. (2) A person shall not sell cigarettes, alcohol, any spirit, drugs or any intoxicating substance to a child.</p> <p>(3) A person who contravenes the provisions of this section commits an offence and shall on conviction be liable to a fine not less than one million shillings but not exceeding five million shillings or to imprisonment for a term not exceeding twelve months or to both.</p> <p>Article 4(1): A person below the age of eighteen years shall be known as a child.</p>
<p>Togo</p>	<p>No Legal Minimum Age</p>



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	<p style="text-align: center;">Initial State Party Report on the African Charter on the Rights and Welfare of the Child: Togo, 2009</p> <p>Act No. 98-008 of March 18, 1998, on drugs control, namely: – Article 114 sets a prison term of 1 to 5 years and a fine of 25 000 to 2,500,000 CFA francs on those who knowingly have provided a minor one of the toxic chemical inhalants on the list established by a decree of the Ministry of Public Health.– Article 115-6 provides that when the drug was delivered or offered or that its use has been facilitated to a minor, the maximum penalties under articles 98 to 106 (10 to 20 years imprisonment and a fine of 10,000. 000 to 250,000,000 CFA francs or one of these two penalties) will be doubled: life imprisonment and a fine of 20 million to 500 million FCFA, or one of these two penalties may also be pronounced.</p>
<p>Tunisia</p>	<p style="text-align: center;">No Legal Minimum Age</p> <p style="text-align: center;">Second Periodic Report on the Convention on the Rights of the Child: Tunisia, 1999</p> <p>Protection of the child against the use of narcotic drugs (Act No. 95-94 of 9 November 1995 amending and supplementing Act No. 92-52 of 18 May 1992 relating to narcotic drugs) 28. An article 19 bis (new) has been added to the above-mentioned Act of 18 May 1992, under which terms: “The Court may, in the case of consumption or detention for consumption, cause a child to undergo medical detoxification treatment; psycho-medical treatment with a view to preventing recidivism; medico-social treatment or take any other measure laid out under article 59 of the Child Protection Code.</p>
<p>Uganda</p>	<p style="text-align: center;">18 Years</p> <p style="text-align: center;">Liquor Act, 1960</p> <p>Section 19 young persons</p> <p>(1) Any licensee who allows a person under the apparent age of eighteen years to be in a bar on his or her licensed premises, other than a bar in a members club, during the period when the sale and consumption of intoxicating liquor is authorized by his or her license commits an offence and is liable on conviction to a fine not exceeding two hundred shillings; except that—</p> <p>This subsection shall not apply if such person is in the bar solely for the purpose of passing to or from some other part of the premises, not a bar, being a part to or from which there is no other convenient means of access or egress; and</p> <p>The licensing authority may exempt any licensed premises from the operation of this subsection if it is in the opinion of the licensing authority impracticable for the licensee to comply with it.</p> <p>Any licensee who employs or permits a person under the apparent age of eighteen years to sell or control or supervise the</p>

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	<p>sale of intoxicating liquor on licensed premises, or to have the custody or control of intoxicating liquor on licensed premises, commits an offence and is liable on conviction to a fine not exceeding five hundred shillings.</p> <p>Any licensee who knowingly sells or permits any other person to sell and any servant of a licensee who knowingly sells intoxicating liquor to a person under the apparent age of eighteen years commits an offence and is liable on conviction to a fine not exceeding five hundred shillings; except that this subsection shall not apply—</p>
Zambia	<p>14 years</p> <p style="text-align: center;">The Liquor Act, 1959</p> <p>Section 46 (1) Restriction on sale, etc., of liquor to children</p> <p>A licensee shall not knowingly sell or deliver, or allow any other person to sell or deliver, intoxicating liquor to a person under the age of fourteen years:</p>
Zimbabwe	<p>16 years</p> <p style="text-align: center;">Children’s Act, 1972</p> <p>Section 78: Sales of liquor, tobacco and drugs to children prohibited</p> <p>(1) No person shall sell, lend, give, supply, deliver or offer so to do to any child any liquor as defined in the Liquor Act [Chapter 14:12] tobacco, cigars, cigarettes, cigarette papers or specified drugs as defined in the Medicines and Allied Substances Control Act [Chapter 15:03] except upon production of a written order signed by the parent or guardian of the child known to such person, and in accordance with those Acts.</p> <p>(2) No person other than the parent or guardian of a child shall give a written order referred to in subsection (1) to such child.</p> <p>(3) Any person who contravenes subsection (1) or (2) shall be guilty of an offence and liable to a fine not exceeding level five or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.[amended by Act 22 of 2001, with effect from the 10th September, 2002.]</p> <p>Section 2: “child” means a person under the age of sixteen years and includes an infant;</p>



Reference

ACPF (2012), Harmonisation of Children's Laws in West and Central Africa: County Briefs

ACPF (2012), Harmonisation of Children's Laws in Eastern and Southern Africa: Country Briefs

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