

LAW OF THE REPUBLIC OF ARMENIA

On Narcotic Drugs and Psychotropic Substances

This law governs the relationships in the traffic of the narcotic drugs and psychotropic substances, as well as establishes the legal grounds of the national policy for interdiction of their illicit traffic, and the main measures in combating drug addiction for the purposes of the health protection of the citizens, the security of the state and the general public.

CHAPTER 1 General provisions

Article 1. The Scope of the Law

The law shall govern the processes that ensure the licit traffic, as well as the interdiction for the illicit traffic of the narcotic drugs and psychotropic substances in the territory of the Republic of Armenia

Article 2. Legislation on the narcotic drugs, psychotropic substances and their precursors (compounds)

1. The legislation of the Republic of Armenia on narcotic drugs, psychotropic substances and their precursors consists of this law, other laws and legal acts.

2. If there are norms established in any international treaty of the Republic of Armenia other than stipulated by this law, then the norms in the international treaty shall prevail.

Article 3. Terms Used in this Law

The following main terms are used in this law:

“Narcotic drugs, psychotropic substances and their precursors” means any set of natural or synthetic substances, preparations and plants, the traffic of which and the control over which in the territory of the Republic of Armenia shall be undertaken pursuant to the legislation of the Republic of Armenia and the international treaties of the Republic of Armenia, including the UN 1961 Single Convention on Narcotic Drugs, the UN 1971 Convention on Psychotropic Substances and the UN 1988 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

“Analogues of narcotic drugs and psychotropic substances” means the substances that are not included in the set of the narcotic drugs, psychotropic substances and their precursors established by this law.

“Licit traffic of narcotic drugs, psychotropic substances and their precursors” means the cultivation, production, manufacturing, processing, dispatch, stocking, release, sale, acquisition, use, delivery, distribution, export, import and extermination of the narcotic

drugs, psychotropic substances and their
Republic of Armenia.

precursors pursuant to the legislation of the

“Illicit traffic of narcotic drugs, psychotropic substances and their precursors” means the traffic in narcotic drugs, psychotropic substances and their precursors in violation of the legislation of the Republic of Armenia (hereinafter, an illicit traffic of the narcotic drugs and psychotropic substances).

“Drug addiction” means the individual’s sick physical and (or) psychological status determined by the use of the narcotic drugs or psychotropic substances.

“A patient with drug addiction” means the individual that has received the diagnosis of “drug addiction” as a result of the medical examination undertaken in the manner defined by law.

“Illicit use of narcotic drugs and psychotropic substances” means the use of the narcotic drugs or psychotropic substances without any medical prescription.

Article 4. Classification of Narcotic Drugs, Psychotropic Substances and Their Precursors

1. The composition (list) of the narcotic drugs, psychotropic substances and their precursors (hereinafter, also narcotic drugs and psychotropic substances) subject to control in the Republic of Armenia, shall be approved by the Government of the Republic of Armenia. Any amendments to the list of the narcotic drugs and psychotropic substances shall be made pursuant to the procedure established by the Government of the Republic of Armenia.

2. Depending on the types and measures of control, there are such narcotic drugs and psychotropic substances and their precursors specified in the list of the narcotic drugs and psychotropic substances (list 1), the traffic of which is prohibited in the territory of the Republic of Armenia (hereinafter, prohibited substances), narcotic drugs and psychotropic substances (list 2), the traffic of which in the Republic of Armenia is limited (hereinafter, narcotic drugs), narcotic drugs and psychotropic substances (list 3), for the control over the traffic of which there are certain conditions defined in the Republic of Armenia (hereinafter, psychotropic substances), such precursors (list 4), the traffic of which is limited in the Republic of Armenia, and over which there are control mechanisms established (hereinafter, precursors).

Article 5. National policy in licit traffic and interdiction of illicit traffic of the narcotic drugs and psychotropic substances

1. The national policy in the traffic (including the illicit traffic) of the narcotic drugs and psychotropic substances shall constitute the licensing of the activities related to the traffic of the narcotic drugs and psychotropic substances, the establishment of requirements set for such activities, the implementation of measures for the use of the narcotic drugs and psychotropic substances for health and medical-rehabilitation purposes, the registration of the narcotic drugs (psychotropic substances) and their traffic, the establishment of control and supervision over their traffic, as well as the campaign against drug addiction and the illicit traffic of narcotic drugs and the psychotropic substances.

2. The national policy in the licit traffic and the interdiction of the illicit traffic of the narcotic drugs and psychotropic substances shall be run on the basis of program guidelines.

Article 6. Principles of the National Policy in the Licit Traffic and the Interdiction of Illicit Traffic of the Narcotic Drugs and Psychotropic Substances

The principles of the national policy in the licit traffic and the interdiction of the illicit traffic of the narcotic drugs and psychotropic substances are as follows:

- 1) the control and supervision over the traffic of the narcotic drugs and the psychotropic substances;
- 2) the licensing of the types of activities related to the traffic of the narcotic drugs and the psychotropic substances;
- 3) the priority interdiction of drug addiction and legal violations related to the illicit traffic of the narcotic drugs and psychotropic substances;
- 4) the punishability, the discharge of liability and their inevitability for the illicit traffic of the narcotic drugs and psychotropic substances;
- 5) the state support for undertaking scientific research in the development of new forms and methods for the treatment of drug addiction;
- 6) the state support for combating drug addiction and for the development of the network of medical and rehabilitation institutions for the patients with drug addiction;
- 7) the international cooperation in interdiction of the illicit traffic of narcotic drugs and psychotropic substances.

CHAPTER 2

The institutional bases for the licit traffic and interdiction of the illicit traffic of the narcotic drugs and psychotropic substances

Article 7. Authorities for the supervision over the traffic and the interdiction of the illicit traffic of the narcotic drugs, psychotropic substances and their precursors

The main responsibilities of the authority (hereinafter, the authority) entrusted with the supervision of the traffic and the interdiction of the illicit traffic of the narcotic drugs, psychotropic substances and their precursors are:

-to draft recommendations on the laws, normative legal acts regulating the traffic of the narcotic drugs, psychotropic substances and their precursors, and to furnish them to the Government;

-to draft the “list for the identification and the criteria of the narcotic drugs, psychotropic substances and their precursors in the Republic of Armenia” and to furnish

recommendations on amendments in it to the Government of the Republic of Armenia for approval;

-to discuss the licensing of the types of activities relating to the traffic of the narcotic drugs, psychotropic substances and their precursors upon the recommendation of the public administration competent authority;

-to collect and analyze the information about the fulfillment of the obligations assumed by the Republic of Armenia under the international treaties on the regulation of the traffic of the narcotic drugs, psychotropic substances and their compounds and to forward recommendations to the Government of the Republic of Armenia;

-to approve the list of the names and the quotas for the analogues of the narcotic drugs, psychotropic substances and their precursors, the narcotic plants, instruments, equipment, computer software, scientific -practice manuals and materials subject to use by the RoA Government entrusted public administration competent authorities for the operative - investigation, expert examination, scientific, academic purposes;

-to assess the state of affairs in the area of drug addiction and drug business in the Republic of Armenia and to furnish annual statistics to the Government of the Republic Armenia;

-to approve the vegetation season periods for the plants containing narcotic drugs and psychotropic substances in the Republic of Armenia and the borderlines of the areas that are respectively subject to supervision.

Article 8. The Interministerial Commission for the Licit Traffic and Interdiction of the Illicit Traffic in Narcotic Drugs and Psychotropic Substances

To concord the actions taken by the public authorities in the traffic and interdiction of the illicit traffic of the narcotic drugs and psychotropic substances , an Interministerial Commission may be set up (hereinafter, the commission) upon the decision of the Government of the Republic of Armenia. The rules of procedure and the main objectives of the Commission shall be established by the Government of the Republic of Armenia.

Article 9. The General Procedure for Activities Relating to the Traffic of the Narcotic Drugs and the Psychotropic Substances

1. The traffic of the narcotic drugs and psychotropic substances in the territory of the Republic of Armenia shall be undertaken in the manner established by this law and other legal acts.

2. All the types of the activities relating to the traffic of the narcotic drugs and psychotropic substances in the territory of the Republic of Armenia shall be undertaken in accordance with the Republic of Armenia legislation and the international treaties of the Republic of Armenia, only after having obtained a license for the specific type of activity relating to the traffic of the narcotic drugs and psychotropic substances.

Article 10. Licensing of Activities Pertaining to the Traffic of the Narcotic Drugs and Psychotropic Substances

1. The licenses for the activities relating to the traffic of the narcotic drugs and the psychotropic substances shall be issued in a complex procedure by Authorities that are entrusted by the public administration competent authority.

2. The licenses for the types of activities related to the narcotic drugs and psychotropic substances shall be issued for a term of up to three years.

3. The licensing relationships in the traffic of the narcotic drugs and psychotropic substances shall be governed under the Law of the Republic of Armenia on Licensing .

CHAPTER 3

The requirements set for the activities relating to the traffic of the narcotic drugs, the psychotropic substances and their precursors

Article 11. The limitation of the traffic in a number of the narcotic drugs, psychotropic substances and their precursors

1. The use of the prohibited substances shall be authorized only in the cases stipulated by Articles 31, 32 and 33 of this law.

2. The traffic of the narcotic drugs and psychotropic substances shall be authorized only for the medical purposes, pursuant to the medical prescription, as well as for the purposes stipulated by Articles 31, 32 and 33 of this law.

3. The limitations in the traffic of the precursors shall be established by the Republic of Armenia legislation and the international treaties of the Republic of Armenia.

4. The traffic in the analogues of the narcotic drugs and psychotropic substances shall be prohibited in the Republic of Armenia.

Article 12. The Quota Setting for the Production, Stocking, Import and Export of the Narcotic Drugs and Psychotropic Substances

1. The quotas for the production, stocking, import and export of the narcotic drugs and psychotropic substances shall be set by the Government of the Republic of Armenia.

2. The limitations established for the stocking of the narcotic drugs and psychotropic substances as per paragraph 1 of this Article shall not refer to the stocking of the narcotic drugs and psychotropic substances confiscated from the illicit traffic.

Article 13. Cultivation of New Narcotic Drugs and Psychotropic Substances

1. The cultivation of the new narcotic drugs and psychotropic substances shall be authorized only for the purposes stipulated by this law.

2. The cultivation and the state registration of the new narcotic drugs and psychotropic substances used for medical purposes shall be carried out pursuant to the procedure established by the Government of the Republic of Armenia.

3. The cultivation of the new narcotic drugs and psychotropic substances shall be undertaken only according to the state orders and shall be delegated to the scientific research organizations under the availability of a license for the specified activity. If such cultivated narcotic drug or psychotropic substance is assumed to be used for medical purposes, then its clinical trial shall be undertaken in accordance with the legislation of the Republic of Armenia.

Article 14. The Production and Manufacturing of the Narcotic Drugs and Psychotropic Substances

1. The production of the narcotic drugs and psychotropic substances included in the list of the narcotic drugs for the purposes defined by this law shall be carried out within the scopes of the national quotas, under the availability of the license for the production of the specific narcotic drugs and psychotropic substances.

2. The manufacturing of the narcotic drugs and psychotropic substances included in the list of the narcotic drugs for the purposes defined by this law shall be undertaken under the availability of a license for the manufacturing of the specific narcotic drugs and psychotropic substances.

3. The production and manufacturing of the narcotic drugs and psychotropic substances included in the list of the psychotropic substances for the purposes defined by this law shall be undertaken irrespective of the form of ownership, under the availability of the license for the production and manufacturing of the specific psychotropic substances by the organizations.

4. The organizations producing narcotic drugs and psychotropic substances in the Republic of Armenia shall be subject to state registration in accordance with the legislation of the Republic of Armenia and the international treaties of the Republic of Armenia.

5. The organizations manufacturing narcotic drugs and psychotropic substances shall be subject to state registration in compliance with the legislation of the Republic of Armenia.

Article 15. The Processing of Narcotic Drugs and Psychotropic Substances for the Purpose of Extracting Preparations Included in the Lists of the Narcotic Drugs and Psychotropic Substances

The processing of the narcotic drugs and psychotropic substances for the purpose of extracting preparations contained in the lists of the narcotic drugs and psychotropic substances, as well as the extraction of the substances from them, that are not considered to be narcotic drugs and psychotropic substances, shall be undertaken in the procedure established by the Government of the Republic of Armenia, under the availability of a license for the mentioned type of the activity.

Article 16. The Stocking of the Narcotic Drugs and Psychotropic Substances

1. The stocking of the narcotic drugs and psychotropic substances shall be undertaken by organizations, as per the procedure defined by the Government of the Republic of Armenia, in specially equipped premises and under the availability of a license for the mentioned type of the activity.

2. The stocking of the narcotic drugs and psychotropic substances in any quantities, for the purposes other than stipulated by this law, shall be prohibited.

Article 17. The Import and Export of the Narcotic Drugs and Psychotropic Substances

1. The export and import of the narcotic drugs, the psychotropic substances and their preparations included in the lists of the narcotic drugs and psychotropic substances shall be undertaken by license issued by the public administration competent authority entrusted by the Government of the Republic of Armenia and filled in pursuant to the sample form established by the UN Commission on Narcotic Drugs (CND).

When drawing up the import or export license for the narcotic drugs and psychotropic substances, the public administration authority entrusted by the Government of the Republic of Armenia must be guided with the quotas approved by the UN International Narcotics Control Board (NCB).

There is no export license required in the event of natural disasters and emergency situations.

The license may not be given to another person.

2. The requests for the import and export of the narcotic drugs and psychotropic substances shall be concurred with the public administration competent authority entrusted by the Government of the Republic of Armenia on a form established by the UN acting conventions for the issuance of the import and export licenses.

The application for the export and import authorization shall contain the name, naming, address of the importer or the exporter, as well as the name of the consignee, the international non-proprietary name for each substance, or lacking such a name, the name of the substance mentioned in the lists and schedules of the international conventions, the pharmaceutical form, if a preparation, the commercial name, if any, the quantity of each substance or preparation, concerned to which a relevant action is taken, the period, within which it must be effected, as well as the type of the transport used or the form of transportation and the point of the passage of the frontier on the national territory.

The application for the export authorization shall be accompanied by an import license (certificate, permit) issued by the administration of the importing country or region.

3. The forms of the licenses shall be approved by the public health authority of the Republic of Armenia and the State Customs Committee under the Government of the Republic of Armenia, upon the recommendation of the public administration competent authority entrusted by the Government of the Republic of Armenia.

The export and import licenses shall contain such information, which are included in the request furnished for getting a license, including the name of the competent organization, which has qualified for that.

The license must contain the following information:

1) The name and the address of the place of location or the residence of the importer or exporter,

2) the names of the narcotic drugs and psychotropic substances (if any, the international non-proprietary name),

3) the quantity of the imported/exported substances and the substance that lacks water in base, and, if in the form of a preparation, the pharmaceutical form, the dose of the controlled substance in its contents,

4) the date of expiry of the license,

5) the seal of the public administration competent authority entrusted by the Government of the Republic of Armenia, and the signature of the director.

The export license shall also contain information about the issuance number and the endorsement date of the import license (the other country's identical document).

The export license shall contain also the issuance number and date of the import license (the other country's identical document), the name of the authorizing competent entity, which testify that the import of the narcotic drugs and psychotropic substances concerned is authorized.

4. One copy of the import license shall be provided to the importer, and the other, to the competent authority of the exporting country for the purpose of drawing up a license (the other country's identical document) for the narcotic drugs and psychotropic substances, a copy of which is sent to the importing country customs services, and the other, to the public administration competent authority entrusted by the Government of the Republic of Armenia.

In addition to the copies of the licenses furnished to the Customs Services of the Republic of Armenia and the public administration competent authority entrusted by the Government of the Republic of Armenia, a copy of the license shall accompany the consignment, and the other copy shall be sent to the competent authority of the importer country. After having undertaken the import, the competent authority of the importing country shall return the last copy of the export license, on which a reference, verifying the quantity actually imported, shall be made.

The export license shall be drawn up on the basis of the import license (the other country's identical document) which shall be issued by the competent authority of the importing country.

The ratified copy of the export license (the other country's identical document) shall be attached to each group of consignment and the competent authority shall send the copy of that license (the other country's identical document) to the competent authority of the importing country or region (administration).

5. If the actually exported consignment quantity of the narcotic drugs and the psychotropic substances is lesser than that declared in the export license, then the competent organization of the exporting country shall make a note about that fact in a relevant document and in all the official copies of the latter.

6. When the consignment enters the territory of the Republic of Armenia or when the date mentioned in the import license expires, the competent organization shall send to the competent authority of the exporting country (administration) the above-stated license, whereby mentioning the actually imported quantity of each narcotic drug and psychotropic substance.

7. The commercial documents, i.e. the invoice, bill of lading, customs, transportation, and other shipment documents, shall contain information about such names of the plants, substances and their preparations, by which they are represented in the lists of the international conventions, if any, also the commercial names, the consignments quantities exported from the national territory and subject to import to that territory, if known, the name and address of the exporter, importer, as well as the consignee. The invoices must carry the stamp with the number and the date of issuance of the license ratified by the public administration authority entrusted by the Government of the Republic of Armenia.

8. The export from the territory of the Republic Armenia or the import of the consignment into that territory by the address of the bank or the post-office shall be prohibited.

9. The export of the consignment from the Republic of Armenia territory to the address of the bonded warehouses shall be prohibited, except for those cases when the Government of the importing country shall mention in the import certificate the authorization to import such consignment.

The import of the consignment to the territory of the Republic of Armenia by the address of the customs bonded warehouses shall be prohibited except for those cases when the competent organization states in the import certificate the authorization to import such consignment.

Each withdrawal from the bonded warehouse shall require an authorization of the organizations having jurisdiction over the customs warehouse. The sending of the consignment abroad under the purposes of this Article shall be viewed as a new export. The plants, substances and preparations held at the bonded warehouse may not be subject to any action that changes their nature, while the packaging may not be changed without the permission of the authorities having jurisdiction over the customs warehouse.

10. The narcotic drugs and psychotropic substances entering the territory of the Republic of Armenia or exported thereof without the accompanying import or export license issued in the manner defined, which are inconsistent with the license, shall be held by the competent authorities till the time an evidence about their authorized dispatch or a court ruling about their confiscation is furnished.

11. The transit dispatch of the narcotic drugs, psychotropic substances and their precursors through the territory of the Republic of Armenia shall be authorized, unless otherwise stipulated by law.

12. The provisions of the previous paragraph shall not apply in the case of the consignment transportation to another country by aircraft. If the aircraft has to make an interim or forced landing in the territory of the Republic of Armenia, then the consignment shall be viewed as exported to the country of destination, if for certain reasons, it is unloaded.

Article 18. General Procedure for the Carriage of the Narcotic Drugs and the Psychotropic Substances

1. The right to carriage of the narcotic drugs and psychotropic substances within the territory of the Republic of Armenia shall be reserved to organizations that possess a license for such type of activity.

2. The protection of the narcotic drugs and psychotropic substances shall be ensured by the organizations that perform their carriage.

3. The procedure for the carriage of the narcotic drugs and psychotropic substances within the territory of the Republic of Armenia, as well as for the drawing up of the documents required for that, shall be established by the Government of the Republic of Armenia.

4. The natural persons shall be permitted to carry the narcotic drugs and psychotropic substances received for the medical purposes pursuant to Article 22 of this law under the availability of the documents issued by the pharmaceutical organization, and proving the legality of receiving the narcotic drugs and the psychotropic substances.

Article 19. The Prohibition of the Delivery of the Narcotic Drugs and Psychotropic Substances

1. The delivery of the narcotic drugs and psychotropic substances by post, including their international delivery, shall be prohibited.

2. The delivery of the narcotic drugs and psychotropic substances in the form of the humanitarian aid shall be prohibited, except for those cases, when the narcotic drugs or psychotropic substances in emergency situations are sent to a specific area pursuant to the Government decision.

Article 20. The Distribution, Release and Sale of the Narcotic Drugs and Psychotropic Substances

The distribution, release and sale of the narcotic drugs and psychotropic substances shall be undertaken by the entities, in the procedure established by the Government of the Republic of Armenia, under the availability of a license endorsed for the mentioned type of activity.

Article 21. The Acquisition of the Narcotic Drugs and Psychotropic Substances

The acquisition of the narcotic drugs and psychotropic substances for the purposes of production, manufacturing, processing, sale, use, including the medical purposes shall be

undertaken by the entities pursuant to this law, under the availability of the license endorsed for the mentioned type of activity.

Article 22. The Release of the Narcotic Drugs and Psychotropic Substances to Natural Persons

1. The release of the narcotic drugs and the psychotropic substances to natural persons shall be carried out only in the public health pharmaceutical entities under the availability of the license endorsed for the specified type of activity. The lists of the medical and pharmaceutical personnel, as well as the institutions and entities, who are reserved with the right to release the narcotic drugs and psychotropic substances to citizens, shall be established by the Government of the Republic of Armenia.

2. The narcotic drugs and psychotropic substances designated in the lists of the narcotic drugs and psychotropic substances shall be released for medical purposes by prescriptions.

3. The procedure for the release of the narcotic drugs and psychotropic substances to the natural persons shall be established by the Government of the Republic of Armenia.

4. The public health authority of the Republic of Armenia shall determine the maximum periods of the designation of the specific narcotic drugs and psychotropic substances included in the lists of the narcotic drugs and psychotropic substances, as well as the quantity of the narcotic drugs and psychotropic substances, which may be released by a single prescription.

5. In the case of the designation of the narcotic drugs and psychotropic substances included in the lists of the narcotic drugs and psychotropic substances, the therapist shall be obliged, through the examination of the patient find out the need for the future designation and make relevant records in the medical document.

6. The health system pharmaceutical institutions and entities shall be prohibited to release any narcotic drugs and psychotropic substances included in the list of the narcotic drugs and psychotropic substances by a prescription that has been endorsed more than ten days ago.

Article 23. The Prescriptions for the Release of the Narcotic Drugs and Psychotropic Substances

1. The narcotic drugs and the psychotropic substances shall be released by subscriptions of special form.

2. The forms of the specified prescriptions, the procedure for their registration, recording and maintenance, as well as the rules for their drawing up shall be established by the public health authority.

3. The handing of the prescriptions containing designated narcotic drugs and psychotropic substances without the relevant medical instructions, or with the violation of the rules required for their drawing up shall be prohibited and shall entail a liability pursuant to the legislation of the Republic of Armenia.

Article 24. The Packaging and Labeling of the Narcotic Drugs and Psychotropic Substances

1. The internal and external packaging and labeling of the narcotic drugs and psychotropic substances used for the medical purposes must be in compliance with the requirements of this law, the laws and other legal acts on pharmaceuticals of the Republic of Armenia.

2. The external packaging of the narcotic drugs and psychotropic substances must exclude the possibility of withdrawing the narcotic drug and the psychotropic substance from the package, without detriment to the wholeness of the mentioned package.

3. The internal packaging of the narcotic drugs and psychotropic substances used for the medical purposes must be highlighted with a double red -marked plies.

4. In the event of the non compliance of the internal and external packaging and the labeling of the narcotic drugs and the psychotropic substances used for the medical purposes with the requirements of the paragraphs 1 -3 of this Article, the narcotic drugs and psychotropic substances shall be subject to extermination pursuant to the legislation of the Republic of Armenia.

Article 25. The Extermination of the Narcotic Drugs, Psychotropic Substances and their Precursors, the Instruments or Equipment

1. The narcotic drugs, psychotropic substances, as well as the instruments and equipment used in their manufacturing, the future use of which has been recognized as inappropriate, shall be subject to extermination, pursuant to the procedure established by the Government of the Republic of Armenia.

2. The extermination of the narcotic drugs, psychotropic substances and their precursors shall be carried out in the cases, if:

1) their expiry date has passed,

2) the narcotic drug or the psychotropic substance has been exposed to chemical to physical effect, as a result of which it has become useless and the recovery or processing of which is no longer possible,

3) the unused narcotic drug has been returned by the kin of the late patient,

4) the circumstance of the preparation as being a narcotic drug or psychotropic substance is not possible to be found out,

5) the narcotic drugs or psychotropic substances confiscated from the illicit traffic may not be used for medical, scientific and other purposes, as well as other cases established by the legislation of the Republic of Armenia.

Article 26. International Cooperation

The public administration authorities entrusted by the Government of the Republic of Armenia for the campaign against the illicit traffic of the narcotic drugs, psychotropic substances and their precursors and the legalization of the property and proceeds generated as a result of that, shall cooperate with the similarly functioning authorities of foreign states and international organizations, pursuant to the international treaties.

Article 27. Control over the Traffic of the Precursors

1. Any function during the undertaking of the activity related to the traffic of the precursors, in which case the quantity of the ingredient is exposed to modification, shall be recorded in a special ledger. The ledgers shall be kept for ten years after the last records has been made in them.

2. The procedure for the keeping and maintenance of the ledgers shall be established by the Government of the Republic of Armenia.

3. The legal persons undertaking activities related to the traffic of the precursors shall be obliged to report on a monthly basis about their activities to the competent authorities.

4. In those cases, when there are sufficient grounds to assume that one of the ingredients of the precursors is designed for the illicit production of the narcotic drugs or psychotropic substances, upon the applications of the authorities specified in paragraph 1 of Article 38 of this law, the activities of the organizations related to the traffic of the mentioned ingredient may be terminated for up to three months.

CHAPTER 4

The use of the narcotic drugs and psychotropic substances

Article 28. The Use of the Narcotic Drugs and Psychotropic Substances for Medical Purposes

1. The narcotic drugs and psychotropic substances included in the lists of the narcotic drugs and psychotropic substances may be used for medical purposes.

2. The use of the narcotic drugs and psychotropic substances authorized for the medical purposes shall be governed by the requirements of the legislation of the Republic of Armenia on pharmaceuticals not in conflict with this law.

3. The public health authority shall establish the procedure and the terms for the use of the narcotic drugs and psychotropic substances designed for medical purposes.

4. The control over the narcotic drugs and psychotropic substances in the pharmaceutical entities and health institutions shall be undertaken by the procedure established by the public health authority.

5. The treatment of drug addiction with the narcotic drugs and psychotropic substances included in the list of the narcotic drugs shall be prohibited in the Republic of Armenia.

6. Pursuant to the procedure established by the public health authority, it is permitted to authorize the import (export) of the narcotic drugs and psychotropic substances, included in the list of the narcotic drugs and psychotropic substances, in limited quantities, kept in the pharmacy -bags of the international aircraft and railway trains for emergency aid purposes.

7. The authorization stipulated by paragraph 6 of this Article must have a mentioning about the authority or authorities responsible for the stocking and use of the narcotic drugs and psychotropic substances, as well as the terms for getting, registering, stocking and releasing them, and shall stipulate the procedure for accountability on their use.

8. The control over the use of the narcotic drugs and psychotropic substances in the mentioned pharmacy -bags shall be assumed by the public health authority, as well as the authorities enforcing the interdiction of the traffic of the narcotic drugs and psychotropic substances.

Article 29. The Use of the Narcotic Drugs and Psychotropic Substances for the Treatment of the Transit Passengers

1. The patient that is on a transit visit in the Republic of Armenia territory, for the treatment purposes, may carry with himself narcotic drugs and psychotropic substances that are included in the lists of the narcotic drugs and psychotropic substances, in compliance with the procedure established by the Government of the Republic of Armenia.

2. If the individual specified in paragraph 1 of this Article stays in the Republic of Armenia territory and needs to acquire additional narcotic drugs and psychotropic substances for the purpose of continuing his treatment, the release of it shall be carried out by the prescription issued in the Republic of Armenia, pursuant to the regulations for the medical aid to be provided to the foreign citizens.

Article 30. The Use of the Narcotic Drugs and Psychotropic Substances in Veterinary

1. The list of the narcotic drugs and psychotropic substances used for the veterinary, as well as hunting purposes shall be established by the competent authorities in health and agriculture.

2. The terms and procedure for the use of the narcotic drugs and psychotropic substances in veterinary shall be established by the Government of the Republic of Armenia.

Article 31. The Use of the Narcotic drugs and Psychotropic Substances for Scientific and Academic Purposes

The use of the narcotic drugs and psychotropic substances for scientific and academic purposes shall be permitted by the organizations having a license for specified types of activities.

Article 32. The Use of the Narcotic Drugs and Psychotropic Substances in Expert Examination

Any expert examination with the use of the narcotic drugs and psychotropic substances shall be authorized to the legal persons under the availability of the licenses for engagement in such activities.

The expert examination and other such functions in the expert examination divisions of the General Attorney office, the Ministry of Justice of the Republic of Armenia, the Police, the National Security, and Customs authorities shall be undertaken without any license.

Article 33. The Controlled Transportation and Purchase of Tests of the Narcotic Drugs, Psychotropic Substances and their Precursors for the purposes of Operative-Investigation

The authorities that undertake operative -investigation activities, to disclose any offences relating to the illicit traffic of the narcotic drugs, psychotropic substances and their precursors, in the manner defined by the legislation of the Republic of Armenia, shall have the right to undertake controlled transportation and test purchases of the narcotic drugs and psychotropic substances.

Article 34. Accountability about the Activities Relating to the Traffic of the Narcotic Drugs and Psychotropic Substances

The legal persons that have a license for the activities relating to the traffic of the narcotic drugs and psychotropic substances shall be obliged, pursuant to the procedure established by the Government of the Republic of Armenia, to furnish to the public administration authority entrusted by the Government, quarterly reports on the license terms and requirements, as per the procedure defined by the Government.

Article 35. The Inventory of the Narcotic Drugs and the Psychotropic Substances

1. The legal persons possessing a license for the activities relating to the traffic of the narcotic drugs and psychotropic substances shall be obliged on a quarterly basis to conduct an inventory registration of the narcotic drugs and psychotropic substances under the possession of these persons and design a balance sheet containing the costs of the substances and commodities.

2. The data on the variations in the balance sheet or the information about the incompliance of the balance sheet data with the findings of the inventory shall be notified to the competent authorities within three days after their detection.

Article 36. The Registration of the Activities related to the Narcotic Drugs, Psychotropic Substances and their Precursors

Any function during the implementation of the activities related to the traffic of the narcotic drugs, psychotropic substances and their precursors, during which the quantities and the conditions are changed, shall be subject to registration in special ledgers. The ledgers shall be maintained after the last records for the period of ten years. The Government of the Republic of Armenia shall establish the procedure for keeping and maintaining the ledgers.

CHAPTER 5

The interdiction of the illicit traffic of the narcotic drugs, psychotropic substances and their precursors

Article 37. The Prohibition of the Use of the Narcotic Drugs or Psychotropic Substances without Medical Prescription

The use of the narcotic drugs or psychotropic substances without the medical prescription shall be prohibited in the Republic of Armenia.

Article 38. The Authorities Interdicting the Illicit Traffic of the Narcotic Drugs, Psychotropic Substances and their Precursors

1. The interdiction of the illicit traffic of the narcotic drugs , psychotropic substances and their precursors, in the procedure established by the Government of the Republic of Armenia, shall be undertaken by the General Attorney office, Police, National Security, Customs and Health Authorities of the Republic of Armenia within the scopes of their jurisdictions.

2. The interdiction activities of the illicit traffic of the narcotic drugs, psychotropic substances and their precursors shall be coordinated by the competent authorities responsible for addressing the problems relating to the narcotic drugs, psychotropic substances and their precursors.

3. The interdiction of the illicit traffic of the narcotic drugs, psychotropic substances and their precursors shall be undertaken pursuant to the target programs.

Article 39. The Funding of the Interdiction Measures Against the Illicit Traffic of the Narcotic Drugs, Psychotropic Substances and Their Precursors

The funding of the target programs against the illicit traffic of the narcotic drugs, psychotropic substances and their precursors shall be undertaken by the state budget and the other sources of funding not prohibited by legislation.

Article 40. Inquiries on Cases Related to the Illicit Traffic of the Narcotic Drugs, Psychotropic Substances and Their Precursors and Performance of Assignments

1. The inquiries of the judges, prosecutors, as well as investigators and the inquiry officials related to the licit and illicit traffic of the narcotic drugs, psychotropic substances and their precursors, shall be undertaken by official individuals, within three days after receiving such inquiries, excluding the days off and the holidays.

2. The information through such inquiries shall be furnished by the bank and the credit organizations pursuant to the legislation of the Republic of Armenia.

Article 41. The Limitations of Getting Engaged in Certain Types of Professional Activities

1. There are limitations established for the patients suffering drug addiction in the Republic of Armenia for the protection of the citizens' health, their rights and legal interests,

the security and defense purposes of the state, regarding the professional and more risk - bound activity.

2. The official individuals of the authorities mentioned in paragraph 1 of Article 38 of this law and the management of the legal persons, in the manner defined by the legislation, within their jurisdiction, shall dismiss individuals under narcotic addiction from any type of professional and risk -bound jobs.

3. The list of the certain types of professional and risk-bound activities, the limitations for the engagement in which have been set and which are stated in paragraph 1 of this Article, shall be established by the Government of the Republic of Armenia.

Article 42. Prohibition of Propagation and Limitation of Advertising about the Traffic of Narcotic Drugs, Psychotropic Substances and Their precursors

1. The advertisement and propagation of the narcotic drugs, psychotropic substances and their precursors, the activities of the natural or legal persons targeted at the dissemination of the information about the forms of the use of the narcotic drugs, psychotropic substances and their precursors, the manufacturing methods, places of getting, using and acquiring them, as well as the publication of the literature and dissemination of that through the mass media, the dissemination of such information through the computer networks or other actions for the purpose of their dissemination, shall be prohibited.

2. It is prohibited to propagate the advantages of the narcotic drugs, psychotropic substances and their precursors over one another.

3. The commercials on the narcotic drugs and psychotropic substances included in the lists of the narcotic drugs and psychotropic substances may be exclusively undertaken in professional literature for the medical and pharmaceutical personnel. The dissemination of the pharmaceuticals containing narcotic drugs or psychotropic substances for the purposes of commercials shall be prohibited.

4. The violation of the norms under this Article shall lead to a liability pursuant to the legislation of the Republic of Armenia.

5. In the event there are evidences about the habitual violations detected by the organization as per paragraphs 1, 2, and 3 of this Article, upon the recommendation of the authorities mentioned in paragraph 1 of Article 38 of this law, the activity of the legal persons specified may be suspended for three months or may be terminated by the court ruling.

6. Upon the request on the termination of the activities of the organization on the grounds specified in paragraph 5 of this Article, an application may be furnished to the court by the authorities specified in paragraph 1 of Article 38 of this law.

Article 43. Provision and Dissemination of Information on the Illicit Traffic of the Narcotic Drugs, Psychotropic Substances and Their Precursors in the Republic of Armenia

1. The searches, collection, provision and dissemination of the information about the cultivation, development, production, processing, manufacturing of the narcotic drugs, psychotropic substances, their precursors and their analogues, the methods, mechanisms, computer software, scientific -practice manuals and materials; illicit acquisition of data on the technical possibilities of the instruments and equipment, application, acquisition, stocking, sale, dispatch for sale, carriage, transit transportation, forms of use, and concealing of the traces, places and locations; the disguise, concealing, hiding; the actions aimed at the decrease of the efficiency of the detection forms and methods, and the technical capacities for the equipments detecting those actions; the forms, methods and mechanisms for the planting, cultivation, collection and use of the plants containing narcotic drugs and psychotropic substances, as well as the consulting on that regard, shall be prohibited and shall impose a liability pursuant to the legislation of the Republic of Armenia.

2. The searches, collection and use of information specified in paragraph 1 of this Article shall be authorized to only the public administration authorities entrusted by the Government of the Republic of Armenia, for the purposes of implementation of activities against the illicit traffic of the narcotic drugs, psychotropic substances and their precursors.

Article 44. The Confiscation of the Narcotic Drugs, Psychotropic Substances and Their Precursors

1. The narcotic drugs, psychotropic substances and their precursors confiscated during the illicit traffic, as well as the instruments and equipment that have been used in their manufacturing, shall be confiscated in the manner established by law. They shall be destroyed in the procedure established by the Government.

2. The narcotic drugs, psychotropic substances and their precursors mentioned in paragraph 1 of this Article, as well as the instruments and the equipment, the future use of which has been recognized by the confiscating authority as inappropriate, shall be destroyed in the manner defined by the legislation of the Republic of Armenia.

3. The property that has been obtained as a result of the illicit traffic of the narcotic drugs, psychotropic substances and their precursors or is used for the purpose of the mentioned activities shall be subject to confiscation pursuant to the legislation of the Republic of Armenia.

Article 45. The Rights and Obligations of the Officials Authorized for the Control over the Fulfillment of the Requirements of this Law

1. Under the availability of the sufficient data on the violations of the activities of the traffic in narcotic drugs, psychotropic substances and their precursors, the officials of the General Attorney, Police, National Security, Customs and Border Services of the Republic of Armenia shall have the right, within the scopes of their jurisdiction, to:

1) check the compliance of the procedure for the production and manufacturing of the narcotic drugs, psychotropic substances and their precursors with the regulations established, if needed, to take samples for their comparative analysis;

2) to seal the relevant premises and require to furnish documents and provide explanations,

3) to give mandatory assignments to the entities having an authorization for the types of activities related to the traffic of the narcotic drugs, psychotropic substances and their precursors for the elimination of the violations detected.

2. The officials of the pre-investigation and post-investigation authorities, the investigators or the prosecutors, in the event of the availability of the offence, may:

-to enter the areas used for the purposes of entrepreneurship and other activities (except for the areas of the foreign diplomatic representations and consulates and their official transportation) to make an examination in the presence of the owner of the property or his representative or his authorized persons, and in the event of their absence, also the representatives of the public administration or local self-government authorities, including also the transportation means, to confiscate by protocol the necessary documents directly pertaining to the fact of the violation, samples the raw material and products, to seal the archives of the documents, money, commodities and substances,

-to require and to get information and explanations from the officials and their persons of substantive liability about the fact of violation,

-to require making reinspections, inventory assessments, other testing actions,

-to suspend the actions of the persons having committed legal violations.

3. In the event of detection of any violations related to the traffic of the narcotic drugs, psychotropic substances and their precursors, the legal persons that undertake the specified activities, shall be obliged, within the scopes of their jurisdictions, to take measures for their elimination, while in the event of the administrative offences and crime, to provide the necessary materials to the relevant authorities.

4. The officials specified in paragraph 1 of this Article, shall be obliged to take measures for the prevention of the administrative violations and criminal offences relating to the traffic of the narcotic drugs, psychotropic substances and their precursors and to expose the offenders to a liability.

CHAPTER 6

Medical assistance to the drug addicts

Article 46. Medical Investigation

1. The medical investigation shall be carried out by the public health authority entrusted by the Government of the Republic of Armenia in the manner established by the legislation of the Republic of Armenia.

2. The decision on the medical investigation of the person using a narcotic or a psychotropic substance at an off-patient or in-patient clinical institution, as a result of the medical investigation, shall be made by the doctor-narcologist or the therapist doctor-narcologist undertaking the medical investigation.

Article 47. Medical Examination

1. Any individual, towards whom there are sufficient grounds to suspect, that he is suffering from the drug addiction, is under the effect of the drugs or is using narcotic drugs or

psychotropic substances without any medical prescription, shall be sent to medical examination.

2. The medical examination of the individuals specified in paragraph 1 of this Article shall be made by the public health competent authorities on the basis of the medical investigation results or upon the application forwarded by the individual on voluntary basis.

The individuals specified in paragraph 1 of this Article shall be subject to mandatory investigation and treatment in the procedure established by the Government of the Republic of Armenia.

3. The decisions on sending the individuals specified in paragraph 1 of this Article for medical investigation may be appealed to the court in the manner established by the legislation of the Republic of Armenia.

4. The expenses for the medical investigation of the individuals specified in paragraph 1 of this Article shall be paid through the state budget funds, in the manner established by the Government.

Article 48. Medical Observation

1. The individual, who without the medical prescription, rarely or regularly in the short term uses narcotic drugs and psychotropic substances and who by the medical examination at an off-patient or in-patient clinic is devoid of any imminent danger of the physiological or psychological stable dependency, shall be subject to a short-term medical observation.

2. An individual who has voluntarily received a mandatory or obligatory treatment course has recovered partly or fully, shall be subject to long term medical observation.

3. The mandatory medical observation shall be established for the patients needing long-term medical observation and, in all the cases, the individuals with up to 21 years of age.

Article 49. The Medical Assistance Provided to the Drug Addicts

1. The medical assistance to the drug addicts shall be provided pursuant to the requirements set in paragraph 1 of Article 47 of this law.

2. The medical assistance to the teenagers of up to 14 years shall be provided upon the application forwarded by the legal representatives, while to the teenagers of 14 –18 years old, upon their consent, except for the cases prescribed by law.

3. The medical assistance (voluntary, mandatory and compulsory) shall be provided to those individuals suffering drug addiction, who without the medical prescription, regularly use narcotic drugs and psychotropic substances, have acquired a physiological or psychological dependency, as a result of the medical examination have received the diagnosis of “Drug addiction”, who is however able to at least temporarily, independently overcome the physiological and, psychological dependency of using narcotic drugs and psychotropic substances.

4. Emergences (mandatory, compulsory) medical assistance shall be provided to the patient suffering drug addiction, who needs it, if he, without the medical prescription, permanently uses the narcotic drugs and psychotropic substances, who has acquired an unrecoverable physiological or psychological dependency, has received the diagnosis of “Drug addiction” as a result of medical examination and is not able, even temporarily, without any medical intervention, to overcome the physiological, psychological dependency on the narcotic drugs and psychotropic substances.

5. To those drug addicts, who are under the medical examination and without medical prescription continue to use the narcotic drugs or psychotropic substances, as well as those individuals, who have been condemned for execution of crime, and need treatment, may have compulsory treatment measures established upon the court ruling.

6. The patients suffering addiction, when getting medical assistance, shall be availing themselves of the patient rights, pursuant to the legislation of the Republic of Armenia on the protection of the citizens’ rights.

7. The state shall guarantee the patients with drug addiction to get free medical assistance in the procedure defined by the Government, which includes an examination, consulting, diagnosis, treatment and medical -social rehabilitation.

Article 50. The Activities of the Health Institutions in Providing Medical Assistance to the Patients with Drug Addiction

1. The state shall support in the examination of the drug addicts, their consultation, and treatment and medical -social rehabilitation.

2. The procedure for the medical observation and registration of the drug addicts shall be established by the Government of the Republic of Armenia.

Article 51. Coordination of Activities in Providing Medical Assistance to the Patients with Drug Addiction

1. The coordination of the medical aid services to the patients suffering drug addiction, which encompasses the health organizations, shall be undertaken by the public health competent authority.

2. The public health authority shall develop and furnish for the approval of the RoA Government such target programs which are aimed at the improvement of the narcological assistance to the public and the development of the narcological service, the development of advanced methods for the diagnosis of the drug addiction and their introduction, the treatment and medical social rehabilitation of the patients suffering drug addiction.

CHAPTER 7

The guidelines of the national policy program against illicit traffic of narcotic drugs and substances

Article 52. Annual Program

1. The activities against the drug addiction and the illicit traffic of the narcotic drugs shall be undertaken in the periods and procedures established by the Annual program.

2. The annual program shall be furnished to the National Assembly by the Government of the Republic of Armenia in the draft state budget.

Article 53. The Content of the Annual Program and the Principles for Drafting It

The annual program shall encompass:

- 1) The main objectives of the program,
- 2) The scopes of the activities planned and the schedule for their implementation,
- 3) The appropriations of the funds for the activities planned,
- 4) The program implementation principles and the priorities in the implementation of the activities planned,
- 5) An analysis (information reference) about the illicit traffic of the narcotic drugs and psychotropic substances (including, its concealed status), as well as the quantitative and qualitative description of drug addiction among the public, the structure and dynamics of the criminal activity relating to the illicit traffic of the narcotic drugs and psychotropic substances.
- 6) The measures planned in the treatment of the drug addicts and rehabilitation of their health.
- 7) Measures for combating drug addiction among the population (particularly youth and teenagers), interdiction of drug addiction, the propagation of anti drug campaign,
- 8) Measures taken in providing the competent public authorities, responsible in combating the illicit traffic of the narcotic drugs and psychotropic substances, with appropriate material and technical base,
- 9) Activities planned by authorized entities,
- 10) The data on the scopes of the activities against illicit traffic of narcotic drugs and psychotropic substances and their funding ratios in the Republic of Armenia (including the assistance received from the foreign states and international organizations) and the procedure for the supervision of those activities,
- 11) Measures planned for providing the medical and rehabilitation entities with material and technical base for the treatment of the drug addicts,
- 12) A reference about the production and use of the narcotic drugs and psychotropic substances (including for the medical, scientific, academic, expert examination, operative-investigation and veterinary purposes),

13) Other conditions, that are necessary for the comprehensive introduction of the program.

3) Together with the annual program, the Government shall also furnish the draft laws on ensuring its implementation to the National Assembly.

Article 54. The Reporting about the Performance of the Annual Program

The report on the performance of the annual program shall be considered as the constituent part of the annual report on the budget execution of the current year.

CHAPTER 8 Concluding provisions

Article 55. The liability of the officials and the citizens of the Republic of Armenia, as well as the foreign citizens and the individuals without any citizenship for the violation of this law

1. In the event of the violation of this law, the citizens and the officials of the Republic of Armenia, as well as the foreign citizens and the individuals without citizenship, shall carry a liability pursuant to the legislation of the Republic of Armenia.

2. The authorization of the foreign citizens and individuals without citizenship, who have committed a crime for participating in the illicit traffic of the narcotic drugs and psychotropic substances and their precursors, to enter the Republic of Armenia territory may be prohibited. But, if they are already in the territory of the Republic of Armenia, they shall be expelled from the country.

Article 56. The Entry into Force of this Law

This law shall enter into force in three months after its official promulgation.

V. Dallakyan

V. Bostanjyan

MPs of the National Assembly of the Republic of Armenia