

Narcotic Substances and Precursors Control Act

Promulgated, State Gazette No. 30/02.04.1999, effective 3.10.1999, amended, SG No. 63/1.08.2000, 74/30.07.2002, 75/2.08.2002, effective 2.08.2002, amended and supplemented, SG No. 120/29.12.2002, effective 29.12.2002, SG No. 56/20.06.2003, amended 76/20.09.2005, effective 1.01.2007, amended and supplemented, SG No. 79/4.10.2005, amended, SG No. 103/23.12.2005, SG No. 30/11.04.2006, effective 12.07.2006, supplemented, SG No. 75/12.09.2006, effective 13.10.2006, amended, SG No. 82/10.10.2006, SG No. 31/13.04.2007, amended and supplemented, SG No. 55/6.07.2007, effective 6.10.2007

CHAPTER I COMMON PROVISIONS

Article 1

This Act lays down provisions establishing:

1. (amended, SG No. 79/2005, SG No. 55/2007) the organisation, powers and assignments of the government authorities exercising control on the production, processing, trading, use, storage, import, export, transit, transfer, transport and reporting of narcotic substances, as well as on the launch on the market, import and export of precursors;
2. (Amended, SG No. 55/2007) the measures against abuse of and illicit traffic in narcotic substances;
3. (New, SG No. 55/2007) the measures for the implementation of Regulation (EC) No. 272/2004 of the European Parliament and of the Council on drug precursors, Council Regulation (EC) No. 111/2005 laying down rules for the monitoring of trade between the Community and third countries in drug precursors, and Commission Regulation (EC) No. 1277/2005 laying down implementing rules for Regulation (EC) No. 273/2004 and Regulation (EC) No. 111/2005, hereinafter referred to as "Regulation 273/2004", "Regulation 111/2005", and Regulation 1277/2005".
4. (Renumbered from item 3, SG No.55/2007) the scientific research and expert work related to narcotic substances and precursors.

Article 2

(Supplemented, SG No. 55/207)

The purpose of this Act is to regulate social relations with regard to the control of narcotic substances and precursors in accordance with the requirements of the international treaties to which the Republic of Bulgaria is a Party and the Regulations of the European Union.

Article 3

(1) This Act shall apply to:

1. all plants and substances classified as narcotic drugs or psychotropic substances, and preparations thereof;
 2. all the substances used to produce narcotic drugs or psychotropic substances classified as precursors.
- (2) (Amended, SG No. 55/2007) The names of narcotic substances are listed in Schedules Nos. 1, 2, and 3.
- (3) (New, SG No. 56/2003, amended, SG No. 55/2007)) The precursors subject to control on the launch on the market are listed in Schedule I of Regulation 273/2004.
- (4) (New, SG No. 55/2007) The precursors subject to control on the import and export are listed in the Schedule of Regulation 111/2005.

Article 4

- (1) (Amended, SG No. 55/2007) Plants and narcotic substances shall be included under their common international non-proprietary name or, failing this, under their code.
- (2) Preparations and analogues shall be subject to the same control measures as the narcotic substances.
- (3) Preparations containing two or more narcotic substances, subject to different control measures, shall be subject to the control measures applicable to the most strictly controlled drug.

Article 5

(Amended, SG No. 55/2007)

Preparations containing narcotic substances listed in Schedules Nos. 2 and 3 may be exempted from certain measures of control under the terms and conditions established by regulation of the Minister of Health, provided that:

1. preparations are compounded in such a way as to present no or a negligible risk of abuse;
2. the narcotic substance cannot be recovered from the preparation in a quantity that might give rise to abuse.

Article 6

The narcotic substances listed in Schedules Nos. 2 and 3 and their preparations and analogues shall be subject to the provisions related to human and veterinary medicine to the extent that such provisions are not contrary to those laid down in this Act.

Article 7

(Amended, SG No. 56/2003)

(1) (Amended, SG No. 56/2003, previous Article 7, amended, SG No. 79/2005, SG No. 55/2007) The production, processing, transfer and transport, trading, import, export, transit and storage of narcotic substances shall be prohibited to any person without licenses, issued under the terms and procedure of this Act.

(2) (New, SG No. 79/2005, repealed, SG No. 55/2007)

(3) (New, SG No. 79/2005, repealed, SG No. 55/2007)

Article 8

Illegally produced, processed, kept in stock, acquired, used, imported, retained, transferred and transported, imported, intended for export, re- export or transit narcotic substances and precursors, as well as cultivated plants containing narcotic substances shall be seized in favour of the State under the conditions set out in this Act.

Article 9

(Amended, SG No. 56/2003)

(1) (Amended and supplemented, SG No. 79/2005) Under this Act, fees shall be charged for issuance, modification or renewal of licences, as well as for issuance of permits, authorizations and certificates of registration and change of the certificates of registration, which shall cover the costs for preparation thereof.

(2) (Supplemented, SG No. 79/2005) Revenue from fees shall be disbursed for financing the activities under para. 1 and controlling compliance with the licenses, permits, authorizations and certificates of registration issued. Revenue from fees, the administrator of which is the Minister of Economy and Energy, shall be allocated also for storage and destruction of precursors, confiscated in favour of the state and transferred for disposal to the Interdepartmental Precursor Control Commission.

(3) The amounts of the fees and the manner of payment thereof shall be specified in a tariff, adopted by the Council of Ministers at the proposal of the Minister of Health and the Minister of Economy and Energy.

Article 9a

(New, SG No. 56/2003)

The Minister of Health shall be the administrator of:

1. revenue from fees charged for issuance, modification or renewal of licences, as well as for issuance of permits for activities involving narcotic substances listed in Schedules Nos. 2 and 3;
2. revenue from fines and property sanctions, imposed under the procedure of this Act, by the control bodies with the Minister of Health.

Article 9b

(New, SG No. 56/2003)

The Minister of Economy and Energy shall be the administrator of:

1. (amended and supplemented, SG No. 79/2005) revenue from fees charged for issuance, modification or renewal of licences, as well as for issuance of permits, authorizations and certificates of registration of activities, involving precursors and for change of certificates of registration;
2. revenue from fines and property sanctions, imposed under the procedure of this Act, by the control bodies with the Minister of Economy and Energy.

CHAPTER II

NATIONAL NARCOTIC SUBSTANCES COUNCIL

Article 10

(1) A National Narcotic Substances Council shall be created with the Council of Ministers as a body entitled to enforce the national policy of combating the abuse of narcotic substances as well as against narcotic substances trafficking.

(2) The National Narcotic Substances Council shall carry out its activity according to Rules of Procedure to be adopted by the Council of Ministers.

(3) The National Narcotic Substances Council shall be a collective body consisting of a President, two Vice-presidents, a Secretary and members.

(4) (Amended, SG No. 74/2002, supplemented SG No. 56/2003) President of the Council shall be the Minister of Health, and its Vice-presidents shall be the Secretary-General of the Ministry of the Interior and a Deputy Minister of Justice. Members of the Council shall be representatives of the President of the Republic of Bulgaria, the Supreme Court of Cassation, the Supreme Administrative Court, the Supreme Cassation Prosecutor's Office, the National Investigation Service, the Pharmaceuticals Executive Agency and the ministries and departments concerned, specified by the Council of Ministers.

(5) According to the issues put on their agenda, the meetings of the Council may be attended by representatives of non governmental and other organisations as well.

Article 11

The National Narcotic Substances Council shall:

1. (Amended, SG No. 56/2003) define and co-ordinate the national policy in the field of narcotic substances and precursors through the adoption of a national strategy to combat the narcotic substances abuse and illicit traffic in narcotic substances and precursors for a five-year period;
2. adopt national programmes to fight against the narcotic substances abuse and illicit traffic in narcotic substances and precursors;
3. submit to the Minister for Finance a draft-budget for the enforcement of national policy in the said area;
4. submit to the Council of Ministers draft legislation relating to narcotic substances and precursors;
5. give its opinion on draft instruments for conclusion of or accession to international treaties;
6. give its statement on the participation of the Republic of Bulgaria in international programmes aimed at combating the distribution, abuse of and illicit traffic in narcotic substances and precursors, and shall control their enforcement;
7. nominate and endorse the national co-ordinators on international programmes and projects in the field of narcotic substances.
8. (new, SG No. 56/2003, amended, No. 79/2005) collect, store, analyse and disseminate information from ministries and other agencies, from the councils for narcotic substances of the respective municipalities and non-profit legal persons, required for definition, implementation and coordination of the national policy in the area of narcotic substances and precursors.

Article 12

(1) The President of the National Narcotic Substances Council shall:

1. represent the Council;
2. chair the meetings and direct the overall work of the Council;
3. submit for discussion to the Council of Ministers proposals and issues which fall within its exclusive competence;
4. sign the minutes of the Council meetings;
5. (Amended, SG No. 56/2003) appoint employees of the Ministry of Health to discharge the functions of Secretary and Secretariat of the Council.

(2) In the absence of the President, his functions shall be performed by a Vice-president designated by him for that purpose.

Article 13

(1) The Secretary of the National Narcotic Substances Council shall:

1. organise the preparation of the Council meetings;
2. co-ordinate the implementation of the decisions taken at the meetings;
3. direct the work of the expert groups pursuant to Article 14;
4. co-ordinate the work of the councils pursuant to Article 15.

(2) The Secretary of the Council shall be assisted by a Secretariat.

Article 14

(1) The National Narcotic Substances Council may establish expert groups in the fulfilment of its functions.

(2) An expert council shall be established with the National Narcotic Substances Council to prepare scientific and medical assessment of each proposal for inclusion of new plants and substances, for their deletion or transfer from one Schedule to another.

Article 15

(1) (Previous Article 15, SG No. 56/2003, amended, SG No. 79/2005) Regional Narcotic Substances Councils shall be set up in municipalities, the administrative centres of which are at the same time administrative centres of regions. For the purpose of implementing the policy The organization and activities of these Councils shall be specified by the Rules on the Organisation and Activities of the National Narcotic Substances Council.

(2) (New, SG No. 56/2003) The councils for narcotic substances under para. 1 shall:

1. develop, support and coordinate the implementation of municipal programs for countering abuse of narcotic substances;

2. (amended, SG No. 79/2005) set up preventive information centres, which shall conduct preventive activities and programs, as well as collect, store and analyse information at municipal level, required for the implementation, coordination and preparation of programs under item 1.

(3) (New, SG No. 79/2005) The Narcotic Substances Councils under Paragraph (1) shall be financed from the national budget.

(4) (New, SG No.79/2005) The Municipal Councils of the municipalities, different from the municipalities under paragraph (1), may set up Municipal Narcotic Substances Councils.

Article 15a

(New, SG No. 79/2005)

(1) The National Narcotic Substances Council shall coordinate and control the activity of Narcotic Substances Councils under Article 15 (1).

(2) At the end of each year the Councils under Article 15 (1) shall report their activities to the National Narcotic Substances Council.

CHAPTER III

CONTROL BODIES AND THEIR INTERACTION

Article 16

(1) (Amended, SG No. 56/2003, No. 79/2005) The Minister of Health shall exercise control on the production, processing, import, export, transit, trading, storage, reporting, transfer, transport, use and advertisement of the plants and narcotic substances listed in Schedules Nos. 1, 2 and 3 and preparations thereof.

(2) (Amended, SG No. 56/2003) The Minister of Health shall exercise control on the performance of obligations, deriving from international treaties, to which the Republic of Bulgaria is a Party.

(3) (Amended, SG No. 56/2003) The control functions pursuant to paragraphs 1 and 2 shall be supported by a National Narcotic Substances Service, which shall be a unit of the specialized administration of the Ministry of Health.

Article 17

(1) (Previous Article 17, amended, SG No. 56/2003) Inspectors for narcotic substances with the District Health Offices shall carry out the control within the national territory pursuant to Article 16. The coordination and methodological guidance of their activity will be entrusted to the National Narcotic Substances Service.

(2) (New, SG No. 56/2003) Inspectors under para. 1 shall be individuals holding higher education degrees in medicine or pharmaceuticals.

Article 18

(1) (Amended, SG No. 56/2003, supplemented, SG No. 55/2007) An Interdepartmental Precursor Control Commission shall be established with the Minister of Economy and Energy, which is the national competent authority within the meaning of Art. 11 of Regulation 273/2004 and Art. 27 of Regulation 111/2005.

(2) (Amended, SG No. 56/2003) Chairman of the Interdepartmental Precursor Control Commission shall be the Minister of Economy and Energy, and members shall be representatives of the Ministry of Health, the Ministry of Economy and Energy, the Ministry of Finance, the Ministry of the Interior and the Ministry of Justice.

(3) (Amended, SG No. 56/2003, No. 79/2005, SG No. 55/2007) The Interdepartmental Precursor Control Commission with the Minister of Economy and Energy shall exercise control over the launch on the market of precursors listed in categories I and II of Schedule I of Regulation 273/2004, as well as the import and export of precursors listed in the Schedule of Regulation 111/2005.

(4) (Amended, SG No. 55/2007) This Commission under paragraph 1 shall:

1. exercise control also on the compliance with the provisions of Article 12 of the United Nations' Convention of 1988 Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (adopted at the conference of 19 December 1988 and ratified by law – SG No. 60/1992 (Promulgated, SG No. 89/1993; Emended, SG No. 58/2001);

2. prepare and submit to the International Narcotics Control Board the annual report under Art. 12, subpara 12 of the Convention under subparagraph 1.

(5) (New, SG No. 55/2007) The Commission under paragraph 1 shall collect and submit the information under Art. 13 of Regulation 273/2004 and Art. 32 of Regulation 111/2005.

(6) (New, SG No. 79/2005, renumbered from paragraph 5, amended, SG No. 55/2007) The Commission under paragraph 1 shall fulfill the obligations under Art. 9, para 3 of Regulation 273/2004 and Art. 10, para 3 of Regulation 111/2005.

(7) (New, SG No. 55/2007) The organisation and activities of the Interdepartmental Precursor Control Commission, and the procedure for submission of documents and information related to the implementation of Regulation 273/2004, Regulation 111/2005 and Regulation 1277/2005 shall be defined in an ordinance issued by the Minister of the Economy and Energy.

(8) (New, SG No. 56/2003, renumbered from Paragraph (5), SG No. 79/2005, renumbered from Paragraph (6), SG No. 55/2007). The Minister of Economy and Energy shall appropriate each year the budgetary funds, required for the functioning of the Commission under paragraph (1).

Article 18a

(New, SG No. 55/2007)

(1) The Minister of the Economy and Energy or a Deputy Minister authorized by the Minister, at the proposal of the Interdepartmental Precursor Control Commission, shall issue and refuse to issue licences and addenda thereof, withdraw and suspend licenses within the meaning of Art. 3, para 2 of Regulation 273/2005, Art. 6 of Regulation 111/2005, Art. 8, Art. 10, paras 2 and 3 and Art. 11 of Regulation 1277/2005.

(2) The Minister of the Economy and Energy shall carry out the registration within the meaning of Art. 3, para 6 of Regulation 273/2005, Art. 7, para 1 of Regulation 111/2005. The Minister of the Economy and Energy or a Deputy Minister authorized by the Minister shall issue registration certificates and addenda thereof for the registration and any changes in the registered details within ten working days.

(3) The Minister of the Economy and Energy or an official authorized by the Minister, at the proposal of the Interdepartmental Precursor Control Commission, shall issue, refuse to issue, withdraw and suspend import and export permits within the meaning of Arts. 12, 15, 16, 20, 23 and 24 of Regulation 111/2005.

(4) The registration application and the documents attached to the applications for the issuance of a license, a registration certificate or an import or export permit, as well as the content and form of the records kept by the operators within the meaning of Art. 5, para 4 of Regulation 273/2004 and the form of submission of information under Art. 8, para 2 of Regulation 273/2004 and Art. 9, para 2 of Regulation 111/2005 shall be defined in the ordinance under Art. 18, para 7.

Article 18b

(New, SG No. 55/2007)

(1) The Minister of the Economy and Energy shall designate the officials from the Ministry of the Economy and Energy to support the work of the Interdepartmental Precursor Control Commission.

(2) The officials under paragraph 1 shall:

1. accept and handle the applications for the issuance of a license, a registration certificate or a precursor import or export permit;

2. inspect the licensed and registered operators and their records and premises; take samples, if needed, from the substances and mixtures located on the working premises;

3. interact with the administration of other ministries and institutions and with the operators in connection with the monitoring and control of chemical substances which could be used for illicit production of narcotic drugs;

4. exchange official information with international organisations and with administrations in other countries in connection with the prior notification in the case of precursor export, as well as in connection with international operations for monitoring of the trade in precursors;

5. interact with the bodies of the executive power and the judiciary in the destruction of seized precursors

which the Interdepartmental Precursor Control Commission has decided to destroy.

Article 19

(Repealed, SG No. 55/2007)

Article 20

The Ministry of the Interior, through its specialised services, shall prevent, detect and combat offences relating to illicit trafficking in narcotic substances and precursors.

Article 21

The Ministry of Finance through the customs administration shall exercise control on the import, export and transit of narcotic substances and precursors and carry out the activities for prevention and detection of their illicit trafficking.

Article 22

(Supplemented, SG No. 79/2005)

The Ministry of Agriculture and Forestry shall exercise control on the compliance with the provisions of Article 29 and 32a.

Article 23

When performing their duties, control bodies shall co-operate and exchange information through a national information system on narcotic substances, under the terms and procedures laid down by the Council of Ministers.

Article 24

Natural and legal persons shall be required to provide at any time the free access of the control bodies to the records and premises where narcotic substances and precursors are being produced, processed or stored.

Article 25

(Amended, SG No. 55/2007)

Natural and legal persons shall be required to exercise internal control on the activities they carry out in order to prevent thefts or depredation and diversion, by whatever means, of narcotic substances for illicit purposes.

Article 26

(Amended, SG No. 55/2007)

Natural and legal persons shall be required to notify the control bodies of any suspicious transaction and endeavour for diversion of narcotic substances for illicit purposes.

Article 26a

(New, SG No. 56/2003)

The Council of Ministers shall determine reference prices of narcotic substances for the purposes of criminal procedure.

CHAPTER IV

PROHIBITION OF THE PLANTS, SUBSTANCES AND PREPARATIONS LISTED IN SCHEDULE No. 1

Article 27

(1) (Supplemented, SG No. 56/2003) The seeding and cultivation within the territory of the Republic of Bulgaria of the opium poppy, the coca bush plants and those of the genus cannabis containing more than 0,2 per cent by weight of tetrahydrocannabinol, established in leaf mass, flowering and fruiting tips, shall be prohibited.

(2) The owner or user of a plot of land for agricultural or other purposes shall be required to destroy any plants mentioned in paragraph 1 found growing there.

(3) (Supplemented, SG No. 56/2003) Illegally sowed opium poppy, coca bush plants, as well as those of the genus cannabis containing more than 0,2 per cent of by weight of tetrahydrocannabinol, established in leaf mass, flowering and fruiting tips, shall be seized and destroyed under the terms and procedures specified in this Act.

Article 28

(Amended, SG No. 56/2003)

Production of opium and opium straw from opium poppies, and that of cannabis, hashish and hashish resin,

shall be prohibited.

Article 29

(Supplemented, SG No. 56/2003)

Cultivation, production of seeds, import and export of plants and seeds of the genus cannabis containing less than 0,2 per cent by weight of tetrahydrocannabinol established in leaf mass, flowering and fruiting tips, as well as the import and export of seeds of opium poppy shall be authorised under the terms and procedures laid down by the Minister for Agriculture and Forestry.

Article 30

The production, processing, trading, storage, import, export, re export, transit, transfer, transport, supply, acquisition, use and possession of the plants, narcotic substances and preparations thereof listed in Schedule No. 1 shall be prohibited.

Article 31

The prohibition under Articles 27, 28 and 30 shall not apply to limited quantities provided in this Act for the purposes of medical or scientific research and teaching.

CHAPTER V

CONTROL OF THE SUBSTANCES AND PREPARATIONS LISTED IN SCHEDULES Nos. 2 AND 3

(Title amended, SG No. 55/2007)

Section I

Licences

Article 32

(1) The production, processing, storage, trading within the national territory, import, export and transit, transfer and transport of narcotic substances listed in Schedules Nos. 2 and 3 shall be carried out under licence for activities, buildings and premises issued by the Minister of Health under the terms and procedures specified by a regulation of the Council of Ministers.

(2) (Amended, SG No. 79/2005) The licence pursuant to Paragraph 1 may be issued only if the use of the substances concerned is restricted to medical purposes.

(3) (Amended, SG No. 56/2003) Licences for medical purposes may be issued only to natural or legal persons which are licensed for production or wholesale trade of pharmaceuticals under the Human Medicine Pharmaceuticals and Pharmacies Act.

(4) (Repealed, SG No. 56/2003)

(5) Licences are not required for limited quantities of plants and substances, used for medical or scientific research and for teaching under Chapter V, Section VII.

Article 32a

(New, SG No. 56/2003, amended, SG No.79/2005)

(1) Production, processing, storage and domestic trade, import, export and transit, transfer, transport and reporting of narcotic substances from Schedules No. 2 and 3 for veterinary purposes shall be performed subject to obtaining a license for activities, buildings and premises, issued by the Minister of Agriculture and Forestry.

(2) The Minister of Agriculture and Forestry shall determined by ordinance the terms and procedure for issuance of the license under Paragraph (1).

Article 33

(1) (Amended, SG No. 79/2005) Retail trade and storage of narcotic substances listed in Schedules Nos. 2 and 3 and preparations thereof shall be carried out by pharmacies, which are:

1. (amended, SG No. 56/2003) set up under the Human Medicine Pharmaceuticals and Pharmacies Act;
2. having been granted by the Minister of Health a licence for retail sale and storage of narcotic substances pursuant to Article 32, paragraph 1.

(2) (Amended and supplemented, SG No. 56/2003, amended, SG No. 79/2005) The Supreme Pharmaceutical Council with the Minister of Health shall make proposals for granting, withdrawal from any pharmacy of the licence mentioned in paragraph 1, sub-paragraph 2, under the terms and procedures specified by the regulation under Article 32 (1).

Article 34

(Amended, SG No.120/2002)

The licences under Articles 32 and 33 shall be issued to Master of Pharmacy, sole traders or to legal

persons, subject to the condition that the activities involving narcotic substances, listed under Annexes 2 and 3 to this Act and preparations thereof shall be carried out under the supervision of the Master of Pharmacy, who shall be personally liable for the application of the measures provided for in this Act and in the said licence.

Article 35

(Amended and supplemented, SG No. 56/2003, amended, SG No. 79/2005, repealed, SG No. 55/2007)

Article 36

(Amended, SG No. 56/2003, repealed, SG No. 55/2007)

Article 37

(1) (Amended, SG No. 56/2003) Licences pursuant to Articles 32 and 32a, except for the licenses for retail trade in and storage of narcotic substances, shall be issued for a term of three years as of the date of issuance.

(2) (New, SG No. 56/2003, amended and supplemented, SG No. 79/2005, repealed, SG No. 55/2007)

(3) (Repealed, SG No. 56/2003).

(4) (Amended, SG No. 79/2005, supplemented, SG No. 55/2007) Licences and certificates of registration under Art. 18a, para 2 shall be personal and not transferable or assignable.

(5) (Renumbered from Paragraph 2, SG No 56/2003, amended, SG No. 79/2005, amended, SG No. 55/2007) Three months before the expiry of the licence validity, its proprietor may submit a request for its resumption pursuant to Articles 32 to the authority having issued it.

Article 38

(Supplemented, SG No. 56/2003, amended, SG No. 55/2007)

Special registers for the licences and certificates of registration issued shall be kept with the public authorities pursuant to Articles 18a and 32.

Article 39

(1) (Previous Article 39, SG No. 56/2003) The licence shall indicate:

1. the name, seat and principal office of business of the licensee;
2. the type of activities and the term of the licence;
3. (Amended, SG No. 55/2007) the address of the establishments, the type of premises where narcotic substances are being produced, processed or stored, as well as the security requirements;
4. the list of narcotic substances and preparations thereof;
5. (amended, SG No. 56/2003, No. 79/2005, repealed, SG No. 55/2007) ;
6. the type of accounting;
7. (amended, SG No. 56/2003, SG No. 55/2007) the full name, Identity Card details and the Personal Numbers of the persons liable under Article 34 for carrying out the obligations set out in the license.

(2) (New, SG No. 56/2003) The license for wholesale trade and storage of narcotic substances shall also specify the name of the Master of Pharmacy, in charge of the respective warehouse under Article 55, item 2 of the Human Medicine Pharmaceuticals and Pharmacies Act

(3) (New, SG No. 56/2003) When issuing licenses for retail trade and storage of narcotic substances to commercial companies, the licenses shall also specify the name of the Master of Pharmacy, in charge of the pharmacy.

Article 39a

(New, SG No. 79/2005, repealed, SG No. 55/2007)

Article 40

(1) (Previous Article 40, SG No. 56/2003, amended SG No. 79/2005, amended, SG No. 55/2007) Any change pursuant to Article 39 shall require a request to be submitted by the holder of the licence or a person authorised by him pursuant to Article 32. .

(2) (New, SG No. 79/2005, repealed, SG No. 55/2007)

(3) (New, SG No. 56/2003, renumbered from Paragraph (2), amended and supplemented, SG No. 79/2005, repealed, SG No. 55/2007)

(4) (New, SG No. 56/2003, renumbered from Paragraph (3), SG No. 79/2005, amended, SG No. 55/2007) By 31st of January of each year, holders of licenses for retail trade and storage of narcotic substances shall

submit to the respective regional health centre declarations that no changes have occurred to the circumstances, under which the license was issued, as well as that no circumstances under Article 43, para. 1 have emerged.

Article 41

(Amended, SG No. 56/2003, SG No. 79/2005)

(1) Natural and legal persons, holding a licence pursuant to Article 32, may acquire, transfer or distribute the narcotic substances listed in Schedules Nos. 2 and 3 only to persons holding a licence under this Act.

(2) (Repealed, SG No. 55/2007) Operators, holding licenses under Article 35 (1), may sell, transfer or supply in any way precursors of Category I of Schedule No. 4 only to persons, holding such a license and having signed a declaration as to the specific usage of the precursors.

(3) (Repealed, SG No. 55/2007)

(4) (Repealed, SG No. 55/2007)

(5) (Repealed, SG No. 55/2007)

(6) (Repealed, SG No. 55/2007)

(7) (Repealed, SG No. 55/2007)

(8) (Repealed, SG No. 55/2007)

Article 42

(1) (Amended, SG No. 56/2003, No. 79/2005, SG No. 55/2007) Buildings and premises, where operations involving narcotic substances listed in Schedules Nos. 2 and 3 may be sold or transferred only to natural and legal persons holding a licence under this Act.

(2) (Repealed, SG No. 56/2003).

Article 43

(Amended, SG No. 56/2003)

(1) (Amended, SG No. 55/2007) The State authority having issued the licence under Articles 32 and 32a shall withdraw it in the following cases:

1. in the event of violation of the requirements of the law;

2. in case of non-compliance with the conditions laid down in the licence;

3. when establishing untrue data, submitted in the process of its issuance;

4. after having issued an order pursuant to Article 99, prohibiting such operations;

5. (Amended, SG No. 55/2007) in case of accusation of an intentional crime of general nature or a sentence for an intentional crime of general nature has become enforceable against the individual trader or the person responsible for performance of the activities under Article 34;

6. when another State has requested this in connection with a request for legal assistance in investigation, criminal proceedings or litigation versus the said person abroad.

(2) The State authority decision to revoke the licence, together with its reasons, shall be taken without prejudice to any administrative sanctions imposed.

(3) (Amended, SG No. 55/2007) Upon expiry of 3 years from withdrawal of the license under para. 1, items 1, 2, 3 and 4, the person in question shall be eligible to apply again for obtaining the license under the procedure of Article 32.

(4) (Amended, SG No. 55/2007) In case of vindication of the persons under para. 1, item 5, they shall be eligible to apply again for obtaining the license under the procedure of Article 32.

(5) Upon termination of the preliminary proceedings under para. 1, item 5, as well as when the grounds under para. 1, item 6 cease to be valid, the State authority, which has withdrawn the license, shall restore it at the request of the person.

(6) In the case of withdrawal of the licence or expiry of the term of its validity in regard to stock available at warehouses, the procedure under Article 45b shall apply.

(7) (Amended, SG No. 55/2007) Licenses issued to legal persons under Art. 32 for production and storage shall not be withdrawn in the event the grounds under para. 1, item 5 materialize. In case a sentence becomes enforceable, within 7 days of the relevant notification the managerial bodies of the legal person shall undertake steps for replacement of the manager /executive director/ and/or of the person, responsible for performance of the activities under Article 34.

Article 44

(Previous Article 44, supplemented, SG No. 120/2002, amended, SG No. 56/2003)

(Amended, SG No. 55/2007)

It shall be prohibited to issue a licence under Articles 32 and 32a to a person who is an individual trader or to a legal person, which:

1. was declared insolvent or is undergoing an insolvency procedure;
2. is in the process of liquidation;
3. has outstanding public obligations towards the state, established by an enforceable act of a competent authority;
4. (Amended, SG No. 55/2007) was accused of an intentional crime of general nature or a sentence for an intentional crime of general nature has become enforceable against the individual trader, the manager/executive director of the legal person or against the person responsible for performance of the activities under Article 34.

Article 44a

(New, SG No. 56/2003)

(1) It shall be prohibited to issue a licence for retail trade in and storage of narcotic substances to an individual trader or to a legal person, which:

1. was declared insolvent or is undergoing an insolvency procedure;
2. is in the process of liquidation;
3. has outstanding public obligations towards the state, established by an enforceable act of a competent authority;
4. was accused of an intentional crime of general nature or a sentence for an intentional crime of general nature has become enforceable against the individual trader, the manager/executive director of the legal person or against the person responsible for performance of the activities under Articles 34.

(2) It shall be prohibited to issue a licence under para. 1 to a Master of Pharmacy, if accused of an intentional crime of general nature or a sentence for an intentional crime of general nature has become enforceable, or the grounds under para. 1, item 3 exist.

(3) It shall be prohibited to issue a licence under para. 1 to a health establishment for hospital treatment only in case the Master of Pharmacy in charge of the pharmacy has been accused of an intentional crime of general nature or a sentence for an intentional crime of general nature has become enforceable.

Article 44b

(New, SG No. 56/2003)

(1) Licenses for retail trade in and storage of narcotic substances shall be withdrawn from Masters of Pharmacy, individual traders or legal persons, in case the grounds under Article 43 exist and the respective procedure has been complied with.

(2) (Supplemented, SG No. 79/2005) The license under para. 1 of a health establishment for hospital treatment shall not be withdrawn in case of emergence of the circumstances under Article 43 (1), item 5. Within 7 days the manager of the health establishment shall undertake action for replacement of the pharmacy manager.

Article 45

Instances of rejection and withdrawal of the license issued shall be subject to appeal under the procedure of the Administrative Procedure Code.

Article 45a

(New, SG No. 56/2003)

(Amended, Sg No. 55/2007)

Licenses under Articles 32, 32a and 33, shall be terminated:

1. upon expiry of the terms, for which they have been issued and in case their holders fail to submit applications for extension under the terms of Article 37, Paragraph 5;
2. (Amended, SG No. 55/2007) upon request of their holders, filed with the Minister of Health;
3. in the event of death of a Master of Pharmacy, holding a licence under the procedure of Article 34;
4. (New, SG No. 55/2007) upon termination of the permit to produce pharmaceuticals or the permit for wholesale trade in pharmaceuticals or the permit to open a pharmacy issued under the Human Medicine Pharmaceuticals and Pharmacies Act;
5. (Renumbered from item 4, SG No. 55/2007) in the event of winding down of the activity of the individual trader or of the legal person and striking off their registration. 5.

Article 45b

(New, SG No. 56/2003)

(1) (Amended, SG No. 79/2005, SG No. 55/2007) Within two weeks of termination of the license under Article 45a, as well as of withdrawal of a license or termination of a license or registration for activities with precursors at the request of an operator to the Interdepartmental Precursor Control Commission or upon the death of the sole proprietor, the control bodies shall conduct an inspection of the buildings and premises, where activities involving substances listed in Schedules Nos. 2 and 3 and precursors, as well as mixtures, containing such, had taken place, as well as of the documentation kept. The special registers shall be transferred for storage to the state authority, having issued the license.

(2) Within 5 months following the conclusion of the inspection, the natural persons or their heirs, as well as the legal persons, may offer their warehouse stocks to persons, holding licenses under the procedure of this Act and shall inform thereof the Minister of Health or, respectively, the Interdepartmental Precursor Control Commission with the Minister of Economy and Energy.

(3) Holders of licenses for retail trade in and storage of narcotic substances shall offer under the procedure of para. 2 their warehouse stocks only to persons, holding licenses under the procedure of this Act, not later than two months following conclusion of the inspection.

(4) (Amended, SG N. 55/2007) Upon expiry of the term under para.2 the warehouse stocks of substances listed in Schedules Nos. 2 and 3 shall be destroyed under the procedure of Article 97, and the warehouse stocks of precursors, shall be destroyed under the control of the Interdepartmental Precursor Control Commission with the Minister of Economy and Energy. Expenses related to such destruction shall be covered by the persons under para. 2

Article 45c

(New, SG No. 79/2005, repealed, SG No. 55/2007)

Section II

Requirements Applicable to the Import, Export and Transit of Narcotic Substances

(Title amended, SG No. 55/2007)

Article 46

(1) (Amended, SG No. 56/2003) Only persons holding licences pursuant to Articles 32 may carry out the import and export of narcotic substances.

(2) (New, SG No. 56/2003, amended and supplemented, SG No. 79/2005, repealed, SG No. 55/2007)

(3) (Renumbered from Paragraph 2, SG No 56/2003) Licences shall not be required only in the event of import and export of limited quantities for purposes of medical and scientific research and teaching.

(4) (New, SG No. 56/2003) Licences shall not be required also in cases of exports and imports of narcotic substances for the purposes of approval of pharmaceutical products or for their clinical testing, as well as in cases of providing humanitarian assistance under a procedure, determined by the Minister of Health.

Article 47

(1) (Supplemented, SG No. 56/2003, amended, SG No. 55/2007) All imports and exports of the narcotic substances listed in Schedules Nos. 1, 2 and 3 shall be subject to separate authorisations for each consignment issued by the Minister of Health or an official, authorized by him from the Narcotic Substances Directorate with the Ministry of Health under the terms and procedures laid down by the Minister.

(2) (Amended, SG No. 56/2003, No. 79/2005, repealed, SG No. 55/2007)

(3) (New, SG No. 56/2003, amended, SG No. 79/2005, repealed, SG No. 55/2007)

(4) (Renumbered from Paragraph (3), SG No. 56/2003) The permit shall be drawn up based on a model, approved by the Narcotics Commission with the UN Economic and Social Council.

(5) (Renumbered from Paragraph (4), amended, SG No. 56/2003, amended, SG No. 55/2007) The permits under paragraph 1 shall be personal and non-transferable.

(6) (Renumbered from Paragraph (5), amended, SG No. 56/2003, No. 79/2005) The term of validity of the import permit under paragraph (1) shall be three months as of the date of its issuance.

(7) (New, SG No. 79/2005, repealed, SG No. 55/2007)

Article 48

(1) (Previous Article 48, SG No. 56/2003) Import permits, issued by the competent body of the importing country, shall also be required for exporting substances listed in Schedules No.No.1, 2 and 3 and of preparations thereof.

(2) (New, SG No. 56/2003) The term of validity of the export permit, issued by the Minister of Health or by an official of the Narcotic Substances National Service, authorized by him, shall not exceed the term, shown in the import permit, issued by the competent bodies of the importing country.

Article 49

(1) Transit across the territory of this country of narcotic substances, listed in Schedules Nos. 1, 2 and 3, shall be prohibited, except when transported through the airspace of the Republic of Bulgaria without landing or on-board vessels across the territorial waters of the of the Republic of Bulgaria without calling at a Bulgarian port.

(2) (Amended, SG No. 56/2003, repealed, SG No. 55/2007)

(3) Commercial brokers shall be obliged to take the required measures in order to prevent the use of transport vehicles for illicit trafficking in plants, narcotic substances and preparations listed in the Schedules to this Act.

Article 50

The export or import in the form of consignments to post-office boxes or to bank accounts of persons other than the holder of a licence under Article 47 shall be prohibited.

Article 51

(Amended, SG No. 55/2007)

Consignments, including those by mail, of narcotic substances entering or leaving the national territory that are not accompanied by a proper authorisation pursuant to Article 47 shall be detained by the customs authorities until the legitimacy of the consignment is confirmed.

Article 52

(Amended, SG No. 55/2007)

The export and import of narcotic substances through the free trade zones and the free trade warehouses shall be prohibited.

Article 53

(Supplemented, SG No. 79/2005, amended, SG No. 55/2007)

The requirements of this Act regarding the import, export and transit of narcotic substances shall apply to all types of customs regimes, as well as to re-export customs-approved end-use.

Section III

Restricting the Quantities of Narcotic Substances Intended for Therapeutic, Medical and Scientific Purposes

(Title supplemented, SG No. 56/2003)

Article 54

(1) (Supplemented, SG No. 56/2003) The Minister of Health shall approve yearly, before 31 May, the maximum quantities, needed for the purposes of therapy, medical and scientific research and teaching for the next year, of:

1. narcotic drugs;
2. psychotropic substances.

(2) Before 30 April, manufacturers and traders holding a licence shall notify to the Ministry of Health the quantities of narcotic substances listed in Schedules Nos. 2 and 3 and preparations thereof needed for the following calendar year, under the terms and procedures laid down by regulation of the Minister of Health.

(3) (Supplemented, SG No. 56/2003) The requirements under paragraph 2 shall apply as well to natural and legal persons holding an authorisation pursuant to Article 73 for operations involving narcotic substances for the purposes of therapy, medical and scientific research and teaching.

(4) (Amended, SG No. 55/2007) The keeping in stock of narcotic substances in quantities exceeding those really needed for the purposes of production and trade shall not be allowed.

Section IV

Requirements Applicable to the Trading, Storage, Prescription, Dispensing and Possession of Narcotic Substances

Article 55

(1) (Supplemented, SG No. 79/2005) Only persons holding a licence pursuant to Articles 32 and 32a may purchase, store and dispense the substances listed in Schedules Nos. 2 and 3 and preparations thereof.

(2) (Amended, SG No. 79/2005, SG No. 55/2007) The trading and storage of narcotic substances from the

special warehouses of the State Medical and War-time Repository of Ministry of the Interior and Ministry of Defence shall be carried out upon issuance of a license under procedure, determined under Article 32 (1).

Article 56

No licence shall be required for the purchase, storage and dispensing of substances listed in Schedules Nos. 2 and 3 by health establishments, where no pharmacy exists, in quantities needed for emergency aid, under terms and conditions specified by the Minister of Health.

Article 57

(Amended, SG No. 79/2005)

Vessels, entered on the ship register of the Republic of Bulgaria, as well as aeronautical devices, entered on the register of civil aeronautical means of the Republic of Bulgaria, may carry minimal quantities of narcotic drugs in providing first-aid in emergencies under terms and procedure, determined by the Minister of Health.

Article 58

(1) (Amended, SG No. 56/2003) Individuals who are in transit and temporary residents within the national territory may carry narcotic substances listed in Schedules Nos. 2 and 3 only for the purpose of medical treatment in quantities not exceeding those needed for a thirty-day treatment.

(2) In the cases set out in paragraph 1, foreign nationals shall hold a proper prescription or document issued by the competent authorities of the country where the said treatment has been prescribed.

Article 59

(1) (Amended, SG No. 56/2003) Bulgarian nationals and permanent or temporary foreign residents in this country travelling abroad may take in and out the narcotic substances listed in Schedules Nos. 2 and 3 in quantities not exceeding those needed for a thirty-day treatment.

(2) (Supplemented, SG No. 56/2003) In the cases set out in paragraph 1, such persons must be in possession of a document issued by the Minister of Health or an official, authorized by it from the National Narcotic Substances Service for the import and export of narcotic substances.

(3) (New, SG No. 56/2003) The document under para. 2 shall be issued to the person after submission to the National Narcotic Substances Service of:

1. an application;
2. identification documents;
3. a document, evidencing the daily dose and the course of treatment.

Article 60

(1) (Amended, SG No. 56/2003) The narcotic substances listed in Schedules Nos. 2 and 3 may only be prescribed in the form of therapeutic products under the terms and conditions laid down by regulation of the Minister of Health.

(2) Prescriptions for narcotic drugs and psychotropic substances shall be written in special prescription sheets from a counterfoil subject to special reporting.

(3) The modalities of prescription, printing and distribution of the said sheets, as well as of dispensing and reporting of the narcotic substances shall be specified by regulation of the Minister of Health.

(4) (Amended, SG No. 76/2005) Only physicians and dentists having the required qualifications and registered under the conditions set out by the regulation pursuant to paragraph 3 may prescribe the narcotic substances listed in Schedules Nos. 2 and 3.

Section V

Documentation and Reporting

Article 61

(Amended, SG No. 79/2005)

(1) (Amended, SG No. 55/2007) Any person carrying out production, processing, trading, import, export, transit, re-export and storage of narcotic substances shall be obliged to document each operation, related to these activities.

(2) (Repealed, SG No. 55/2007)

(3) (Repealed, SG No. 55/2007)

Article 62

Special sheets and a register endorsed by the control bodies specified by this Act shall be used for the activities set out in Article 61.

Article 63

(1) (Amended, SG No. 79/2005, SG No. 55/2007) The way of keeping the register of narcotic substances listed in Schedules No.No. 2 and 3 and preparations thereof and the type of the special sheets, shall be specified by regulation of the Minister of Health.

(2) The registers shall be kept for ten years after the last pertinent entry for presentation, whenever requested, to the control bodies.

Article 64

(Amended, SG No. 79/2005)

Manufacturers and wholesalers shall be required to draw up a balance sheet for each quarter and at the end of each calendar year for the quantities of narcotic substances obtained, supplied and available at the beginning and at the end of the said period.

Article 65

(Amended and supplemented, SG No. 56/2003)

Within a 15-day period after the end of each quarter, manufacturers shall be required to submit to the National Narcotic Substances Service with the Ministry of Health a report on the produced, processed, sold, imported, exported and quantities available at the beginning and at the end of the said period of narcotic substances listed in Schedules Nos. 2 and 3 and preparations thereof.

Article 65a

(New, SG No. 56/2003)

Within a 15-day period after the end of each quarter, wholesalers shall be required to submit to the National Narcotic Substances Service with the Ministry of Health a report on the quantities received, delivered and available at the beginning and at the end of the said period of narcotic substances listed in Schedules Nos. 2 and 3 and preparations thereof.

Article 65b

(New, SG No. 56/2003)

(1) Within a 10-day period after the end of each quarter, retailers shall submit to the inspector for narcotic substances with the respective district health centre a report on the quantities received, sold and available of narcotic substances listed in Schedule No. 2.

(2) Within a 20-day period after the end of each quarter, the inspectors for narcotic substances shall summarize the reports under para. 1 and submit a report thereof to the National Narcotic Substances Service with the Ministry of Health.

(3) (New, SG No. 79/2005) Within 10 days of the end of each calendar quarter, retail merchants of veterinary-medical products shall submit to the respective veterinary-medical service reports on the quantities of narcotic substances and the preparations thereof, listed in Schedule No.2, received, sold and available in stock,.

(4) (New, SG No. 79/2005) Within 20 days of the end of each calendar quarter, the regional veterinary-medical services shall summarize the reports pursuant to paragraph (3) and submit reports to the National Narcotic Substances Service with the Ministry of Health.

Article 66

Manufacturers and wholesalers of narcotic substances listed in Schedules Nos. 2 and 3 and preparations thereof shall be required to submit each year, before 28 February, to the National Narcotic Substances Service with the Ministry of Health a consolidated report regarding the activities and substances they have been licensed for.

Article 67

(Amended, SG No. 56/2003, repealed, No. 79/2005)

Section VI

Marking and Advertising

Article 68

(1) The consumer packaging of the narcotic substances shall bear, along with the trade name, the name of the substances according to Schedules Nos. 2 and 3.

(2) The packaging for narcotic substances shall bear a diagonally stamped double red band, while that for psychotropic substances - a double blue band. The packaging shall indicate that narcotic substances are to be used at a physician's prescription only.

(3) The name on the packaging shall match the narcotic substances therein.

(4) The compulsory requisites of the packaging of the narcotic substances listed in Schedules Nos. 2 and 3 and the preparations thereof shall be laid down by the Minister of Health.

(5) Notices accompanying the packages shall not include non-existent properties of the substances pursuant to paragraph 4.

Article 69

The transfer and transport of narcotic substances listed in Schedules Nos. 2 and 3 and preparations thereof, which do not comply with the requirements set out in Article 68, shall be prohibited.

Article 70

(Supplemented, SG No. 79/2005)

Any advertising of narcotic substances and plants listed in Schedules Nos. 1, 2 and 3 and of preparations thereof that is aimed at the general public, shall be prohibited.

Article 71

The supply to natural and legal persons, which do not have an appropriate licence, of free samples of narcotic substances listed in Schedules Nos. 2 and 3 and preparations thereof shall be prohibited, except for the free samples intended for purposes of medical and scientific research and teaching.

Article 72

(Repealed, SG No. 55/2007)

Section VII

Medical and Scientific Research and Teaching

Article 73

(Amended, SG No. 56/2003)

(1) (Amended, SG No. 79/2005) For the purposes of medical and scientific research, for educational purposes, as well as for the purpose of maintaining in good working shape the dogs used for identifying narcotic substances, natural and legal persons may be authorised to produce, acquire, import, export, hold and apply limited quantities of the plants and substances listed in Schedules Nos. 1, 2 and 3, as well as of preparations thereof and of precursors.

(2) The terms and procedure of authorisation of the activities pursuant to paragraph 1, as well as for use of narcotic substances and precursors, shall be laid down in an ordinance of the Council of Ministers of Health.

Article 74

(Amended and supplemented, SG No. 56/2003, amended, SG No. 55/2007)

Persons having received an authorisation pursuant to Article 73 shall be required to respect the requirements for prescribing, dispensing, storing, usage and destroying plants, narcotic substances and precursors listed in Schedules Nos. 1, 2 and 3, and precursors, as well as the documentation and accountability requirements.

Article 75

(Repealed, SG No. 56/2003)

CHAPTER VI

INTERNATIONAL CO-OPERATION

Article 76

(1) The control bodies ensuring the implementation of this Act, according to their functions and assignments, shall carry out international co-operation with the relevant services exercising drug control, as well as control on the abuse of and illicit traffic in narcotic substances.

(2) The control bodies pursuant to paragraph 1 shall co-operate with respect to the control of and the illicit traffic in precursors as well.

Article 77

The Ministry of Health through the National Narcotic Substances Service acting as a special administration for drug control shall, on behalf of the Bulgarian Government, shall draw up and furnish the International Drug Control Council with:

1. annual statistical reports on the produced, processed, sold within the territory of the country, held in stock, imported and exported quantities of narcotic substances;

2. annual statistical reports on the quantities of plants and narcotic substances subject to illicit trafficking having been seized and destroyed;
3. annual planned estimates of the quantities of narcotic substances intended for medical and scientific purposes;
4. quarterly statistical reports on narcotic substances imports and exports.

Article 78

(Repealed, SG No. 55/2007)

Article 79

The Ministry of Justice and Legal European Integration shall provide the international control organs with information covering:

1. the legislation relating to drug control, as well as to the control on the abuse of and illicit traffic in narcotic substances;
2. the legal assistance provided in investigation, penal prosecution and judicial proceedings for offences relating to narcotic substances and to the abuse of or illicit traffic in narcotic substances;
3. the extradition of persons, who have committed offences, liable to extradition for such offences under international acts to which the Republic of Bulgaria is a Party.
4. implementing programmes for training of staff to fight the abuse of and illicit traffic in narcotic substances.

Article 80

In its activity to reduce the demand for narcotic substances, the National Addiction Centre shall co-operate with international organisations dealing with these matters.

Article 81

The Ministry of Finance through the National Customs Agency shall co-operate with the World Customs Organisation and its specialised agencies, with foreign customs administrations on the basis of multilateral and bilateral treaties to which the Republic of Bulgaria is a Party, as well as with other specialised international services.

Article 82

The Ministry of the Interior through its governing organs shall co-operate with the specialised international authorities dealing with narcotic substances and with the relevant services of other countries.

Article 83

(1) The ministries set out in the precedent articles shall draw up the Annual Report of the Government of the Republic of Bulgaria concerning the enforcement of international treaties and national legislation relating to narcotic substances.

(2) The Council of Ministers, on a proposal from the National Narcotic Substances Council, shall endorse and forward the Annual Report under paragraph 1 to the Secretary-General of the United Nations within the time limits as specified by the latter.

CHAPTER VII

TREATMENT, PREVENTION AND REHABILITATION OF PERSONS DEPENDING ON OR ABUSING OF NARCOTIC SUBSTANCES

Article 84

(1) (Amended, SG No. 75/2002, SG No. 103/2005) The Ministry of Health, the Ministry of Education and Science, the Ministry of Labour and Social Policy, the Ministry of Defence and the State Agency for Youth and Sports shall provide for, draw up, plan and carry out programmes for preventing the abuse of narcotic substances, as well as for treatment, reducing health damage and rehabilitation of individuals abusing or depending on narcotic substances, on the basis of the National Strategy pursuant to Article 11, subparagraph 1 of this Act.

(2) (New, SG No. 56/2003) In regard to persons, depending on or abusing narcotic substances, pre-treatment and rehabilitation programmes shall be applied.

(3) (Renumbered from Paragraph 2, amended, SG No. 56/2003) In carrying out the programmes pursuant to Article 1, non-profit legal persons may be engaged as well.

(4) (Renumbered from Paragraph 3, SG No. 56/2003) The said programmes shall be carried out at the national and local levels.

Article 85

(1) Any Bulgarian national shall be entitled to have free access to all State programmes for reducing the demand for narcotic substances, as well as to prevention, treatment and rehabilitation in case of dependence on or abuse of narcotic substances.

(2) In order to enhance the efficiency of the planning, implementation and evaluation of the programmes pursuant to the precedent articles, a uniform system for collecting, processing, analysis and circulation of information shall be created with the Ministry of Health.

Article 86

(1) The co-ordination and the methodological guidance of the activities aiming at prevention of the abuse of narcotic substances, treatment, reducing health damage and rehabilitation of individuals abusing of or depending on narcotic substances, as well as the specialised control on the treatment shall be carried out by the National Addiction Centre with the Ministry of Health.

(2) The functions, tasks and constitution of the National Addiction Centre shall be specified by regulation of the Council of Ministers.

Article 87

Substituting and supporting programmes for reducing health damage may be carried out under the terms and procedures laid down by regulation of the Minister of Health.

Article 88

(1) The treatment of individuals abusing of or depending on narcotic substances shall be founded on the principles of anonymity and confidentiality, information being communicated to individuals or services only in the cases provided for in a separate law.

(2) Treatment shall be voluntary as well in the cases of serving sentences, provided for in the Criminal Code.

(3) (Amended, SG No. 56/2003) Treatment pursuant to paragraph 1 shall be carried out only in health establishments, set up in accordance with the Health Establishments Act, and of persons under para. 2 - in specialised health establishments with the respective prisons.

(4) Individual or collective treatment of minors depending on or abusing of narcotic substances shall be carried out with compulsory parental or tutelary consent or with such of the institutions as provided for in a separate law.

Article 89

(Amended, SG No. 56/2003)

(1) Pre-treatment and rehabilitation programmes may involve also individuals who have been depending on or abusing narcotic substances under the following conditions:

1. have not used narcotic substances for at least two years; and
2. have completed a special training under a programme approved by the Minister of Health.

(2) The terms and procedure for implementation of pre-treatment and rehabilitation programmes, as well as the requirements for enrolling in them shall be determined by an ordinance of the Minister of Health.

(3) (New, SG No. 79/2005) Rehabilitation programs for persons, who have been dependent on or have abused narcotic substances, shall be conducted:

1. by institutions and persons under Article 18 of the Social Assistance Act ;
2. in hospital clinics for specialized medical assistance - specialized medical psychiatric care individual practice and specialized medical psychiatric care group practice, medical centre and diagnostic and consultation centre, when carried out in a home environment;
3. in stationary psychiatric care health facilities and in psychiatric care dispensaries, when conducted in an out-of-home environment.

CHAPTER VIII

SEIZING, CONFISCATION AND DESTRUCTION OF NARCOTIC SUBSTANCES AND PRECURSORS

Article 90

(1) (Amended, SG Nos. 56/2003, 79/2005, SG No. 55/2007) The bodies of the Ministry of the Interior and the bodies of pre-trial procedure and the customs authorities shall seize any plants listed in Schedule No. 1 which are illicitly cultivated, any narcotic substances listed in Schedules Nos. 1, 2 and 3 and precursors listed in Schedule I of Regulation 273/2004 and the Schedule of Regulation 111/2005 which are illicitly produced, processed, acquired, stored, used, imported or designated for export and re-export, as well as

precursors of Categories I and II of Schedule No. 4, released on the market.

(2) (New, SG No. 55/2007) The bodies of the Ministry of the Interior and the customs authorities shall capture precursor deliveries which fail to meet the requirements set out in Regulation 273/2004 and Regulation 111/2005.

(3) (Amended, SG No. 56/2003, renumbered from Paragraph 2, SG No. 55/2007) A representative sample shall be taken from each type of substance or plant over 1 kg by the specialised laboratories of the bodies pursuant to paragraph 1 under the terms and procedures laid down by the Council of Ministers.

(4) (Amended, SG No. 82/2006, renumbered from Paragraph 3, SG No. 55/2007) The institutes and laboratories for research and applied sciences at the Ministry of the Interior, the National Customs Agency and the Ministry of Health shall be entitled to conduct expert tests of seized narcotic substances and precursors under terms and conditions laid down with a regulation of the Council of Ministers.

Article 91

(1) (Previous Article 91, SG No. 56/2003) Seized narcotic substances, plants and representative samples thereof shall be transferred in order to be kept in stock to the National Customs Agency with the Ministry of Finance upon expert testing in conformity with the provisions of the Code of Criminal Procedure.

(2) (New, SG No. 56/2003) The remainder of the narcotic substances, left after extraction of the representative samples, shall be transferred for safekeeping to the National Customs Agency with an order for destruction, issued by the respective supervising prosecutor.

Article 92

(1) Narcotic substances and plants shall be destroyed after receiving the findings from the completed physical and chemical expert testing.

(2) The representative samples and narcotic substances up to 1 kg shall be kept in stock until the entry into force of the sentence or the expiry of the statutes of limitation of the criminal prosecution and thereafter shall be destroyed.

Article 93

(1) All illicitly cultivated opium poppy, coca bush plants and genus cannabis containing more than 0,2 per cent by weight of tetrahydrocannabinol shall be subject to destruction.

(2) The destruction of the plants under paragraph 1 shall be effected on the spot upon the completion of the physical and chemical expert testing and the taking of a representative sample thereof.

(3) The representative sample shall be submitted for keeping in stock under the procedure set out in Article 91.

Article 94

Minimal quantities of the narcotic substances subject to destruction may be provided for educational purposes and the maintenance of the good working shape of dogs detecting narcotic substances under terms and conditions laid down with a regulation of the Council of Ministers.

Article 95

(1) The destruction of plants, narcotic substances, preparations thereof and representative samples shall be effected under the terms and procedures laid down by the Council of Ministers.

(2) (Amended, SG No. 79/2005) The destruction shall be carried out by a commission upon a ruling of the respective supervising prosecutor.

(3) (Amended, SG No. 74/2002, SG No. 82/2006) Members of the commission shall be representatives of the National Investigation Service, the National Customs Agency, the National Narcotic Substances Service, the Chief Directorate "Combating Organised Crime and the National Fire Safety and Protection of Population Service.

Article 96

(1) (New, SG No. 56/2003) Supervising prosecutors, having issued orders for termination or for refusal to initiate pre-trial procedures for crimes, related to narcotic substances, shall transmit within a month of their issuance copies thereof to the National Customs Agency.

(2) (Previous Article 96, SG No. 56/2003) Judicial authorities having given sentences in respect of offences relating to narcotic substances shall send a copy of them to the National Customs Agency within a month after the date of enforceability of the sentence.

Article 97

licitly produced, acquired and stored narcotic substances and preparations thereof which have become

unsuitable for use shall be destroyed under the terms and procedures as specified by the Minister of Health.

Article 98

(1) (Amended, SG No. 55/2007) Seized quantities of precursors over 1 kg shall be transferred to the Interdepartmental Precursor Control Commission with the Ministry of Economy and Energy for disposal therewith.

(2) The representative samples of the seized quantities of precursors and the seized quantities of precursors up to 1 kg shall be transferred in order to be kept in stock to the National Customs Agency with the Ministry of Finance after effecting expert testing in conformity with the provisions of the Code of Criminal Procedure.

(3) (Amended, SG No. 55/2007) The representative samples and the seized quantities of precursors up to 1 kg shall be kept in stock until the dropping of the criminal proceedings, the date of enforceability of the sentence or the expiry of the statutes of limitation of the prosecution and thereafter shall be destroyed under Art. 95.

(4) (New, SG No. 55/2007) Pending the delivery of the seized precursors weighing more than 1 kg for disposal by the Commission under para 1, they shall be stored by the specialised bodies under Art. 90, para 1.

(5) (New, SG No. 55/2007) The Commission under para 1 shall make a decision in each specific case of delivery of seized precursors for disposal, for which there exists an enforceable sentence or a ruling by the respective public prosecutor.

Article 98a

(New, SG No. 55/2007)

The destruction of the precursors under Art. 98, para 1 shall be carried out in the presence of a commission, the membership of which shall be specified in an order issued by the Minister of the Economy and Energy.

CHAPTER IX ADMINISTRATIVE PENALTY PROVISIONS

Article 99

(1) The Minister of Health shall issue an order to prohibit activities relating to narcotic substances in view of preventing and discontinuing any violations constituting a threat to society and connected with the fulfilment of the obligations under this Act or the international drug conventions.

(2) The order under paragraph 1 shall be promulgated in The State Gazette and the international control bodies shall be advised thereof.

Article 100

(1) Measures of administrative coercion may be appealed in pursuance of the provisions of the Administrative Procedure Code.

(2) Appeals shall not stay the implementation of the measures, unless ruled otherwise by the authority imposing the measures.

Article 101

Whoever sows, cultivates, imports or exports plants or seeds of the genus cannabis, containing less than 0,2 per cent by weight of tetrahydrocannabinol, without authorisation, shall be liable to a fine ranging between BGN 1,000 and 100,000.

Article 102

Whoever does not respect the requirement set out in Article 60, paragraph 2, shall be liable to a fine of BGN 5,000.

Article 102a

(New, SG No. 55/2007)

Whoever does not respect the requirements to appoint a responsible official set out in Article 3, paragraph 1 of Regulation 273/2004 and Article 3 of Regulation 1277/2005 shall be liable to a fine of BGN 5,000.

Article 103

Whoever does not respect the requirements for documentation and reporting set out in Section V of Chapter V of this Act, shall be liable to a fine ranging between BGN 1,000 and 10,000.

Article 103a

(New, SG No. 55/2007)

Whoever does not respect the documentation requirements set out in Articles 4 and 5 of Regulation

273/2004 and Articles 3 and 4 of Regulation 111/2005 shall be liable to a fine ranging between BGN 2,000 and 5,000 and, in the event of a repeated violation, a fine ranging between BGN 5,000 and 10,000.

Article 104

(Supplemented, SG No. 79/2005, amended, SG No. 55/2007)

Whoever does not respect the requirements for marking narcotic substances, and preparations thereof shall be liable to a fine ranging between BGN 10,000 and 50,000.

Article 104a

(New, SG No. 55/2007)

Whoever does not respect the precursor labelling requirements set out in Article 7 of Regulation 273/2004 and Article 5 of Regulation 111/2005 shall be liable to a fine ranging between BGN 5,000 and 10,000 and, in the event of a repeated violation, a fine ranging between BGN 20,000 and 50,000.

Article 105

Whoever fails to provide access of the control bodies to the records and premises where narcotic substances and precursors are being produced or stored, shall be liable to a fine ranging between BGN 1,000 and 10,000.

Article 105a

(New, SG No. 55/2007)

Whoever does not respect the information disclosure requirements set out in Article 8 of Regulation 273/2004, Article 9 of Regulation 111/2005 and Articles 17, 18 and 19 of Regulation 1277/2005 shall be liable to a fine ranging between BGN 2,000 and 5,000 and, in the event of a repeated violation, a fine ranging between BGN 5,000 and 10,000.

Article 106

Whoever fails to respect the requirements of Articles 25 and 26 shall be liable to a fine ranging between BGN 1,000 and 10,000.

Article 107

Whoever fails to advise control bodies of the availability of narcotic substances or preparations thereof having become unsuitable for use, shall be liable to a fine ranging between BGN 1,000 and 10,000.

Article 107a

(New, SG No. 79/2005)

Whoever fails to prevent loss or missing of precursors, shall be liable to a fine ranging between BGN 1,000 and 10,000.

Article 107b

(New, SG No. 79/2005)

Whoever conducts activities in violation of Article 89 (3), shall be liable to a fine ranging between BGN 5,000 and 50,000.

Article 108

Whoever fails to respect the requirements of Article 70, shall be liable to a fine ranging between BGN 1,000 and 50,000, unless the action constitutes an offence.

Article 108a

(New, SG No. 56/2003)

Whoever fails to fulfil another obligation, resulting from this Act or from a regulatory act for its implementation, shall be liable to a fine ranging between BGN 500 and 5,000, unless punishable by a more severe penalty.

Article 109

Where the violations pursuant to the preceding articles are committed by legal persons, the latter shall be liable to property sanctions ranging between BGN 10,000 and 150,000.

Article 110

(1) Violations shall be established on the basis of statements drawn up by the control bodies under Chapter III.

(2) Penalty orders shall be issued by the respective Minister or a person authorised by him or by the Chairman of the Interdepartmental Precursor Control Commission.

(3) The establishment of violations and the issuance, appeal and enforcement of penalty orders shall be carried out under the procedures laid down by the Administrative Violations and Penalties Act.

ADDITIONAL PROVISION

§ 1. For the purposes of this Act:

1. "Cannabis plant" means any plant of the genus Cannabis;
2. (Amended, SG No. 56/2003) "Cannabis (marijuana) " means the flowering and/or fruiting tops of the cannabis plant;
3. (Amended, SG No. 56/2003) "Cannabis resin (hashish) " means the resin mechanically separated from the cannabis plant, or the cannabis plant, subjected to mechanical processing, as a result of which its individual parts cannot be separated.
- 3a. (New, SG No. 56/2003) "Hashish resin" means a resinous juice from a hashish plant, extracted by a chemical method.
4. "Opium poppy" means the plant of the species Papaver somniferum L;
5. "Opium" means the coagulated juice of the opium poppy.
6. "Poppy straw" means all parts (except the seeds) of the opium poppy, after mowing.
7. "Coca bush" means the bush of any species of the genus Erythroxylon;
8. "Coca leaves" means the leaves of the coca bush, except for leaves whose ecgonine, cocaine and all other ecgonine alkaloids have been extracted;
9. "Narcotic drug" means any of the substances, whether natural or synthetic, listed in Schedules I and II of the Single Convention on Narcotic Drugs of 1961;
10. "Psychotropic substance" means any substance, natural or synthetic, or any natural material, listed in Schedules I, II, III and IV of the Convention on Psychotropic Substances of 1971;
11. "Drug" means any narcotic drugs and psychotropic substance listed in Schedules Nos. 1, 2 and 3 to this Act. Any other natural or synthetic substance listed in Schedules Nos. 1, 2 and 3 to this Act which may cause a dependence on it or either stimulating or depressive effect on the central nervous system causing hallucinations or disturbances of the motor function, frame of mind, behaviour, perception or temper, as well as other harmful effects on the human organism shall also be construed to be a drug;
12. (Amended, SG No. 56/2003) "Preparation" means a solution, mixture or material in any physical form containing one or more narcotic substances in therapeutical or non therapeutical dosage;
- 12a. (New, SG No. 75/2006) "Dependence of narcotic substances" is a psychical or physical state resulting of the interaction between the organism and the narcotic substance, characterized by a certain behavior or other reaction that always include the need of a permanent or periodical intake of narcotic substances.
13. "Abuse of narcotic substances" means the use of prohibited narcotic substances or use without prescription from a physician of pharmaceutical products containing narcotic substances placed under control;
14. (Amended, SG No. 79/2005, SG No. 55/2007) "Precursor" means "any listed substance" within the meaning of Article 2(a) of Regulation 273/2004 and Article 2(a) of Regulation 111/2005;
15. "Production" means any activity from which narcotic substances and precursors may be obtained;
16. "Illicit traffic" means any illicit activity or acts relating to plants containing narcotic substances, narcotic substances and precursors;
17. "Analogue" means any substance which is not listed in the Schedules to this Act but having a chemical structure matching that of a narcotic substance causing similar effect on the human organism;
18. "Representative sample" means a quantity of seized plant, narcotic substance or precursor which, while tested, may provide an objective and full assessment of the whole quantity of the seized plant, narcotic substance or precursor and which covers all their varieties in terms of appearance, physical condition and type of packaging;
19. "Free sample" means any part of a plant, narcotic substance or precursor of no commercial value, taken in a way that makes it representative of a bigger quantity of material.
20. "Substituting and supporting programme (therapy) " means a long-term treatment involving licitly produced or imported preparations (opium agonists or agonist-antagonists) with a view to correcting somatic, mental and behavioural disturbances occurred as a result of durable abuse of narcotic substances, under the terms and procedures laid down by the Minister of Health.
21. "Transfer" means an operation performed within the territory of the country or across its borders, while using vehicles, animal draught, human effort or mail parcel.
22. "Transport" means a type of transfer, involving road, rail, water or air transport.

23. (New, SG No.79/2005) "Calendar year" means the period from 1 January until 31 December of the same year.

23a. (New, SG No. 55/2007) "Import of narcotic substances" means any physical introduction of narcotic substances into the customs territory of the Republic of Bulgaria;

23b. (New, SG No. 55/2007) "Export of narcotic substances" means any physical leaving of narcotic substances from the customs territory of the Republic of Bulgaria;

24. (New, SG No.79/2005, repealed, SG No. 55/2007)

25. (New, SG No.79/2005, repealed, SG No. 55/2007)

26. (New, SG No.79/2005, repealed, SG No. 55/2007)

27. (New, SG No.79/2005, repealed, SG No. 55/2007) .

28. (New, SG No.79/2005, repealed, SG No. 55/2007)

TRANSITIONAL AND FINAL PROVISIONS

§ 2. In the Human Medicine Pharmaceuticals and Pharmacies Act (promulgated State Gazette, issue 36 of 1995; issue 61 of 1996 - Decision No. 10 of the Constitutional Court of 1996; amended, No. 38 of 1998), the following amendments and supplements shall be made:

1. The following amendments shall be made to Article 11:

(a) Paragraph 3, sub-paragraph 6 shall be repealed;

(b) A new paragraph 4 with the following wording shall be inserted:

"(4) For the production of narcotic substances and pharmaceuticals containing such substances, the requirements of the Narcotic Substances and Precursors Control Act shall be respected as well. "

2. In Article 54, a new paragraph 3 with the following wording shall be inserted:

"(3) For the wholesale trade in narcotic substances, as well as in pharmaceuticals containing such substances, the requirements of the Narcotic Substances and Precursors Control Act shall be respected as well."

3. Sub-paragraph 7 of Article 56 shall be repealed.

4. In Article 74, new paragraphs 4 and 5 with the following wording shall be inserted:

"(4) For activities involving pharmaceuticals containing narcotic substances, the requirements of the Narcotic Substances and Precursors Control Act shall be respected as well.

"(5) For setting up a pharmacy where medicines containing narcotic substances will be dispensed and sold, the requirements of the Narcotic Substances and Precursors Control Act shall be respected as well. "

5. In Article 83, a new paragraph 5 with the following wording shall be inserted:

"(5) The import and export of narcotic substances and pharmaceuticals containing them shall be carried out under the terms and procedures specified in the Narcotic Substances and Precursors Control Act."

6. Count 14 of § 1 of the Additional Provisions shall be repealed.

§ 3. In the Public Health Act (promulgated State Gazette issue 88 of 1973, corrigendum issue 92 of 1973, as amended issue 63 of 1976, issue 28 of 1983, issue 66 of 1985, issue 27 of 1986, issue 89 of 1988, issues 87 and 99 of 1989, issue 15 of 1991, corrigendum issue 24 of 1991, as amended issue 64 of 1993, issue 31 of 1994, issue 36 of 1995, issues 12, 87 and 124 of 1997, issue 21 of 1998), Chapter 11 entitled "Drug Control" shall be repealed.

§ 4. In the Ministry of the Interior Act (promulgated State Gazette issue 122 of 1997, issue 29 of 1998 - Decision No. 3 of the Constitutional Court of 1998; as amended, issues 70,73 and 153 of 1998), the words "narcotic drugs and psychotropic substances", wherever used, shall be replaced by the word "narcotic substances".

§ 5. In the Customs Act (promulgated State Gazette issue 15 of 1988, as amended, issues Nos. 89 and 153 of 1998), the following amendments and supplements shall be made:

1. In Article 201, paragraph 2, the words "narcotic drugs and psychotropic substances" shall be replaced by the word "narcotic substances".

2. In Article 229, paragraph 3, the words "Article 83 of the Public Health Act" shall be replaced by the words "Narcotic Substances and Precursors Control Act".

3. In the Additional Provision the following amendments shall be made:

(a) a new count 21 with the following wording shall be inserted:

"21. "Controlled delivery" means the technique of allowing illicit or suspected as such consignments of narcotic drugs, psychotropic substances and precursors and their analogues or substances substituted for

them, to pass out of, through or into the territory of one or more countries, with the knowledge and under the supervision of their competent authorities, with a view to identifying persons involved in illicit trafficking.

"

(b) the current counts 21 and 22 shall be numbered 22 and 23 respectively.

§ 6. (1) (Amended, SG No. 82/2006) Within a month after the entry into force of this Act, a commission comprising representatives of the Ministry of Health through the National Narcotic Substances Service, the Ministry of Finance through the National Customs Agency, the Ministry of the Interior through the National Police Service and the Research institute for Criminology and Criminal Studies, the Sofia City Prosecutor's Office and the Sofia Investigation Service shall take representative samples of all narcotic substances weighing over 1 kg, which are kept as exhibits in pending criminal proceedings and afterwards the remaining quantities shall be destroyed in pursuance of the provisions of this Act.

(2) The representative samples taken under paragraph 1, the quantities of narcotic substances weighing below 1 kg and the documentation related to their storage shall be submitted by the National Narcotic Substances Service to the National Customs Agency.

§ 7. This Act shall enter into force six months after its promulgation in the State Gazette.

§ 8. (1) Within one month after the promulgation of this Act, the Council of Ministers shall adopt regulations for its implementation.

(2) The Minister of Health, the Minister for Agriculture, Forestry and Agrarian Reform and the Minister of Finance shall issue the regulations for the implementation of this Act within the period pursuant to paragraph 1.

§ 9. The application of this Act shall be assigned to the Council of Ministers.

This Act was passed by the 38th National Assembly on 19 March 1999 and the official seal of the National Assembly was affixed thereto.

SCHEDULE 1 to Article 3 (2)
(Amended and supplemented, SG No. 56/2003)

PLANTS AND SUBSTANCES PRESENTING HIGH DEGREE OF RISK TO PUBLIC HEALTH, DUE TO THE HARMFUL EFFECT OF THEIR ABUSE, PROHIBITED FOR APPLICATION IN HUMAN AND VETERINARY MEDICINE

Alpha-methylfentanyl
Alpha-methyl-thio-fentanyl
Amphetamine
Acetyl-alpha-methylfentanyl
Acetorphine
Beta-hydroxy-methyl-3-fentanyl
Beta-hydroxyfentanyl
Brolamphetamine
Dexamphetamine
Delta-9-tetrahydrocannabinol and its stereochemical isomers DET
Desomorphine
DMA
DMHP
DMT
DOET
Ethylamphetamine (N-ethylamphetamine)
Eticyclidine
Etorphine
Etriptamine
Cathinone
Ketobemidone
Coca (bush)
Cannabis (marijuana)
Concentrate of poppy straw
Coca (leaf)
Levamphetamine
Levomethamphetamine
(+) -Lysergide
Poppy straw
MDMA
Mesocarb
Mescaline
Methamphetamine
Methyl-4 aminorex
Methyl-3-thio-fentanyl
Methyl-3-fentanyl
Metcathinone
MMDA
MPPP
N-ethyl MDA
N-hydroxy MDA
Opium poppy
Opium
Para-fluorofentanyl
Parahexyl
PEPAP
PMA

Psilocybine
Psilocine (psilocin)
Racemat of methamphetamine
Rolicyclidine
(Amended, SG No. 56/2003) Hashish
(Amended, SG No. 56/2003) Hashish resin
STP (DOM)
Tenamphetamine
Tenocyclidine
Tetrahydrocannabinol
Thiofentanyl
TMA
Fenetylline

(Supplemented, SG No. 56/2003) Heroin (diacetylmorphine) and the isomers, esters, ethers and salts of the substances included in this list whenever the existence of such isomers, esters, ethers and salts (including the salts of the esters, ethers and isomers as provided above) is possible.

SCHEDULE 2 to Article 3 (2)
(Amended and supplemented, SG No. 56/2003)

SUBSTANCES PRESENTING HIGH DEGREE OF RISK, APPLICABLE IN HUMAN AND VETERINARY MEDICINE

Allylprodine
Alphameprodine
Alphamethadol
Alphaprodine
Alphacetylmethadol
Alfentanil
Anileridine
Acetyldihydrocodeine
Acetylmethadol
Bezitramide
Benzethidine
Benzylmorphine
Betameprodine
Betamethadol
Betaprodine
Betacetylmethadol
Glutethimide
Dextromoramide
Dextropropoxyphene
Diampromide
Diethylthiambutene
Dimenoxadol
Dimethylthiambutene
Dimepheptanol
Dioxaphetyl butyrate
Dipipanone
Diphenoxylate
Difenoxin
(New SG No. 56/2003) Dehydroetorphine
Dihydromorphine
Drotebanol
Ecgonine, its esters and derivatives which can be transformed into ecgonine and cocaine

Ethylmethylthiambutene
Ethylmorphine
Etonitazene
Etoxidine
Ziproprol
Isomethadone
Clonitazene
Codeine
Codoxime
Cocaine
Levomethorphan
Levomoramide
Levorphanol
Levophenacymorphan
Mecloqualone
Methadone
Methadone intermediate
Methaqualone
Metazocine
Methyldesorphine
Methyldihydromorphine
Methylphenidate
Metopon
Myrophine
Moramide intermediate
Morpheridine
Morphine
Morphine methobromide and other pentavalent nitrogen morphine derivatives, including morphine-N-oxide derivatives
Morphine-N-oxide
Nicodicodine
Nicocodine
Nicomorphine
Noracymethadol
Norcodeine
Norlevorphanol
Normethadone
Normorphine
Norpipanone
Oxycodone
N-oxymorphine
Oxymorphone
Pethidine
Pethidine intermediate A
Pethidine intermediate B
Pethidine intermediate C
Piminodine
Piritramide
Properidine
Propiram
Proheptazine
Racemethorphan
Racemoramide

Racemorphan
Remifentanyl
Secobarbital
Sufentanil
Thebaine
Thebacon
Tilidine
Tramadol (Repealed, SG No. 56/2003)
Trimeperidine
Trihexiphenidil (Repealed, SG No. 56/2003)
Phenadoxone
Phenazocine
Phenampromide
Phenomorphin
Phenoperidine
Phenmetrazine
Fentanyl
Phencyclidine
Flunitrazepam
Pholcodine
Furethidine
Hydrocodone
Hydroxypethidine
Hydromorphanol

Hydromorphone and the isomers, esters, ethers and salts of the substances included in this list whenever the existence of such isomers, esters, ethers and salts (including the salts of the esters, ethers and isomers as provided above) is possible.

SCHEDULE 3 to Article 3 (2)
(Supplemented, SG No. 56/2003, amended, SG No. 79/2005)
RISK SUBSTANCES

Allobarbitol
Alprazolam
Aminorex (aminoxafen)
Amobarbitol
Amphepramone
Barbitol
Benzphetamine
Bromazepam
Brotizolam
Buprenorphine
Butalbital
Butobarbitol
Vinylbital
(New SG No.56/2003, amended, SG No. 79/2005) Gamma-hydroxybutyrate
Delorazepam
Diazepam
Dihydrocodeine
Estazolam
Ethyl loflazepate
Ethinamate
Ethchlorvynol

(New SG No. 56/2003, effective on third day following 20.06.2003) Zolpideme

Camazepam

Cathine

Ketazolam

Clobazam

Cloxazolam

Clonazepam

Clorazepate

Clotiazepam

Lefetamine

Loprazolam

Lorazepam

Lormetazepam

Mazindol

Medazepam

Meprobamate

Methylphenobarbital

Methylprylon

Mefenorex

Midazolam

Nimetazepam

Nitrazepam

Nordazepam

Oxazepam

Oxazolam

Pemoline

Pentazocine

Pentobarbital

Pinazepam

Pipradrol

Pyrovalerone

Prazepam

Secbutabarbital

Temazepam

Tetrazepam

(New SG No. 56/2003, effective on third day following 20.06.2003) Tramadol

Triazolam

(New SG No. 56/2003, effective on third day following 20.06.2003) Trihexyphenidyl

Phendimetrazine

Fencamfamin

Phenobarbital

Fenproporex

Phentermine

Fludiazepam

Flurazepam

Halazepam

Haloxazolam

Chlordiazepoxide

Cyclobarbital

Chlordiazepoxide

Cyclobarbital and the isomers, esters, ethers and salts of the substances included in this list whenever the existence of such isomers, esters, ethers and salts (including the salts of the esters, ethers and isomers as provided above) is possible.

SCHEDULE 4 to Article 3 (2)
(Amended, SG No. 56/2003, amended and supplemented SG No. 79/2005, repealed, SG No. 55/2007)

SCHEDULE 5 to Article 7 (3)
(New, SG, No.79/2005, repealed, SG No. 55/2007)

SCHEDULE 6 to Article 35 (6)
(New - SG, No.79/2005, repealed, SG No. 55/2007)