

## **On Narcotic Drugs, Psychotropic Substances, their analogues and precursors and counter measures of their illegal turnover and their abuse**

*Unofficial translation*

The Law of the Republic of Kazakhstan dated 10 July 1998 No. 279

**Footnote. Title of the Law is in the wording of the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).**

This Law regulates legal grounds of the state policy in the scope of turnover of narcotic drugs, psychotropic substances, their analogues and precursors and establishes counter measures of their illegal turnover for the purpose of rendering of narcological assistance and health protection of citizens, public and state security.

**Footnote. The Preamble as amended by the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).**

### **Chapter 1. GENERAL PROVISIONS**

#### **Article 1. Basic definitions**

The following basic definitions shall be used in this Law:

- 1) retail trade – sale of narcotic drugs, psychotropic substances and precursors by the piece or in small amounts for personal consumption on prescription;
- 2) narcotics – plants, substances or preparations classified as narcotic drugs, psychotropic substances, their analogues representing potential danger to health of population due to consequences that may be caused by their abuse included into the List of narcotic drugs, psychotropic substances and precursors subjected to control in the Republic of Kazakhstan;
- 3) narcotic drugs – substances of synthetical or natural origin included into the List of narcotic drugs, psychotropic substances and precursors subjected to control in accordance with the legislation of the Republic of Kazakhstan, Single Convention on Narcotic Drugs 1961 with amendments made in accordance with the Protocol, 1972 Amending the Single Convention on Narcotic Drugs, 1961;
- 4) analogues of narcotic drugs and psychotropic substances – the substances of synthetical or natural origin having chemical structure and properties similar by structure and properties to the substances included to the Schedules I, II, III causing stimulating, depressive or mindbending condition being dangerous for health of population upon their abuse and not approved as narcotic drugs or psychotropic substances by this Law and international UN conventions;
- 5) ensuring standard of narcotic drugs, psychotropic substances and precursors ( hereinafter – standard ensuring) – quantity of particular narcotic drugs, psychotropic substances and precursors permitted to legal entities for sale in the territory of the Republic of Kazakhstan in accordance with the legislation of the Republic of Kazakhstan;
- 6) turnover of narcotic drugs, psychotropic substances and precursors – types of activity permitted and controlled in accordance with the legislation of the Republic of Kazakhstan, linked with cultivation, gathering and procurement of narcotic plants, development, production, processing, import, export, transit, carriage, transmission, acquisition, storage, distribution

, sale, use, destruction of narcotic drugs, psychotropic substances and precursors;

7) authorized state body in the scope of turnover of narcotic drugs, psychotropic substances, their analogues and precursors - body that shall form and coordinate implementation of the state policy in the scope of turnover of narcotic drugs, psychotropic substances, their analogues and precursors within the competence provided to it;

8) import and export of narcotic drugs, psychotropic substances and precursors - transfer of narcotic drugs, psychotropic substances and precursors from one state to another;

9) manufacture of narcotic drugs, psychotropic substances and precursors - all the processes with the exception of production, with the help of which the narcotic drugs, psychotropic substances and precursors may be produced, as well as transformation of narcotic drugs, psychotropic substances and precursors to other narcotic drugs, psychotropic substances and precursors;

10) illegal turnover of narcotic drugs, psychotropic substances, their analogues and precursors - turnover of narcotic drugs, psychotropic substances, their analogues and precursors carried out with the breach of the legislation of the Republic of Kazakhstan;

11) production of narcotic drugs, psychotropic substances and precursors - process oriented to serial production of narcotic drugs, psychotropic substances and precursors from chemical substances and (or) plants or from other narcotic drugs, psychotropic substances and precursors;

12) processing of narcotic drugs, psychotropic substances and precursors - actions in the result of which the refinement (clearing from foreign matters), increase of concentration of narcotic drugs, psychotropic substances and precursors in a preparation, as well as production of the substances on their basis that are not narcotic drugs, psychotropic substances and precursors;

13) use of narcotic drugs, psychotropic substances and precursors - target applying of narcotic drugs, psychotropic substances and precursors;

14) transfer and transmission of narcotic drugs, psychotropic substances and precursors - ant actions on transfer of narcotic drugs, psychotropic substances and precursors within the Republic of Kazakhstan independently from the method of transportation and storage area;

15) consumption standard of narcotic drugs, psychotropic substances and precursors ( hereinafter - consumption standard) - quantity of particular narcotic drugs, psychotropic substances and precursors required for consumption for particular legal entities, applied to the authorized state body in the scope of turnover of narcotic drugs, psychotropic substances and precursors in accordance with the legislation of the Republic of Kazakhstan;

16) transit of narcotic drugs, psychotropic substances and precursors - transfer of narcotic drugs, psychotropic substances and precursors from one state to another through the territory of the third state;

17) abuse of narcotic drugs, psychotropic substances and precursors, their analogues ( illegal consumption of narcotic drugs, psychotropic substances, their analogues) - intended illegal consumption of narcotic drugs, psychotropic substances, their analogues without prescription;

18) summary schedule on referring of narcotic drugs, psychotropic substances, their analogues and precursors to small, large and especially large sizes detected in illegal turnover - the list of types of narcotic drugs, psychotropic substances, their analogues and precursors with established sizes (small, large, especially large) that shall be determined by the bodies of forensic examination and henceforth are the ground for incurrence of administrative or criminal responsibility (annex 2);

19) wholesale sale - sale of large shipment of narcotic drugs, psychotropic substances and precursors;

20) the List of narcotic drugs, psychotropic substances and precursors subjected to control in the Republic of Kazakhstan (hereinafter - the List) - the list of narcotic drugs, psychotropic substances and precursors subjected to control in the Republic of Kazakhstan being numbered and consolidated in the relevant schedules and list (annex 1) on the basis of international conventions;

21) cultivation of plants containing narcotic drugs - sowing and growth of opium poppy and hemp (cannabis), other narcotic plants included into the List of narcotic drugs, psychotropic substances and precursors subjected to control in the Republic of Kazakhstan in accordance with the international conventions;

22) gathering of plants containing narcotic drugs, psychotropic substances - collecting of wild-growing or cultivated narcotic plants included into the List in accordance with international conventions;

23) specialized medical and preventive treatment facilities - the institutions (centres, hospitals, dispensaries, departments or cabinets) that shall render narcological assistance in the manner established by the Law;

24) compulsory treatment - in-patient treatment of a person suffering from drug addiction carried out on the basis of court decision upon avoidance from compulsory treatment or continuance of illegal consumption of narcotic drugs, psychotropic substances, their analogues;

25) medical certification - ambulatory examination of a person for the purpose of establishment of condition of drug intoxication;

26) avoidance from medical certification, medical survey or treatment - intended non-performance of ordinance of an employee of law enforcement bodies in respect of medical certification or survey, and equally non-performance of prescriptions and recommendations of a doctor by a person abusing narcotic drugs, psychotropic substances, their analogues;

27) medical survey - survey of a person in stationary conditions for the purpose of establishment of diagnosis "drug addiction" or denial of such diagnosis;

28) drug addiction - diseases conditioned by dependence from narcotic drug, psychotropic substance, their analogues leading to serious violations of physical and mental functions of body;

29) person suffering from drug addiction (drug addict) - a person being in condition of physical and (or) mental dependence from any narcotic drug, psychotropic substance, their analogue to which the diagnosis "drug addiction" is made in the manner established by medical institution;

30) voluntary treatment - treatment from drug addiction, substance abuse or abuse of drugs carried out with agreement of diseased person or his (her) legal representative;

31) precursors - substances used upon production, manufacturing, processing of narcotic drugs, psychotropic substances, their analogues included into the List of narcotic drugs, psychotropic substances and precursors subjected to control in the Republic of Kazakhstan in accordance with the legislation of the Republic of Kazakhstan, international treaties of the Republic of Kazakhstan, as well as UN Conventions against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988;

32) preparations - blend of substances in any physical condition containing one or several narcotic drugs, psychotropic substances or precursors included into the List;

33) psychotropic substances - substances of synthetical or natural origin included into the List of narcotic drugs, psychotropic substances and precursors subjected to control in accordance with the legislation of the Republic of Kazakhstan, international treaties of the Republic of Kazakhstan, as well as Convention on psychotropic substances, 1971;

34) authorized bodies - state bodies that shall carry out the state control of turnover of narcotic drugs, psychotropic substances, their analogues and precursors within the competence provided to them in accordance with the legislation of the Republic of Kazakhstan;

35) substance abuse - abuse of medicinal preparations and non-medical substances of different nature causing psychoactive effect similar to effect of narcotic drugs, psychotropic substances, their analogues and not included into the lists of republican legislative acts of the Republic of Kazakhstan and international conventions.

Footnote. Article 1 is in the wording of the Law of the Republic of Kazakhstan dated 02.03.2006 No. 130 (shall be enforced from the date of official publication); as amended by the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015 ).

## **Article 2. Classification of narcotic drugs, psychotropic substances, their analogues and precursors subjected to control in the Republic of Kazakhstan**

1. Narcotic drugs, psychotropic substances and precursors shall be included into the List of narcotic drugs, psychotropic substances and precursors subjected to control in the Republic of Kazakhstan. The list of narcotic drugs, psychotropic substances and precursors subjected to control in the Republic of Kazakhstan is from the suggested four schedules and the list. Schedule I shall include narcotic drugs, psychotropic substances the turnover of which is prohibited in the Republic of Kazakhstan in accordance with the legislation of the Republic of Kazakhstan and international UN Conventions, 1961 and 1971, with the exception of cases provided by Articles 18, 19 and 20 of this Law.

Schedule II shall include narcotic drugs, psychotropic substances the turnover of which is restricted and is under strict control in accordance with the legislation of the Republic of Kazakhstan and international UN Conventions, 1961 and 1971.

Schedule III shall include narcotic drugs, psychotropic substances, the turnover of which is under control in accordance with the legislation of the Republic of Kazakhstan and international UN Conventions, 1961, 1971.

Schedule IV shall include precursors, the turnover of which is under control in accordance with the legislation of the Republic of Kazakhstan and UN Convention, 1988.

The list of medical products containing narcotic drugs, psychotropic substances and precursors subjected to control in the Republic of Kazakhstan and permitted for application in veterinary medicine shall include medicinal preparations that may be used as diagnostic, medical and prophylactic products in existence of the relevant license.

2. In respect of preparations, the types of control which are established in respect of narcotic drugs, psychotropic substances and precursors contained in them shall be provided. If the preparation contains not one but several narcotic drugs, psychotropic substances and precursors, the same control as to narcotic drug, psychotropic substance and precursor that shall be subject to stricter control measures shall be applied to it. Medicinal preparations that contain small amount of narcotic drugs, psychotropic substances and precursors and that represent unessential danger in case of their abuse and from which the mentioned drugs and substances may not be extracted by easily accessible ways shall not be subject to control in accordance with this Law.

The list of mentioned preparations, the procedure for their exclusion from control shall be approved by the Government of the Republic of Kazakhstan.

3. Analogues of narcotic drugs, psychotropic substances shall be subject to the same control measures as the narcotic drugs and psychotropic substances similar by structure and properties. Upon determination of sizes of analogues, the sizes of narcotic drugs and psychotropic substances, the analogues of which they are shall be applied.

**Footnote. Article 2 is in the wording of the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).**

## **Article 3. Legislation of the Republic of Kazakhstan on narcotic drugs, psychotropic substances, their analogues, precursors and counter measures of their illegal turnover and their abuse**

1. Legislation of the Republic of Kazakhstan on narcotic drugs, psychotropic substances, their analogues, precursors and counter measures of their illegal turnover is based on the Constitution of the Republic of Kazakhstan and consists of this Law, other regulatory legal

acts, as well as international treaties ratified by the Republic of Kazakhstan.

2. If the international treaties ratified by the Republic of Kazakhstan establish other rules than those provided in this Law, the rules of international treaties shall be applied.

#### **Article 4. Basic principles of the state regulation of turnover of narcotic drugs, psychotropic substances, their analogues, precursors and counter measures of their illegal turnover and their abuse**

State policy in the scope of turnover of narcotic drugs, psychotropic substances, precursors and counteraction of their illegal turnover shall be carried out on the principles of:

- 1) state control of activity in the scope of turnover of narcotic drugs, psychotropic substances, their analogues and precursors;
- 2) state regulation of turnover of narcotic drugs, psychotropic substances, their analogues, precursors and counteraction of their illegal turnover and their abuse;
- 3) licensing of the activity in the scope of turnover of narcotic drugs, psychotropic substances, their analogues, precursors;
- 4) interdepartmental and intradepartmental coordination of activity of state and other bodies;
- 5) comprehensive solution of tasks of organization and conduct of work oriented to suppression of illegal turnover of narcotic drugs, psychotropic substances, their analogues, precursors and their abuse;
- 6) ensuring of prophylactic measures providing non-distribution of drug addiction and violations linked with it;
- 7) expansion of social basis in a suppression of distribution of drug addiction and violations linked with it, as well as by engagement of public religious, international and other organizations and citizens on a voluntary basis;
- 8) strengthening of international cooperation in the scope of control of turnover of narcotic drugs, psychotropic substances, their analogues, precursors, counter measures of their illegal turnover and their abuse.

**Footnote. Article 4 as amended by the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).**

#### **Chapter 2. STATE REGULATION AND ORGANIZATION OF ACTIVITY IN THE SCOPE OF TURNOVER OF NARCOTIC DRUGS, PSYCHOTROPIC SUBSTANCES, THEIR ANALOGUES, PRECURSORS AND COUNTERACTION OF THEIR ILLEGAL TURNOVER AND THEIR ABUSE**

#### **Article 5. State regulation of turnover of narcotic drugs, psychotropic substances, their analogues, precursors and counter measures of their illegal turnover and their abuse**

**Footnote. Title of Article 5 as amended by the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).**

1. State regulation of turnover of narcotic drugs, psychotropic substances, their analogues, precursors and counter measures of their illegal turnover and their abuse shall be carried out in accordance with this Law, other Laws of the Republic of Kazakhstan, decrees of the President of the Republic of Kazakhstan and regulations of the Government of the Republic

of Kazakhstan.

Government of the Republic of Kazakhstan shall approve the regulatory legal acts developed by the authorized state body in coordination with the relevant state bodies, regulating the order of activity of legal entities participated in the scope of turnover of narcotic drugs, psychotropic substances, precursors and counteraction of their illegal turnover and their abuse.

2. (Is excluded – No. 327 dated 31.05.2002).

3. Authorized state body in the scope of turnover of narcotic drugs, psychotropic substances and precursors shall perform the following basic functions:

1) is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);

2) is excluded by the Law of the Republic of Kazakhstan dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011);

3) organize carrying out of the state control of turnover of narcotic drugs, psychotropic substances and precursors and counter measures of their illegal turnover and their abuse;

4) assist to health bodies on regulation of the activity in the scope of turnover of narcotic drugs, psychotropic substances, precursors and their abuse, in organization of medical social assistance to persons suffering from drug addiction and substance abuse, and ensuring of guarantee of rights and freedoms of citizens upon its rendering;

5) make proposals on amendment and supplement of the List of narcotic drugs, psychotropic substances and precursors subjected to control in the Republic of Kazakhstan, and Summary schedule on referring narcotic drugs, psychotropic substances, their analogues and precursors to small, large and especially large sizes detected in illegal turnover at the suggestion of authorized bodies;

6) forecast the scales of all the types of turnover of narcotic drugs, psychotropic substances and precursors jointly with authorized bodies of the Republic of Kazakhstan;

7) determine the standards of requirements of the state in narcotic drugs, psychotropic substances and precursors jointly with the authorized bodies;

8) control the process of development and implementation of narcotic drugs, psychotropic substances and precursors having smaller narcotic effect, more effective, less dangerous in comparison with existing;

9) represent the standard of requirements of the Republic in narcotic drugs, psychotropic substances and precursors to the Government for approval of international quotas for the Republic of Kazakhstan by the International UN Commission on control of narcotics;

10) is excluded by the Law of the Republic of Kazakhstan dated 13.01.2014 No. 159-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

11) is excluded by the Law of the Republic of Kazakhstan dated 13.01.2014 No. 159-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

12) coordinate work of public organizations, associations, the activity of which is linked with the problems of drug addiction;

13) carry out international cooperation in the scope of turnover of narcotic drugs, psychotropic substances, precursors and counteraction of their illegal turnover and their abuse ;

14) carry out licensing of the types of activity in the scope of turnover of narcotic drugs, psychotropic substances and precursors except for the types of activity linked with turnover of narcotic drugs, psychotropic substances and precursors in the field of public health service;

15) (is excluded – dated 2 March 2006 No. 130 (shall be enforced from the date of official publication));

16) make proposals to the relevant bodies on bringing of individuals and legal entities to responsibility for violation of the legislative and other regulatory legal acts of the Republic of Kazakhstan, regulating the turnover of narcotic drugs, psychotropic substances and

precursors;

17) is excluded by the Law of the Republic of Kazakhstan dated 13.01.2014 No. 159-V ( shall be enforced upon expiry of ten calendar days after the date of its first official publication);

18) make submissions, prescriptions to the state bodies and other organizations on elimination of the breaches of the legislation of the Republic of Kazakhstan in the scope of turnover of narcotic drugs, psychotropic substances and precursors;

19) develop and implement the state policy jointly with the authorized bodies in the scope of turnover of narcotic drugs, psychotropic substances, precursors and counteraction of their illegal turnover and their abuse;

20) coordinate suppression of illegal turnover of narcotic drugs, psychotropic substances , their analogues, precursors and their abuse;

21) carry out state control of the activity of state bodies and other organizations in the scope of turnover of narcotic drugs, psychotropic substances, precursors;

22) carry out interdepartmental coordination of activity of the state and other organizations in the scope of turnover of narcotic drugs and precursors, as well as regional commissions on struggle against drug addiction and drug business;

23) carry out attraction within the competence of investments, technical assistance and control of their intended use in the scope of turnover of narcotic drugs, psychotropic substances, precursors and counteraction of their illegal turnover and their abuse in accordance with the legislation of the Republic of Kazakhstan;

24) other powers provided by this Law, other Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Footnote. Article 5 as amended by the Laws of the Republic of Kazakhstan dated 31.05.2002 No. 327; dated 20.12.2004 No. 13 (shall be enforced from 1 January 2005); dated 02.03.2006 No. 130 (shall be enforced from the date of official publication); dated 05.07.2011 No. 452-IV ( shall be enforced from 13.10.2011); dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.01.2014 No. 159-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

## **Article 6. State control of turnover of narcotic drugs, psychotropic substances, precursors and counter measures of their illegal turnover and their abuse**

1. State control of turnover of narcotic drugs, psychotropic substances, precursors shall be carried out in the form of inspection and other forms.

Inspection shall be carried out in accordance with the Law of the Republic of Kazakhstan "On state control and supervision in the Republic of Kazakhstan". Other forms of the state control shall be carried out in accordance with this Law.

Other forms of control are preventive prophylactic measures in the results of which the prescription shall be drawn up without initiation of the case of administrative infraction with explanation of the procedure for its elimination to the inspected subject. Other forms of control shall be carried out without visiting of inspected subjects in the form of supervision, monitoring, recording and control of reporting in the scope of turnover of psychotropic substances and precursors.

2. Authorized bodies of the Republic of Kazakhstan shall have the right to:

1) carry out the state control of turnover of narcotic drugs, psychotropic substances and precursors;

2) visit any premises independently from the forms of ownership used for turnover of narcotic drugs, psychotropic substances and precursors for the purpose of carrying out the state control in the scope of turnover of narcotic drugs, psychotropic substances and precursors;



- 3) inspect land fields on which the plants are cultivated containing narcotic drugs, included into the List;
- 4) conduct measures for the purpose of destruction of plants containing narcotic drugs specially created by subdivisions;
- 5) receive technical documentation characterizing the quality of narcotic drugs, psychotropic substances and precursors, as well as samples of mentioned production in technically substantiated quantities for conduct of their examination from the legal entities carrying out the activity linked with turnover of narcotic drugs, psychotropic substances and precursors;
- 6) issue prescriptions on elimination of detected shortage in the scope of turnover of narcotic drugs, psychotropic substances and precursors in accordance with the legislation of the Republic of Kazakhstan;
- 7) suspend production activity of legal entities and structural subdivisions upon violation of requirements in the scope of turnover of narcotic drugs, psychotropic substances and precursors in the manner established by the Laws of the Republic of Kazakhstan;
- 8) make submissions to the relevant bodies on bringing of individuals and legal entities to responsibility for the violation of legislative and other regulatory legal acts of the Republic of Kazakhstan regulating the turnover of narcotic drugs, psychotropic substances and precursors.

Footnote. Article 6 is in the wording of the Law of the Republic of Kazakhstan dated 17.07.2009 No. 188-IV (the order of enforcement see Article 2); as amended by the Laws of the Republic of Kazakhstan dated 06.01.2011 No. 378-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015).

## **Article 7. Licensing of the activity in the scope of turnover of narcotic drugs, psychotropic substances and precursors**

1. All the types of activity in the scope of turnover of narcotic drugs, psychotropic substances and precursors in the territory of the Republic of Kazakhstan shall be carried out by legal entities after obtainment of a license for particular type of activity for the term up to five years, with the exception of cases provided by Articles 19, 20 of this Law.

2. Is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

3. Upon granting a license for the type of activity linked with turnover of narcotic drugs, psychotropic substances and precursors, the conclusion of internal affairs bodies on the relevant inspection of employees that in virtue of their official duties will obtain access directly to narcotic drugs, psychotropic substances and precursors shall be considered.

Employees that in virtue of their official duties will obtain access directly to narcotic drugs, psychotropic substances and precursors shall be required to have conclusions of psychiatrist and narcologist on the absence of drug addiction, substance abuse, alcohol addiction, as well as on the absence of the persons among them recognized unsuitable for performance of separate types of professional activity and the activity linked with the source of increased danger in the manner established by the legislation of the Republic of Kazakhstan.

4. Government of the Republic of Kazakhstan shall establish the list of instruments, equipment being under special control and used for production and manufacturing of narcotic drugs, psychotropic substances, as well as the rules of their development, production, manufacturing, storage, carriage, transmission, dispensing, sale, distribution, acquisition, use, import to the territory of the Republic of Kazakhstan, export from the territory of the Republic of Kazakhstan.

Footnote. Article 7 as amended by the Laws of the Republic of Kazakhstan dated 02.03.2006



No. 130 (shall be enforced from the date of official publication); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 8. State quotas**

1. State quota on narcotic drugs, psychotropic substances and precursors included into the List – requirements generation determined by the Government of the Republic of Kazakhstan within which their turnover is carried out by legal entities having the licenses in accordance with the international treaties of the Republic of Kazakhstan.

2. State quota shall be approved by the regulation of the Government of the Republic of Kazakhstan. State quota shall contain the quantity of particular narcotic drugs, psychotropic substances and precursors applied by legal entities for the next calendar year in accordance with the legislation of the Republic of Kazakhstan.

3. Legal entities shall represent the applications to the authorized bodies for approval of the consumption standard for the next calendar year in accordance with the legislation of the Republic of Kazakhstan.

4. Legal entities carrying out the processing of narcotic drugs, psychotropic substances and precursors or production of preparations or medical products containing narcotic drugs, psychotropic substances and (or) precursors in accordance with the legislation of the Republic of Kazakhstan shall:

1) represent the applications for approval of consumption standard for the next calendar year to the authorized state body in the scope of turnover of narcotic drugs, psychotropic substances and precursors;

2) carry out sale of narcotic drugs, psychotropic substances and precursors according to the ensuring standard.

5. Authorized bodies shall represent generalized applications on an annual basis to the authorized state body in the scope of turnover of narcotic drugs, psychotropic substances and precursors for approval of the summary consumption standard for the next calendar year up to 1 April of the current year.

6. Authorized state body in the scope of turnover of narcotic drugs, psychotropic substances and precursors shall:

1) inspect reasonableness of applications of consumption standards of legal entities;

2) close applied consumption standards for approval and introduce mentioned consumption standards of narcotic drugs, psychotropic substances and precursors to the Government of the Republic of Kazakhstan for their approval;

3) distribute consumption standards on subordinated legal entities carrying out the turnover of narcotic drugs, psychotropic substances and precursors.

7. Shared distribution of the ensuring standard shall be carried out in respect of all the narcotic drugs, psychotropic substances and precursors included into the List, as well as products containing mentioned substances and drugs, applied by legal entities carrying out the turnover of narcotic drugs, psychotropic substances and precursors.

**Footnote. Article 8 is in the wording of the Law of the Republic of Kazakhstan dated 2 March 2006 No. 130 (shall be enforced from the date of official publication).**

## **Article 9. Development of new narcotic drugs, psychotropic substances and precursors**

1. Development of new narcotic drugs, psychotropic substances and precursors have a purpose of creation of new narcotic drugs, psychotropic substances and precursors being more effective, less dangerous and easily controlled in comparison with existing.

2. Development of new narcotic and psychotropic medicinal preparations shall be carried out by scientific research institutions having a license for this type of activity,

pre-clinical and clinical investigations of new potential narcotic and psychotropic medicinal preparations for use in medical and scientific purposes shall be carried out in specialized medical and preventive treatment facilities (organizations) and scientific research institutions in accordance with the legislation of the Republic of Kazakhstan.

3. Registration of narcotic drugs, psychotropic substances, precursors used in medical and scientific purposes shall be carried out in accordance with provisions applied to all medicinal preparations and established by regulatory legal acts.

#### **Article 10. Production, manufacturing, processing of narcotic drugs, psychotropic substances and precursors**

1. Production, manufacturing, processing of narcotic and psychotropic medicinal preparations permitted to medical applying in the territory of the Republic of Kazakhstan shall be performed within the limits of established state quotas by legal entities having the licenses for this type of activity and registered in established manner by the authorized body in the field of public health service.

2. Legal entities producing, manufacturing, processing narcotic drugs, psychotropic substances and precursors shall be subject to compulsory registration in the manner established by the Government of the Republic of Kazakhstan.

Footnote. Article 10 as amended – dated 20 December 2004 No. 13 (shall be enforced from 1 January 2005); dated 2 March 2006 No. 130 (shall be enforced from the date of official publication).

#### **Article 11. Packing of manufactured narcotic drugs and psychotropic substances**

1. Marking of consumer package shall be unified for all series of narcotic drugs and psychotropic substances used in medical purposes and shall conform to requirements established by the legislation of the Republic of Kazakhstan on medical products.

2. Upon marking of medical products containing the substances listed in the List, the names of these substances and their content in weight units or in percentage shall be stated.

3. (is excluded – No. 327 dated 31.05.2002)

4. In case of violations of conditions to which the packing and signatures of narcotic and psychotropic medical products shall conform, the narcotic drugs and psychotropic substances shall be withdrawn in accordance with the legislation of the Republic of Kazakhstan.

Footnote. Article 11 as amended by the Law of the Republic of Kazakhstan dated 31 May 2002 No. 327; dated 29 December 2006 No. 209 (the order of enforcement see Article 2).

#### **Article 12. Import to the territory of the Republic of Kazakhstan, export from the territory of the Republic of Kazakhstan and transit through the territory of the Republic of Kazakhstan of narcotic drugs, psychotropic substances and precursors**

1. Import to the territory of the Republic of Kazakhstan, export from the territory of the Republic of Kazakhstan of narcotic drugs, psychotropic substances and precursors shall be carried out by legal entities having the license for this type of activity.

2. Import to the territory of the Republic of Kazakhstan of narcotic drugs, psychotropic substances and precursors from the countries not included to the Customs union and export from the territory of the Republic of Kazakhstan to these countries shall be carried out on the

basis of license issued by the authorized state body in the scope of turnover of narcotic drugs , psychotropic substances and precursors.

Import of narcotic drugs, psychotropic substances and precursors to the territory of the Republic of Kazakhstan from the states-members of the Customs Union and export of narcotic drugs, psychotropic substances and precursors from the territory of the Republic of Kazakhstan to the states-members of the Customs Union shall be carried out on the basis of permission granted by the authorized state body in the scope of turnover of narcotic drugs, psychotropic substances and precursors.

Granted license for import or export may not be transferred to another legal entity independently from existence of the license at him (her) for the mentioned activity in the scope of turnover of narcotic drugs, psychotropic substances and precursors.

3. The notarized copy of license for export of narcotic drugs, psychotropic substances and precursors shall be accompanied with each freight shipment that shall be also sent to the government of the country of import.

4. Import to the territory of the Republic of Kazakhstan and export from the territory of the Republic of Kazakhstan of narcotic drugs, psychotropic substances and precursors shall be carried out by exchange of certificates for import and export between importers and exporters of narcotic drugs, psychotropic substances and precursors with a note on export certificate on the fact of particular shipment and on termination of the operation of import or export.

5. If in the fact, the imported (exported) quantity of narcotic drugs, psychotropic substances and precursors do not conform to the quantity stated in the license, the details about this shall be informed to the relevant competent body of the country of import (export).

6. Import to the territory of the Republic of Kazakhstan and export from the territory of the Republic of Kazakhstan of narcotic drugs, psychotropic substances and precursors without precise statement of names and addresses of enterprises carrying out the import (export), list and quantity of narcotic drugs, psychotropic substances and precursors shall be prohibited.

7. Transit of narcotic drugs, psychotropic substances and precursors through the territory of the Republic of Kazakhstan shall be carried out by legal entities on the basis of permission granted by the authorized state body in the scope of turnover of narcotic drugs, psychotropic substances and precursors, as well as in the cases provided by Article 28 of this Law.

Conditions of carrying out the transit of narcotic drugs, psychotropic substances and precursors shall be determined in the manner established by the legislation of the Republic of Kazakhstan.

8. In case of violation of requirements established by this Article, the narcotic drugs, psychotropic substances and precursors shall be subject to confiscation in accordance with the legislation of the Republic of Kazakhstan. The procedure for the following use or destruction of confiscated narcotic drugs, psychotropic substances and precursors shall be determined in accordance with the legislation of the Republic of Kazakhstan.

**Footnote. Article 12 as amended by the Laws of the Republic of Kazakhstan dated 31.05.2002 No. 327; dated 29.12.2006 No. 209 (the order of enforcement see Article 2); dated 21.06.2013 No. 107-V (shall be enforced upon expiry of thirty calendar days after its first official publication).**

### **Article 13. Carriage, transmission of narcotic drugs, psychotropic substances and precursors**

1. Procedure for carriage of narcotic drugs, psychotropic substances and precursors including international carriage, as well as drawing up of documents required for this shall be regulated by the regulatory legal acts of the Republic of Kazakhstan.

2. Transportation of cargo with narcotic drugs, psychotropic substances and precursors shall be carried out by paramilitary security services or other security services in coordination with internal affairs bodies.

3. The right to carry out carriage of narcotic drugs, psychotropic substances and precursors in the territory of the Republic of Kazakhstan shall be provided to legal entities after obtaining the relevant licenses for this type of activity in the scope of turnover of narcotic drugs, psychotropic substances and precursors.

4. Individuals may carry out import to the territory of the Republic of Kazakhstan and export from the territory of the Republic of Kazakhstan of medicinal preparations containing narcotic drugs, psychotropic substances and precursors for personal applying on medical indications in existence of confirming document. The form of confirming document shall be established by the authorized body in the field of public health service in coordination with the authorized state body in the scope of turnover of narcotic drugs, psychotropic substances and precursors.

5. Transmission of narcotic drugs, psychotropic substances and precursors in postal matters, including international shall be prohibited.

Footnote. Article 13 as amended by the Laws of the Republic of Kazakhstan dated 31.05.2002 No. 327; dated 02.03.2006 No. 130 (shall be enforced from the date of official publication); dated 21.06.2013 No. 107-V (shall be enforced upon expiry of thirty calendar days after its first official publication).

#### **Article 14. Storage of narcotic drugs, psychotropic substances and precursors**

1. Storage of narcotic drugs, psychotropic substances and precursors shall be carried out in specially equipped premises on the basis of the license for this type of activity issued in the manner established by the legislation of the Republic of Kazakhstan.

2. Restrictions established by this Law shall not apply to narcotic drugs, psychotropic substances, their analogues and precursors withdrawn from illegal turnover and stored in the manner determined by the authorized bodies of the Republic of Kazakhstan.

#### **Article 15. Sale and distribution of narcotic drugs, psychotropic substances and precursors**

1. Sale and distribution of narcotic drugs, psychotropic substances and precursors shall be carried out by legal entities in the manner established by the Government of the Republic of Kazakhstan, in existence of the license issued for these types of activity in accordance with the legislation of the Republic of Kazakhstan.

2. Procedure for dispensing medicinal preparations to citizens containing narcotic drugs, psychotropic substances and precursors shall be established by the authorized body in the field of public health service.

3. Medicinal preparations containing narcotic drugs, psychotropic substances and precursors may be dispensed to citizens only in pharmacy and medical and preventive organizations having the licenses for these types of activity. The list of positions and organizations provided by the right to dispense medicinal preparations to citizens containing narcotic drugs, psychotropic substances and precursors shall be established by the authorized state body in the scope of turnover of narcotic drugs, psychotropic substances and precursors in coordination with the authorized body in the field of health care service and by the authorized body I the field of veterinary medicine.

4. Medicinal preparations containing narcotic drugs, psychotropic substances and precursors shall be assigned and dispensed to citizens for use only on prescription exclusively in medical purposes in forms and quantities answering to their use for these purposes.

5. Authorized body in the field of health care service shall determine maximum terms of assignment of particular medicinal preparations containing narcotic drugs, psychotropic substances and precursors used in medical purposes included into the List, as well as their

quantity admitted for release and dispensing in one prescription.

6. (Is excluded – dated 2 March 2006 No. 130 (shall be enforced from the date of official publication)).

Footnote. Article 15 as amended – dated 20 December 2004 No. 13 (shall be enforced from 1 January 2005); dated 2 March 2006 No. 130 (shall be enforced from the date of official publication).

## **Article 16. Use of narcotic drugs, psychotropic substances and precursors in medical purposes**

1. Narcotic drugs, psychotropic substances and precursors subjected to control in the Republic of Kazakhstan may be used in medical purposes in the manner established by the authorized body in the field of health care service and social development in coordination with the authorized state body in the scope of turnover of narcotic drugs, psychotropic substances and precursors.

2. The provisions applied to all the medicinal preparations established by the legislation of the Republic of Kazakhstan shall be applied to the medical products permitted for use in medical purposes, included into the List, if these provisions are not inconsistent with this Law.

3. Applying of narcotic drugs, psychotropic substances and precursors in medical purposes included into the List shall be carried out in accordance with the regulatory legal acts of the Republic of Kazakhstan.

4. Control of turnover of narcotic drugs, psychotropic substances and precursors in healthcare organizations and pharmacy organizations shall be carried out by the authorized body in the field of health care service.

5. The right of applying medicinal preparations containing narcotic drugs, psychotropic substances and precursors included to the List shall be applied to civil medical ambulance. Illegal exercise of the mentioned right on other types of civil transport shall entail responsibility in the manner established by the Laws of the Republic of Kazakhstan.

6. Medicinal preparations containing narcotic drugs, psychotropic substances and precursors used only for rendering of the first aid in cases of emergency, included into the List may be:

- 1) on a civil transport;
- 2) in fighting vehicles (ships) upon entering to tactical exercises (to sailing area) and field (maritime) exercises;
- 3) on flight facilities upon performance of flights in a medicine box of a pilot;
- 4) in wardrobes (bags) of emergency aid of the state institutions, Armed Forces, other forces and military formations.

Permission for their applying and procedure for recording shall be established by the authorized state body in the scope of turnover of narcotic drugs, psychotropic substances and precursors in coordination with the authorized body in the field of health care service in accordance with the legislation of the Republic of Kazakhstan.

7. Measures that shall be taken for the purpose of non-admission of improper use of these medicinal preparations and their leak through illegal canals shall be established in permission mentioned in paragraph 6 of this Article. The persons from among the crew team to whom these medicinal preparations will be entrusted, the conditions of their storage, registration of their dispensing, substitution, as well as periodicity of reports on their use shall be stated in there.

8. Use of medicinal preparations in accordance with paragraph 7 of this Article in cases of emergency and in emergency situations shall not be considered as violation of provisions of this Law on procedure for dispensing of narcotic drugs, psychotropic substances and precursors to citizens.

Footnote. Article 16 as amended by the Laws of the Republic of Kazakhstan dated 31 May

2002 No. 327; dated 20 December 2004 No. 13 (shall be enforced from 1 January 2005); dated 2 March 2006 No. 130 (shall be enforced from the date of official publication); dated 29 December 2006 No. 209 (the order of enforcement see Article 2); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

#### **Article 17. Use of narcotic drugs, psychotropic substances and precursors in veterinary medicine**

1. The list of narcotic drugs, psychotropic substances and precursors used in veterinary medicine, as well as for trapping of animals shall be established by the Government of the Republic of Kazakhstan.

2. Conditions and procedure for use of narcotic drugs, psychotropic substances and precursors in veterinary medicine shall be determined by the authorized state body in the scope of turnover of narcotic drugs, psychotropic substances and precursors in coordination with the authorized body in the field of veterinary medicine.

Footnote. Article 17 as amended by the Law of the Republic of Kazakhstan dated 31 May 2002 No. 327; dated 20 December 2004 No. 13 (shall be enforced from 1 January 2005).

#### **Article 18. Use of narcotic drugs, psychotropic substances, their analogues and precursors in scientific and educational purposes**

Footnote. Title of Article 18 as amended by the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

Use of narcotic drugs, psychotropic substances, their analogues and precursors in scientific and educational purposes shall be permitted to legal entities that obtained the license for activity linked with use of narcotic drugs, psychotropic substances, their analogues and precursors in the quantities stated precisely in this license.

Footnote. Article 18 as amended by the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

#### **Article 19. Use of narcotic drugs and psychotropic substances, their analogues, precursors in expert and criminalistics activity**

Footnote. Title of Article 19 as amended by the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

Production of examinations with the use of narcotic drugs and precursors or for detection of the latter, shall be permitted to legal entities having the license mentioned in Article 18 of this Law in compliance with other conditions of carrying out the judicial expert activity provided by the legislation of the Republic of Kazakhstan. Production of examinations with the use of narcotic drugs, psychotropic substances, their analogues and precursors or for detection of the latter by the state bodies of judicial examination, as well as conduct of criminalistics processing by operational criminalistics subdivisions of internal affairs bodies and the bodies of national security shall be carried out without licensing.

Footnote. Article 19 is in the wording of the Law of the Republic of Kazakhstan dated 05.05.2000 No. 47; as amended by the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227 -V (shall be enforced from 01.01.2015).

## **Article 20. Use of narcotic drugs, psychotropic substances, their analogues and precursors in operational investigative activity**

Footnote. Title of Article 20 as amended by the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

Bodies carrying out operational investigative activity shall be permitted to use narcotic drugs, psychotropic substances, their analogues and precursors upon conduct of operational investigative measures in accordance with the legislation of the Republic of Kazakhstan and sublegislative regulatory legal acts that shall provide the procedure for acquisition and expenditure, as well as for special training of employees and personal staff carrying out the struggle against their illegal turnover and training of service dogs.

Footnote. Article 20 as amended by the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

## **Article 21. Destruction, narcotic drugs, psychotropic substances, their analogues and precursors**

Footnote. Title of Article 21 as amended by the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

1. Narcotic drugs, psychotropic substances, their analogues, precursors and means of plant origin containing narcotic drugs, as well as instruments and equipment the following use of which in turnover is recognized unreasonable shall be subject to destruction in the manner determined by the regulatory legal acts of the Republic of Kazakhstan.

2. Destruction of narcotic drugs, psychotropic substances, their analogues and precursors may be carried out in cases when:

- 1) the service life of narcotic drug, psychotropic substance and precursors is expired;
- 2) narcotic drugs, psychotropic substances, precursors were subject to chemical or physical effect, the consequence of which is their worthlessness excluding the possibility of their restoration or processing;
- 3) confiscated, detected and withdrawn from illegal turnover narcotic drugs, psychotropic substances, their analogues and precursors do not represent medical, scientific or another value and may not be processed, and equally in other cases provided by the legislation of the Republic of Kazakhstan.

3. Any legal entities that do not have the licenses for cultivation and gathering of plants containing narcotic drugs and psychotropic substances, the citizens being owners or users of land fields on which these plants grow, shall be obliged to destroy them.

4. Violation of requirements of paragraph 3 of this Article shall entail responsibility provided by the Laws of the Republic of Kazakhstan.

Footnote. Article 21 as amended by the Laws of the Republic of Kazakhstan dated 02.03.2006 NO. 130 (shall be enforced from the date of official publication); dated 29.12.2006 No. 209 (the order of enforcement see Article 2); dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).



## **Article 22. Cultivation and gathering of plants containing narcotic drugs, psychotropic substances and precursors**

1. Cultivation and gathering of plants containing narcotic drugs, psychotropic substances and precursors and their use for industrial, medical, educational and scientific purposes shall be permitted to legal entities having the licenses for this type of activity in the volume not exceeding the state quota established by the Government of the Republic of Kazakhstan.

2. Cultivation and gathering of opium poppy, cocaine plant and cannabis (hemp) for the purpose of manufacturing of narcotic medical products in the territory of the Republic of Kazakhstan shall be prohibited except for the cases provided by Article 18 of this Law.

3. Decision on prohibition of cultivation and gathering of other plants containing narcotic drugs, psychotropic substances and precursors in the territory of the Republic of Kazakhstan shall be made by the Government of the Republic of Kazakhstan.

4. Procedure for issuance of the license for cultivation and gathering of plants containing narcotic drugs, psychotropic substances and precursors, and their use exclusively for industrial, scientific and medical purposes shall be established by the Government of the Republic of Kazakhstan.

**Footnote. Article 22 as amended by the Law of the Republic of Kazakhstan dated 2 March 2006 No. 130 (shall be enforced from the date of official publication).**

## **Article 23. Procedure for turnover of precursors**

1. Development, production, processing, storage, carriage, transmission, sale, distribution, acquisition, use, import to the territory of the Republic of Kazakhstan, export from the territory of the Republic of Kazakhstan, transit through the territory of the Republic of Kazakhstan of precursors included into the List shall be regulated by this Law and regulatory legal acts of the Republic of Kazakhstan on precursors adopted in accordance with it, as well as instruments and equipment used for production of narcotic drugs and psychotropic substances.

2. Legal entities shall be prohibited to store precursors in quantities exceeding their production needs.

3. Wholesale sale of precursors shall be prohibited for legal entities carrying out retail trade.

4. In cases when there are evidences, that one of the substances included into the List is intended for use for the purpose of illegal manufacturing of narcotic drug or psychotropic substance, the precursors shall be arrested immediately before taking decision by the court on its following use in accordance with the legislation of the Republic of Kazakhstan.

## **Article 24. Prohibition of propaganda and restriction of advertising in the scope of turnover of narcotic drugs, psychotropic substances, their analogues and precursors**

**Footnote. Title of Article 24 as amended by the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227 (shall be enforced from 01.01.2015).**

1. Propaganda of narcotic drugs, psychotropic substances, their analogues and precursors, in other words the activity of individuals or legal entities, oriented to distribution of details on methods, methods of development, manufacturing and use, places of acquisition of narcotic drugs, psychotropic substances, their analogues and their precursors, as well as production and distribution of book products, products of mass media, distribution in computer

networks of mentioned details or commission of other actions in these purposes shall be prohibited.

2. Advertising of narcotic drugs and psychotropic substances, their analogues, included into the List (Schedules II and III) may be carried out exclusively in specialized printed publications calculated for medical and pharmacy employees. Distribution of the samples of medicinal preparations containing narcotic drugs or psychotropic substances, their analogues for the purpose of advertising shall be prohibited.

3. Violation of regulations established by this Law shall entail responsibility in accordance with the Laws of the Republic of Kazakhstan.

Footnote. Article 24 as amended by the Laws of the Republic of Kazakhstan dated 29.12.2006 No. 209 (the order of enforcement see Article 2); dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

## **Article 25. Counter measures of illegal turnover of narcotic drugs, psychotropic substances, their analogues, precursors and their abuse**

Footnote. Title of Article 25 as amended by the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

1. Organization of counteraction of illegal turnover of narcotic drugs, psychotropic substances, their analogues and precursors and their abuse shall be carried out in the manner established by the legislation of the Republic of Kazakhstan.

2. Struggle against illegal turnover of narcotic drugs, psychotropic substances, their analogues and precursors shall be carried out by the relevant authorized bodies of the Republic of Kazakhstan within their powers.

3. Coordination of a struggle against illegal turnover of narcotic drugs, psychotropic substances, their analogues, precursors and their abuse shall be carried out by the authorized state body in the scope of turnover of narcotic drugs, psychotropic substances, their analogues and precursors.

Footnote. Article 25 as amended by the Laws of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

## **Article 26. Responsibility for legitimization and use of incomes from illegal turnover of narcotic drugs, psychotropic substances, their analogues and precursors**

Footnote. Title of Article 26 as amended by the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

Legitimization of incomes: concealing or deviation of sources and nature of origin, location, placement, movement or current belonging of monetary funds or another property, or rights to property, received from illegal turnover of narcotic drugs, psychotropic substances, their analogues, precursors, and equally use of such monetary funds or another property for engagement in entrepreneurial or another economic activity; placement of financial funds earned from illegal turnover of narcotic drugs, psychotropic substances, their analogues or precursors in banks, on enterprises and in another structures independently from the form of ownership, or acquisition of equipment for such funds for production and other needs, or use of such funds and property for the purpose of continuation of illegal turnover of narcotic drugs,

psychotropic substances, their analogues or precursors shall entail the responsibility of legal and individuals in accordance with the Laws of the Republic of Kazakhstan.

Footnote. Article 26 as amended by the Law of the Republic of Kazakhstan dated 5 May 2000 No. 47; dated 29 December 2006 No. 209 (the order of enforcement see Article 2).

## **Article 27. Survey of transport vehicles, cargo and personal property of citizens**

1. Survey of transport vehicle, cargo being on it, personal property of a driver and passengers may be carried out by the civil servants of the state bodies (subdivisions of state bodies) authorized for that in accordance with the legislation of the Republic of Kazakhstan.

2. Upon detection of substances in respect of which there are suspicions that they refer to narcotic drugs, psychotropic substances, their analogues or precursors and are required for the following research, as well as in existence of signs of drug intoxication of a driver or passengers, the transport and mentioned persons may be brought to law enforcement bodies for explanation of necessary circumstances.

3. In case of unreasonable survey of transport, cargo being on it, driver and passengers, as well as unreasonable bringing of mentioned persons and transport to law enforcement bodies, such persons shall have the right to compensation for material and moral damage inflicted to them in full measure in accordance with the legislation of the Republic of Kazakhstan.

## **Article 28. Controlled delivery**

1. Authorized bodies of the Republic of Kazakhstan vested with the right to carry out operational investigative activity for the purpose of detection of the sources and canals of illegal turnover of narcotic drugs, psychotropic substances, their analogues and precursors, as well as persons participated in there, in each separate case by agreement with the relevant bodies of foreign states or on the basis of international treaties may use the method of controlled delivery, in other words to allow import to the territory of the state or export abroad, transit of narcotic drugs, psychotropic substances, their analogues and precursors under control of these bodies.

2. Controlled delivery may be used also in respect of illegal carriage and transmission of narcotic drugs, psychotropic substances, their analogues and precursors that shall be carried out within the territory of the state.

3. Procedure for conduct of controlled delivery shall be determined by the legislation of the Republic of Kazakhstan and international treaties.

## **Article 29. Controlled purchase**

1. For receipt of evidences of criminal activity linked with illegal turnover of narcotic drugs, psychotropic substances, their analogues and precursors, the servants of bodies carrying out operational investigative activity shall have the right to conduct controlled purchase of narcotic drugs, psychotropic substances, their analogues and precursors within the competence.

2. Procedure for conduct of controlled purchase shall be determined by the regulatory legal acts of the Republic of Kazakhstan.

Footnote. Article 29 is in the wording of the Law of the Republic of Kazakhstan dated 2 March 2006 No. 130 (shall be enforced from the date of official publication).

## **Article 30. Liquidation of legal entity**

1. In case of establishment of details on the facts of illegal turnover of narcotic drugs , psychotropic substances, their analogues, precursors in organization providing the services at the places of mass stay of citizens, such organization under the court decision shall be subject to liquidation, and guilty persons shall be brought to responsibility in accordance with the Laws of the Republic of Kazakhstan.

2. In case of establishment of the fact of carrying out financial operation by the legal entity for the purpose of legitimization (laundering) of incomes earned in the results of illegal turnover of narcotic drugs, psychotropic substances, their analogues and precursors, the mentioned legal entity may be liquidated under court decision, and its heads shall bear responsibility in accordance with the Laws of the Republic of Kazakhstan.

3. State bodies authorized to carry out the counteraction of illegal turnover of narcotic drugs, psychotropic substances, their analogues and precursors shall have the right to bring the action on liquidation of the legal entity in cases provided by paragraphs 1 and 2 of this Article, in the manner established by the legislation of the Republic of Kazakhstan.

Footnote. Article 30 as amended by the Laws of the Republic of Kazakhstan dated 05.05.2000 No. 47; dated 20.12.2006 No. 209 (the order of enforcement see Article 2); dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

### **Article 31. Confiscation of narcotic drugs, psychotropic substances, their analogues, precursors**

1. Narcotic drugs, psychotropic substances, their analogues and precursors being in illegal turnover, substances, instruments and equipment being used for their illegal manufacturing, as well as property and financial means used for illegal turnover of narcotic drugs, psychotropic substances, their analogues and precursors or incomes earned in the results of their illegal turnover shall be subject to confiscation into the revenues of the state in the manner established by the Law.

2. Narcotic drugs, psychotropic substances, their analogues and precursors, as well as the substances, instruments and equipment for their manufacturing used in illegal turnover being subject to confiscation, the following applying of which in legal turnover is recognized unreasonable shall be subject to destruction under the court decision in the manner established by the Law.

## **Chapter 3. RENDERING OF MEDICAL AND SANITARY ASSISTANCE TO PERSONS SUFFERING FROM DRUG ADDICTION AND SUBSTANCE ABUSE**

### **Article 32. Detection of persons consuming narcotic drugs, psychotropic substances, their analogues**

1. Person in respect of whom the information that he (she) consumes narcotic drugs, psychotropic substances, their analogues is received by the internal affairs bodies and other authorized state bodies or bodies of health care service of the Republic of Kazakhstan from organizations or separate citizens, or that he (she) is in condition of drug intoxication, shall be subject to medical certification.

2. The fact of illegal consumption of narcotic drugs, psychotropic substances, their analogues shall be established on the basis of indications of witnesses, as well as in existence of the signs of drug intoxication and results of medical certification, as well as tests of narcotic drug, psychotropic substance, their analogues in the body of inspected person

3. Establishment of the fact of drug intoxication due to illegal consumption of narcotic drugs, psychotropic substances, their analogues is the competence of a doctor only, to whom the

obligations on conduct of medical certification (examination) is assigned, and the diagnosis “drug addiction” shall be established by the medical advisory commission.

4. Procedure for detection and recording of persons illegally consumed the narcotic drugs, psychotropic substances, their analogues shall be determined by the regulatory legal acts of the authorized bodies regulating the issues of health care service, internal affairs, other authorized bodies of the Republic of Kazakhstan.

**Footnote. Article 32 is in the wording of the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).**

### **Article 33. Medical certification and medical examination of persons abusing narcotic drugs, psychotropic substances, their analogues**

**Footnote. Title of Article 33 is in the wording of the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).**

1. Medical certification shall be conducted in the direction of the employees of law enforcement bodies, and medical examination – in direction of a narcologist. Person avoiding the medical examination shall be subject to bringing to the narcological institution.

2. Procedure for conduct of medical certification and medical examination shall be determined by the regulatory legal acts of the authorized bodies of the Republic of Kazakhstan.

### **Article 34. Compulsory treatment of persons suffering from drug addiction and substance abuse**

Issues of compulsory treatment of persons suffering from drug addiction, substance abuse avoiding from voluntary treatment, the procedure for recognition of the person as suffering from drug addiction or substance abuse and the grounds for his (her) referral to treatment in specialized medical and preventive treatment facility, recording of those suffering from drug addiction and substance abuse and procedure for conduct of maintaining treatment shall be regulated by the legislation of the Republic of Kazakhstan.

### **Article 35. Principles of rendering of narcological assistance to persons suffering from drug addiction, substance abuse**

1. Medical and sanitary aid to those suffering from drug addiction, substance abuse includes preventive treatment of substance dependence disorders, examination of citizens, diagnostics of defects, treatment, care, medical and sanitary rehabilitation of persons suffering from substance dependence disorders and shall be carried out in the manner established by the legislation of the Republic of Kazakhstan.

2. Medical and sanitary aid to those suffering from drug addiction, substance abuse shall be guaranteed by the state and carried out on the basis of principles of legality, humanity and compliance with the rights of a human and citizen.

3. Medical and sanitary aid to those suffering from drug addiction, substance abuse shall be provided upon voluntary applying of a person for medical aid in narcological institution. The minor, as well as the person recognized as incapable in the manner established by the legislation, the narcological assistance shall be provided with the agreement of their parents, adopters or trustees in the manner provided by the legislation of the Republic of Kazakhstan.

4. Those suffering from drug addiction or substance abuse avoiding from voluntary treatment shall be subject to compulsory treatment in specialized medical and preventive

treatment facilities of the public health system in the manner provided by the legislation of the Republic of Kazakhstan.

5. Medical and sanitary aid shall be provided to persons suffering from drug addiction or substance abuse that committed criminal infractions on the basis and in the manner provided by the legislation of the Republic of Kazakhstan.

6. For the period of voluntary in-patient treatment, the afflicted person shall be issued by certificate of sickness, and upon completion of treatment upon his (her) request - certificate with specification of the purpose of treatment.

7. Upon the request of the person that applied voluntarily to narcological institution for undergoing the treatment period, the anonymity of treatment shall be secured. Details about this treatment may be provided only to internal affairs bodies and other state bodies in case of bringing of this person to criminal or administrative responsibility.

8. Services of private persons (narcologists, advocates, etc.) rendering assistance to persons suffering from drug addiction shall be paid at the expense of own funds of citizens or charity.

Footnote. Article 35 as amended by the Laws of the Republic of Kazakhstan dated 13.02.2012 No. 553-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

#### **Article 36. Legal entities and individuals having the right to provide medical and sanitary aid to those suffering from drug addiction, substance abuse**

1. Only legal entities and individuals having the relevant license for engagement in this activity have the right to provide medical and sanitary aid to those suffering from drug addiction, substance abuse in the Republic of Kazakhstan.

2. Procedure for issuance of the license for activity on provision of medical and sanitary aid to those suffering from drug addiction, substance abuse shall be established by the legislation of the Republic of Kazakhstan.

3. Types of medical and sanitary aid to those suffering from drug addiction, substance abuse provided by narcological organizations or narcologists shall be stated in constitutional documents and licenses. Information about them shall be available to any persons.

#### **Article 37. Financing of narcological assistance**

Financing of state organizations providing medical and sanitary aid to those suffering from drug addiction, substance abuse shall be carried out at the expense of budget funds, as well as other sources not inconsistent with the legislative acts of the Republic of Kazakhstan.

Footnote. Article 37 as amended by the Law of the Republic of Kazakhstan dated 20 December 2004 No. 13 (shall be enforced from 1 January 2005).

### **Chapter 4. FINAL PROVISIONS**

#### **Article 38. Responsibility for violation in the scope of turnover of narcotic drugs, psychotropic substances and precursors**

Responsibility for violation in the scope of turnover of narcotic drugs, psychotropic substances and precursors shall be established by the Laws of the Republic of Kazakhstan.

Upon bringing to administrative and criminal responsibility, the List of narcotic drugs,

psychotropic substances and precursors subjected to control in the Republic of Kazakhstan, and Summary schedule on referring of narcotic drugs, psychotropic substances, their analogues and precursors to small, larger and especially large sizes detected in illegal turnover (annex 1, 2 ) shall be applied.

Footnote. Article 38 as amended by the Laws of the Republic of Kazakhstan dated 31.05.2002 No. 327; dated 29.12.2006 No. 209 (the order of enforcement see Article 2); dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

Annex 1

Footnote. Annex 1 is published in the annex to No. 10 “Bulletins of the Parliament of the Republic of Kazakhstan”, 2002, Article 106.

Footnote. Annex 1 as amended by the Laws of the Republic of Kazakhstan dated 02.03.2006 NO. 130 (shall be enforced from the date of official publication); dated 31.05.2011 No. 440-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

## **The List of narcotic drugs, psychotropic substances and precursors subjected to control in the Republic of Kazakhstan**

This List is made on the basis of the Lists of the Single Convention on Narcotic Drugs, 1961, Convention on psychotropic substances, 1971 and Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988 to which the Republic of Kazakhstan joined in 1998.

The List of narcotic drugs, psychotropic substances and precursors subjected to control in the Republic of Kazakhstan consists of four schedules and list. In the schedules I, II and III, the names of drugs, substances conform to international unregistered names recommended by the World Health Organization (WHO), names and descriptions stated in the Single Convention on Narcotic Drugs, 1961, Convention on psychotropic substances, 1971, as well as other unregistered names. There are their description and chemical denomination below.

Schedule I includes narcotic drugs and psychotropic substances the use of which is prohibited in medical purposes (list IV and part of list I of the Convention, 1961 and list I of the Convention, 1971).

Schedule II includes narcotic drugs and psychotropic substances used in medical purposes and being under strict control (part of list I, list II of the Convention, 1961 and list II of the Convention, 1971).

Schedule III includes narcotic drugs and psychotropic substances used in medical purposes and being under control (list III of the Convention, 1961 and lists III and IV of the Convention, 1971).

Schedule IV includes precursors (chemical substances and plants that often used upon illegal manufacturing of narcotic drugs and psychotropic substances) – (Schedules I and II of Convention, 1988) being under control.

The list of medical products containing narcotic drugs, psychotropic substances and precursors subjected to control in the Republic of Kazakhstan and permitted to application in veterinary medicine includes medicinal preparations that may be used as diagnostic, medical and prophylactic products in existence of the relevant license.

Narcotic drugs or psychotropic substances shall also include their preparations, names ( synonyms) that are not included into the List.



## SCHEDULE I

### THE LIST OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES, USE OF WHICH IN MEDICAL PURPOSES IS PROHIBITED

#### A. NARCOTIC DRUGS

1. ALLYLPRODINE
2. ALPHAMEPRODINE
3. ALPHAMETHADOL
4. ALPHA-METHYLFENTANYL
5. ALPHA-METHYLTHIOFENTANYL
6. ALPHAPRODINE
7. ANILERIDINE
8. ACETYL-ALPHA- METHYLFENTANYL
9. ACETIFY OPIUM

product received in the result of acetylation of opium containing narcotic active alkaloids including morphine, codeine, tebaine and products of their acetylation - acetylcodeine, monoacetylmorphine and diacetylmorphine in different proportions

10. ACETORPHINE
11. BENZETHIDINE
12. BEZITRAMIDE
13. BETA-HYDROXY-3- METHYLFENTANYL
14. BETA-HYDROXY FENTANYL
15. BETAMEPRODINE
16. BETAMETHADOL
17. BETAPRODINE
18. BETACETYLMETHADOL
19. HASHISH, CANNABIS

Specially prepared mixture of plant pollens of cannabis or mixture of preparation by processing (atomization, pressing, etc.) of the tops of cannabis plant with different compound products independently from the form of the mixture - powdered, pills, tablets, compressed bars , pastes and etc.

20. HEROINE
21. (Is excluded - dated 2 March 2006 No. 130 (shall be enforced from the date of official publication)).
22. HYDROXPETHIDINE
23. DESOMORPHINE
24. DIAMPROMIDE
25. DIFENOXIN
26. DIETHYLTHIAMBUTENE
27. DIMENOXADOL
28. DIMEPHEPTANOL
29. DIMETHYLTHIAMBUTENE
30. DIOXAPHETYL BUTYRATE
31. DIPIPANONE
32. DROTEBANOL
33. ISOMETHADONE
34. MARIJUANA (CANNABIS)

- atomized or non- atomized top parts of the plants of the genus Cannabis - leaves and racemes in a dried or non-dried form.

35. KETOBEMIDONE
36. CLONITAZENE
37. CODOXIME

38. COCAINE, except for cocaine hydrochloride

39. COCA LEAF

“coca leaf” means the leaf of coca bush, with the exception of leaves from which all the ecgonine, cocaine and any other ecgonine alkaloids are excluded.

40. Poppy Straw

All the parts of plant, with the exception of seeds and roots of any specie and plants variety of the opium poppy gathered by any method, containing narcotic active opium alkaloids.

41. METHADONE INTERMEDIARY PRODUCT

42. 3-METHYLFENTANYL

43. 3-METHYLTHIOFENTANYL

44. 0-3-Monoacetylmorphine

(3- monoacetylmorphine, 3-0- Acetylmorphine) – product of incomplete morphine acetylation , frequently occurred as one of the main compounds of acetify opium.

45. 0-6-Monoacetylmorphine

(6- Monoacetylmorphine, 6-0-Acetylmorphine) – product of incomplete morphine acetylation, frequently occurred as one of the main compounds of acetify opium

46. MORAMIDES, INTERMEDIARY PRODUCT

47. MORPHINEMETHOBROMIDE AND OTHER MORPHINE METHYLATES

48. MORPHINE-N-OXIDE

49. MPPP

50. NOROCY METHADOL

51. NOROCODEINE

52. NORMETHADONE

53. NORMORPHINE

54. NORPIPANONE

55. OPIUM (WHITE) POPPY

56. PARA-FLUOROFENTANYL

57. PEPAP

58. PETHIDINE

59. PETHIDINE INTERMEDIATE A, B, C

60. PIMINODINE

61. PROHEPTAZINE

62. PROPERIDINE

63. CANNABIS PLANT (HEMP)

- any plant of the genus Cannabis containing tetrahydrocannabinol (with the exception of seeds and roots, if they are not accompanied by the plant itself or other parts of plant)

64. CANNABIS RESIN

Cannabis resin – means the separated resin, whether crude or purified, obtained from the cannabis plant.

65. THIOFENTANYL

66. PHENADOXONE

67. PHENAMPROMIDE

68. PHENOMORPHAN

69. PHENOPERIDINE

70. ECGONINE

Ecgonine and its compound ethers and derived that may be transformed to ecgonine and cocaine.

71. CANNABIS EXTRACTS (HASHISH OIL)

Concentrate of cannabis obtained by extraction of cannabis by organic solvent or vegetable oil and etc.

72. ETHYLMETHYLTHIAMBUTENE

73. ETONITAZENE

74. ETORPHINE

compound and simple ethers of narcotic drugs itemized in this Schedule in all the cases

when the existence of such compound and simple ethers is possible;

isomers of narcotic drugs listed in this Schedule in those cases when the existence of such isomers is possible (if such are not excluded definitely);

salts of all the narcotic drugs listed in this Schedule including the salts of compound ethers, simple ethers and isomers as provided above, in all the cases when existence of such salts is possible.

Analogues of narcotic drugs listed in chapter A of this Schedule.

## B. PSYCHOTROPIC SUBSTANCES

1. AMINOREX
2. BROLAMFETAMINE-DOB
3. DMA
4. DMHP
5. DMT
6. DOET
7. DET
8. CATHINONE
9. (+)-LYSERGIDE, LSD, LSD 25
10. MDMA
11. 4-MTA
12. MECLOQUALONE
13. MMDA
14. N-HYDROXY MDA
15. N-ETHIL MDA
16. Mescaline
17. METAQUALON
18. METHAMPHETAMINE (PERVITIN)
19. METHAMPHETAMINE RACEMATE
20. 4-METHYLAMINOREX
21. METHCATHINONE (EPHEDRONE)
22. PARAHEXYL
23. PMA
24. FRUITING BODY (ANY PART) OF ANY SPECIES OF MUSHROOMS  
for example, COPRINUS MICACES (as dried, so not-dried atomized) containing psychotropic substances, as well as products of processing of these mushrooms, including handicraft produced preparations containing psychotropic substances (psilocybin, psilocin, etc.).
25. PSILOCYBINE
26. PSILOCIN, PSILOTSIN
27. ROLICYCLIDINE (PHP)
28. STP, DOM
29. TENAMFETAMINE, MDA
30. TENOCYCLIDINE, TCP
31. TETRAHYDROCANNABINOL, all its isomers and their stereochemical variants
32. TMA
33. PHENCYCLIDINE, PCP
34. ETICYCLIDINE, PCE
35. ETRYPTAMINE
36. BDB
37. MBDB
38. SYNTHETICAL CANNABINOIDS
  - 2-[(1R,3S)-3-Hydroxycyclohexyl] -5-(2-methyloctan-2-yl) phenol (CP-47, 497)
  - 2-[(1R,3S)-3-Hydroxycyclohexyl] -5-(2-methylheptane-2-yl) phenol (CP-47, 497)-C6)

2-[(1R,3S)-3-Hydroxycyclohexyl] -5-(2- methylnonane-2-yl) phenol (CP-47, 497)-C8)  
 2-[(1R,3S)-3-Hydroxycyclohexyl] -5-(2- methyldecane-2-yl) phenol (CP-47, 497)-C9)  
 (6aR, 10aR)-9-(Hydroxymethyl)-  
 6,6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a-tetrahydrobenzo[c] chromen-1-ol (HU-  
 210)  
 (2-Methyl- 1-pentyl-1H-indole-3-yl)(naphthalene-1-yl) methanone (JWH-007)  
 1-Pentyl-3-(1-naphthoyl) indole (JWH-018)  
 (1-Butyl H-indol-3-yl)(naphthalene-1-yl) methanone (JWH-073)  
 (4-Methoxynaphthalen-1-yl)(1-pentyl-1H-indol-3-yl) methanone (JWH-081)  
 (2-Methyl-1-pentyl-1H-indol-3-yl) (4-methoxynaphthalen-1-yl ) methanone (JWH-098)  
 1-Ethyl-1-pentyl-3-(1- naphthoyl)indole (JWH-116)  
 (4-Methylnaphthalen-1-yl) (1-pentyl-1H-indole-3-yl) methanone (JWH-122)  
 (4-Methylnaphthalen-1-yl)(2-methyl-1-pentyl-1H-indole-3-yl) methanone (JWS-149)  
 1-Pentyl-1 H-indole-3-yl-(1- naphthyl) methane (JWH-175)  
 (E-1-[1-(Naphthalen-1-yl)methylene]-1H-inden-3-yl]pentane (JWH-176)  
 1-Pentyl-1H-indole-3-yl-(4-methyl-1-naphthyl)methane (JWH-184)  
 1-Pentyl-1H-indol-3-yl-(4-methoxy-1-naphthyl)methane (JWH-185)  
 (4-Methylnaphthalen-1-yl)(1-[2-(4- morpholino) ethyl]-1H-indole-3-yl) methane (JWH-192)  
 (4-Methylnaphthalen-1-yl)(1-[2-(4-morpholino) ethyl]-1H-indole-3-yl) methanone (JWH-193)  
 2-Methyl-1-pentyl-1 H-indole-3-yl-(4-Methyl-1-naphthyl) methane (JWH-194)  
 (1-[2-(4-Morpholino)ethyl]-1-H-indole-3-yl)(naphthalene-1-yl) methane (JWH-195)  
 2-Methyl-1-pentyl-1 H-indole-3-yl-(1-naphthyl) methane (JWH-196)  
 2-Methyl-1-pentyl-1H-indole-3-yl-(4-methoxy-1-naphthyl) methane (JWH-197)  
 (4-Methoxy-1-naphthyl) (1-[2-(4-morpholino)ethyl]-1H-indole-3-yl)methanon (JWH-198)  
 (4-Methoxy-1-naphthyl) (1-[2-(4-morpholino)ethyl]-1H-indole-3-yl)methane (JWH-199)  
 (1-[2-(4-Morpholino)ethyl]-1H-indole-3-yl)(naphthyl-1-yl) methanon )JWH-200)  
 1-Pentyl-3-(2- methoxyphenylacetyl)indole; 2-(2- methoxyphenyl)-1-(1-pentyl-1H-indole-3-  
 yl) ethanone (JWH-250)

Salts of the substances listed in this Schedule in all the cases when the existence of such salts is possible.

Analogues of psychotropic substances listed in section B of this schedule.

## SCHEDULE II

### LIST OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES USED IN MEDICAL PURPOSES AND BEING UNDER STRICT CONTROL

#### A. NARCOTIC DRUGS

1. ALPHACETYLMETHADOL
2. ALFENTANIL
3. ACETYLDIHYDROCODEINE
4. ACETYLMETHADOL
5. BENZYL MORPHINE
6. HYDROCODONE
7. HYDROMORPHINOL
8. HYDROMORPHONE
9. DEXTROMORAMIDE
10. DEXTROPROPOXYPHENE
11. DIHYDROCODEINE
12. DIHYDROMORPHINE
13. DIPHENOXYLATE
14. CODEINE

15. (Is excluded dated 2 March 2006 No. 130 (shall be enforced from the date of official publication)).

16. COCAINE HYDROCHLORIDE

17. LEVOMETHORPHAN

18. LEVOMORAMIDE

19. LEVORPHANOL

20. LEVOPHENACYLMORPHAN

21. METHADONE

22. METAZOCINE

23. METHYLDESORPHINE

24. METHYLDIHYDROMORPHINE

25. METOPON

26. MYROPHINE

27. MORPHERIDINE

28. MORPHINE

29. (Is excluded dated 2 March 2006 No. 130 (shall be enforced from the date of official publication)).

30. MORPHINE HYDROCHLORIDE

31. NICODICODINE

32. NICOCODINE

33. NICOMORPHINE

34. NORLEVORPHANOL

35. OXYCODONE

36. OXYMORPHONE

37. OMNOPON

38. OPIUM

clotted juice of the poppy plant containing narcotic active alkaloids.

39. PIRITRAMIDE (DIPIDOLOR)

40. PROMEDOL

41. PROPIRAM

42. PROSIDOL

43. RACEMETHORPHAN (DEXTROMETHORPHAN, DIMORPHAN)

44. RACEMORAMIDE

45. RACEMORPHAN

46. SUFENTANIL

47. TEBAIN (opium alkaloid)

48. THABACON (acetyldihydrocodeinone)

49. TILIDINE

50. TRIMEPERIDIN

51. PHENAZOCINE

52. FENTANYL

53. PHOLCODINE morpholinylethylmorphine

54. FURETHIDINE

55. Extraction opium

Product obtained by extracting the species of opium poppy from raw opium or straw by different dissolution mediums, containing opium alkaloids as well as narcotic active morphine, codeine, thebaine

56. ETHYLMORPHINE

57. ETOXERIDINE

and stereoisomers of narcotic drugs, listed in this Schedule, in the cases when existence of such isomers is possible within this particular chemical denomination (if such are not excluded definitely);

salts of all the narcotic drugs listed in this Schedule, including the salts of isomers

as provided above, in all the cases when existence of such salts is possible.

Analogues of narcotic drugs listed in section A of this schedule.

## **B. PSYCHOTROPIC SUBSTANCES**

1. AMPHETAMINE
2. BUPRENORPHINE (NORPHINE)
3. GLUTETHIMIDE (NOXYRON)
4. DEXAMPHETAMINE
5. LEVAMFETAMINE
6. LEVOMETHAMFETAMINE
7. METHYLPHENIDATE
8. PEMOLINE
9. PENTOBARBITAL
10. SECOBARBITAL
11. 2C-B
12. FENETYLLINE
13. PHENMETRAZINE
14. CYPEPROL
15. ETHYLAMPHETAMINE
16. GAMMA-AMINOBUTYRIC ACID (GABA)

Salts of substances listed in this Schedule in all the cases when the existence of such salts is possible.

Analogues of psychotropic substances listed in section B of this schedule.

## **SCHEDULE III**

### **LIST OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES USED IN MEDICAL PURPOSES AND BEING UNDER CONTROL**

#### **A. NARCOTIC DRUGS**

1. Preparations of acetyldihydrocodeine, codeine, dihydrocodein, nicocodine, nicodicodine and pholcodine, ethylmorphine upon condition that they are joint with one or several ingredients and contain upon concentration no more than 2.5 percent for a dose unit in non-separate preparations.

2. Preparations of propiram containing no more than 100 mg of propirama for dose unit and joint at least with the same number of methyl cellulose.

3. Preparations of dextropropoxyphene for oral use containing no more than 135 mg of dextropropoxyphene for a dose unit and upon concentration no more than 2.5 percent in non-separate preparations, upon condition that such preparations do not contain any substances being under control in accordance with the Convention on psychotropic substances, 1971.

4. Preparations of opium or morphine containing no more than 0.2 percent of morphine in recalculation of waterless morphine-base and joint with one or several ingredients by such a way that narcotic drug may not be extracted from this preparation with the aid of easy practical methods or in quantities that could represent a danger for public health.

5. Preparations of diphenoxylate containing no more than 0.5 mg of diphenoxylate for a dose unit and quantity of atropine sulfate being equivalent to no less than 5 percent of the dose of diphenoxyne.

6. Preparations of diphenoxylate containing no more than 2.5 mg of diphenoxylate for a dose unit in recalculation for the basis and quantity of atropine sulfate being equivalent to no less than 1 percent of the dose of diphenoxylate.

7. Preparations composed according to any of the formulas stated in this Schedule, and mixtures of such preparations with any substance not containing the narcotic drugs.

Analogue of narcotic drugs listed in section A of this schedule.

## **B. PSYCHOTROPIC SUBSTANCES**

1. ALLOBARBITAL
2. ALPRAZOLAM
3. AMOBBARBITAL
4. AMFEPRAMONE
5. BARBITAL
6. BENZPHETAMINE
7. BROMAZEPAM
8. BROTIzolAM
9. BUTALBITAL
10. BUTABARBITAL
11. VINILBITAL
12. HALAZEPAM
13. HALOXASOLAM
14. **is excluded by the Law of the Republic of Kazakhstan dated 03.07.2014 NO. 227-V (shall be enforced from 01.01.2015).**
15. DELORAZEPAM
16. DIAZEPAM
17. ZOLPIDEM
18. KAMAZEPAM
19. KATIN
20. KETAZOLAM
21. CLOBAZAM
22. CLOXAZOLAM
23. CLONAZEPAM
24. CLORAZEPATE
25. CLOTIAZEPAM
26. LEFETAMINE
27. LOPRAZOLAM
28. LORAZEPAM
29. LORMETAZEPAM
30. MAZINDOL
31. MEDAZEPAM
32. MEZOCARB
33. MEPROBAMAT
34. METHYPRYLON
35. METHYLPHENOBARBITAL
36. MEPHENOREX
37. MIDAZOLAM
38. NIMETAZIPAM
39. NITRAZEPAM
40. NORDAZEPAM
41. OXAZEPAM
42. OXAZOLAM
43. PENTAZOCINE
44. PINAZEPAM
45. PIPRADROL
46. PYROVALERONE



47. PRAZEPAM
48. SEKBUTABARBITAL
49. TEMAZEPAM
50. TETRAZEPAM
51. TRIAZOLAM
52. PHENDIMETRAZINE
53. FENCAMFAMINE
54. PHENOBARBITAL
55. FENPROPOREX
56. PHENTERMINE
57. FLUDIAZEPAM
58. FLURAZEPAM
59. FLUNITRAZEPAM
60. CHLORDIAZEPOXIDE
61. CYCLOBARBITAL
62. ESTAZOLAM
63. ETHINAMATE
64. ETHYL LOFLAZEPATE
65. ETHCHLORVYNOL

Salts of substances listed in this Schedule in all the cases when existence of such salts is possible.

Analogue of psychotropic substances listed in section B of this schedule.

#### **SCHEDULE IV**

#### **LIST OF PRECURSORS (CHEMICAL AND PLANT SUBSTANCES FREQUENTLY USED UPON ILLEGAL MANUFACTURING OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES) BEING UNDER CONTROL**

LIST I	LIST II
N-acetylanthranilic acid	Acetic anhydride
Isosafrol	Anthranilic acid
Lysergic acid	Acetone
3-4- methylenedioxyphenyl	Methyl-ethyl ketone
Norephedrine	Potassium permanganate
Piperonal	Sulfuric acid*
Pseudoephedrine	Hydrochloric acid*
Safrole	Piperidine
1-phenyl-2-propanone	
Ergometrine	Toluol
Ergotamine	Phenylacetic acid
Ephedrine	Ethyl ether
Ephedra grass	

Salts of substances listed in Schedule IV in those cases when formation of such salts is possible.

\*Salts of sulfuric and hydrochloric acids in special manner are excluded from the list II, Schedule IV.

**List of medical products containing narcotic drugs, psychotropic substances and precursors subjected to control in**

the Republic of Kazakhstan and permitted to application  
in veterinary medicine

**A. Narcotic drugs**

No.	!	Denomination
1		Morphine hydrochloride
2		Cocaine hydrochloride
3		Omnopon
4		Omnopon solution
5		Opium powder
6		Codeine preparations
7		Ethylmorphine preparations
8		Promedol
9		Promedol solution
10		Tykodin solution (codeine preparation)
11		Opium extract suppositories (opium preparations)
12		Tekodin pills (codeine preparations)
13		Opium pills (codeine preparations)
14		Fentanyl
15		Dry opium extract
16		Opium tincture
17		Ethylmorphine
18		Hydrocodone

**B. Psychotropic substances**

No.	!	Denomination
1		Amphetamine
2		Pentobarbital
3		Barbital
4		Diazepam
5		Ketazolam
6		Clonazepam
7		Lorazepam
8		Meprobamat
9		Nitrazepam
10		Oxazepam
11		Phenobarbital
12		Flurazepam
13		Flunitrazepam
14		Chlordiazepoxide

15		Cyclobarbital
16		Hexanal-natrium (Cyclobarbital)

### C. Precursors

No.	!	Denomination
1		N-acetylanthranilic acid
2		Lysergic acid
3		3-4- methylenedioxyphenyl-propanone
4		1-phenyl-2-propanone
5		Ergometrine
6		Ergotamine
7		Ephedrine
8		Ephedra grass
9		Acetic anhydride
10		Acetone
11		Methyl-ethyl ketone
12		Potassium permanganate
13		Sulfuric acid
14		Hydrochloric acid
15		Piperidine
16		Toluol
17		Phenylacetic acid
18		Ethyl ether

**List of  
compounding medical products containing narcotic drugs,  
psychotropic substances and precursors excluded from the  
control in the Republic of Kazakhstan**

Footnote. The List is excluded by the Law of the Republic of Kazakhstan dated 2 March 2006 No. 130 (shall be enforced from the date of official publication).

Annex 2

Footnote. Annex 2 is published in annex to No. 10 "Bulletins of the Parliament of the Republic of Kazakhstan", 2002, Article 106.

Footnote. Annex 2 as amended by the Laws of the Republic of Kazakhstan dated 31.05.2011 No. 440-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

## Summary schedule

on referring of narcotic drugs, psychotropic substances, their analogues and precursors to small, large and especially large sizes detected in illegal turnover

Footnote. Title of annex 2 as amended by the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

## Schedule I

NARCOTIC DRUGS			
Sizes in grams			
Denomination	Small from...to...	Large more than... up to...	Especially large more than...
Marijuana dried	0,5-50,0	50,0-1000	1000
non-dried	5,0-200,0	200,0-5000	5000
Hashish	0,5-50,0	5,0-200	200
Cannabis resin	0,1-0,5	0,5-40,0	40,0
Cannabis extract (hashish oil)	0-0,05	0,05-50,0	50,0
Opium including inert fillers (flour, sugar, starch and etc.)	0,1-2,0	2,0-100,0	100,0
Extraction opium		0,1-3,0	3,0
Acetify opium	0-0,1	0,05-1,5	1,5
0-6 monoacetylmorphine	0-0,05	0-0,1	0,1
0-3 monoacetylmorphine		0-0,1	0,1
Poppy straw: dried	0,5-20,0	20,0-500	500
non-dried	2,5-100,0	100,0-2500	2500
Morphine (basis and salts)	0-0,01 1 amp. 1% solution	0,01-1,0 (from 1 to 100 amp . 1% solution)	1,0 (100 amp. 1% solution)
Heroin including related substances and fillers	0-0,01	0,01-1,0	1,0
Codeine (basis and salts), and its medical forms containing no less than 0,015 g. in a pill	0-0,2 1-14 pills 0,015	0,2-10,0 (14 pills - 660 pills 0,015)	10,0 (660 pills 0,015)
Promedol	0-0,03 (1-3 amp. 1% solution)	0,03-3,0 (3-300 amp. 1% solution)	3,0 (300 amp. 1% solution)
Fentanyl, sufentanil		0-0,0002 1-20 amp. 0,05% solution 2 ml.	0,0002 20 amp. 0,05% solution 2 ml.

Alphamethylfentanyl, acetylalphamethylfentanyl, betahydroxy-3-methyl-fentanyl, parafluorofentanyl, 3-methyl-fentanyl		0,0001-0,001	0,001
Acetyldihydrocodeine (acetylcodeine)	0-0,01	0,01-1,0	1,0
Omnopon (pantopon)	0-0,03 (1-3 amp. 1% solution)	0,03-3,0 (3-300 amp. 1% solution)	3,0 (300 amp. 1% solution)
Cocaine (basis and salts) including related substances	0-0,01	0,01-1,0	1,0
Ethylmorphine hydrochloride (dionine)	0-0,02 (1-2 pills 0,01)	0,02-2,0 (2-1000 pills 0,01 )	2,0 (1000 pills 0,01)
Piritramide (dipidolor)	0-0,1 (1-6 amp. 2 ml)	0,1-1,5 (6-100 amp . 2 ml)	1,5 (100 amp. 2 ml )
Methadone (phenadone) (basis and salts)	0-0,01	0,01-1,0	1,0
Morphilong	0-0,01	0,01-0,8 (1-80 amp . 0,5% solution 2 ml)	0,8 (80 amp. 0,5% solution 2 ml)

Sizes of analogues of narcotic drugs shall conform to sizes of narcotic drugs, the analogues of which they are.

Schedule II

<b>PSYCHOTROPIC SUBSTANCES</b>			
Sizes in grams			
Denomination	Small from 0 to... inclusively	Large more than... up to...inclusively	Especially large more than...
Alprazolam		0,5-5,0 (2000-20000 pills 0,25 mg)	5,0 (20000 pills 0,25 g)
Aminorex	0-0,01	0,01-0,1	0,1
Amobarbital (barbamyl)	0-0,6 (1-6 pills 0,1)	0,6-30,0 (6-300 pills 0,1)	30,0 (300 pills 0,1)
Amfepramone (Phepranonum)	0-0,125 (1-5 pills 0,025)	0,125-7,5 (5-300 pills 0,025)	7,5 (300 pills 0,025)
Amphetamine (phenamine) (basis and salts)	0-0,2	0,2-3,0	3,0
BDB (basis and salts)	0-0,02	0,02-1,0	1,0
Bromazepam		0,5-5,0	5,0
	0-0,0012 (1-4 amp. 1 ml., 1-2 amp. 2	0,0012-0,12 (4-400 amp. 1 ml., 2-200	0,12 (400 amp. 1 ml, 200 amp. 2 ml.)

Buprenorphine (norphine, sangezik, tengezik, buprenal, buprenone)	ml., 1-6 pills 0,2 mg.)	amp. 2 ml, 6-600 pills 0,2 mg)	, 600 pills 0,2 mg )
Brolamfetamine (DOB) (basis and salts)	0-1,5 (1-6 pills 0,25)	1,5-25,0 (6-100 pills 0,25)	25,0 (100 pills 0,25)
Glutethimide (noxyron) (basis and salts)	0-1,5 (1-6 pills 0,25)	1,5-25,0 (6-100 pills 0,25)	25,0 (100 pills 0,25)
Diazepam and other specified in Schedule III benzodiazepine derivative		0,5-5,0 (100-100 pills 5 mg.)	5,0 (1000 pills. 5 mg.)
Diethyltryptamine (DET)(basis and salts)	0-0,02	0,02-1,0	1,0
DMA (basis and salts)	0-0,02	0,02-1,0	1,0
DMHP	0-0,05	0,05-5,0	5,0
Dimethyltryptamine (DMT)(basis and salts)	0-0,02	0,02-1,0	1,0
DOET (basis and salts)		0-0,001	0,001
Cathinone	0-0,02	0,02-1,0	1,0
Clonazepam		0,5-5,0 (255-2550 pills 2 mg.)(500 pills 1 mg.)	5,0 (2550 pills 2 mg.)(500 pills 1 mg.)
Lorazepam		0,5-5,0	5,0
MBDB (basis and salts)	0-0,02	0,02-1,0	1,0
Medazepam		0,5-5,0 (50-500 pills 10 mg.)	5,0 (500 pills 10 mg.)
Metaqualon (basis and salts)	0-0,05	0,05-1,0	1,0
4-Methylaminorex	0-0,01	0,01-0,1	0,1
Methcathinone (ephedrone) including related substances	0-0,02	0,02-1,5	1,5
Methamphetamine, pervitin (basis and salts including related substances)	0-0,02	0,02-1,5	1,5
Nitrazepam		0,5-5,0 (100-1000 pills 5 mg.)	5,0 (1000 pills 5 mg.)
Oxazepam, nozepam		0,5-5,0 (50-500 pills 10 mg.)	5,0 (500 pills 10 mg.)
Preparations containing amphetamine (aphyne, phenamine)	0-1 ml	1,0-50,0 ml	50,0 ml
Phencyclidine (basis and salts)		0-0,01	0,01
Eticyclidine (PCE) (basis and salts)		0-0,01	0,01
(+)-Lysergide (LSD, LSD-25)		0-0,0001	0,0001
MDMA (Methylenedioxyamphetamine)(basis and salts)	0-0,02	0,02-1,0	1,0
Mescaline (basis and salts)	0-0,3	0,3-5,0	5,0
MMDA (basis and salts)	0-0,02	0,02-1,0	1,0

N-ethyl-MDA (MDEA) (basis and salts)	0-0,02	0,02-1,0	1,0
N-hydroxide-MDA (basis and salts)	0-0,02	0,02-1,0	1,0
Psilocin (psilotsin)	0-0,01	0,01-0,1	0,1
Psilocybine	0-0,01	0,01-0,1	0,1
Fruiting body of mushrooms containing psilocin and psilocybine	0-0,5	0,5-50,0	50,0
Rolicyclidine (PHP) (basis and salts)		0-0,01	0,01
STP, DOM (basis and salts)		0-0,002	0,002
Tenamfetamine (MDA), (basis and salts)	0-0,02	0,02-1,0	1,0
Tenocyclidine (TCP) (basis and salts)		0-0,01	0,01
Pentazocine (fortral)	1 pill 0,05 g, 1 amp. 0,03 g.	1-100 pills 0,05 g., 1-100 amp. 0,03 g.	100 pills 0,05 g., 100 amp. 0,03 g.
Parahexyl (syngexil)	0-0,05	0,05-5,0	5,0
PMA (basis and salts)	0-0,02	0,02-1,0	1,0
Pentobarbital and other specified in Schedule III	0-0,5	0, 5-5,0	5,0
Summary schedule barbituric acid derivatives			
Phenmetrazine	0-0,1	0,1-1,0	1,0
Phentermine	0-0,1	0,1-1,0	1,0
Phepranonum (amfepramone)	0-0,125 (1-5 pills 0,025)	0,125-7,5 (5-300 pills 0,025)	7,5 (300 pills 0,025)
Triazolam (halcion)		0,5-5,0	5,0
Cypeprol	0-0,5	0,5-3,0	3,0
Aethaminalum-natrium (nembutal)	0-0,6 (1-6 pills 0,1)	0,6-30,0 (6-300 pills 0,1)	30,0 (300 pills 0,1)
Flunitrazepam		0,5-5,0	5,0
Chlordiazepoxide		0,5-5,0	5,0
Tetrahydrocannabinol (its isomers)	0-0,05	0,5-5,0	5,0
Synthetical cannabinoids	0-0,05	0,05-50,0	50,0

Sizes of analogues of psychotropic substances conform to the sizes of psychotropic substances the analogues of which they are.

Schedule III

**PRECURSORS**



Sizes in grams

Denomination	Small from... to...	Large more than... up to...inclusively	Especially large more than...
Pseudoephedrine	1,0-10,0	10,0-50,0	50,0
Norephedrine, ephedrine	1,0-10,0	10,0-50,0	50,0
Ergotamine	4,0-10,0	10,0-50,0	50,0
Ergometrine	0,2-10,0	10,0-50,0	50,0
Ephedra dried	200-2000	2000-10000	10000
non-dried	250-2500	2500-12500	12500
Acetic anhydride	transferred to intra-departmental control		
Acetone	transferred to intra-departmental control		
Potassium permanganate	transferred to intra-departmental control		

Schedule IV

**Sizes of illegal cultivation of plants referred to narcotic drugs, psychotropic substances and precursors**

Name of plants and their legal characteristics	Recommended sizes on control of illegal cultivation of plants referred to narcotic drugs (independently from the phase of development of plants) Large sizes
1. Plants that do not grow in the territory of Kazakhstan due to special aspects of climatic conditions and prohibited for cultivation in the territory of Kazakhstan: a) coca bush b) kat	one plant one plant
Note: cultivation of above mentioned plants is dangerous not only in the context of use as narcotic drug in illegal turnover, so as illegal action creating new, dangerous problem of illegal cultivation of cocaine bush and kat in the Republic of Kazakhstan that is uncharacteristic for it.	
2. Plants containing narcotic drugs growing in the territory of the Republic of Kazakhstan, but prohibited for cultivation or requiring the special permission for it: a) plant of the species of opium poppy b) plant of the genus of hemp	from 10 plants  from 15 plants
3. Plants containing precursors growing in the territory of the Republic of Kazakhstan, but	

prohibited for cultivation or requiring the special permission for it: ephedra grass	one plant
4. Plants of wild-growing hemp being under illegal care for the purpose of ensuring of their growing	from 50 plants
Upon determination of sizes of narcotic drugs, psychotropic substances and precursors being in illegal turnover, in the form of solutions, extracts, as well as sponges, gauzes, bandages soaked by these drugs and others, it is required to conduct extraction of this type of particular drug or substance with the following recalculation of a dry residue for conforming the size of this substance or drug specified in the Summary schedule.	

*The President  
of the Republic of Kazakhstan*