

Law No. 19 of 1993 with respect to the Regulation of Trading in Psychoactive Substances 19 / 1993

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We, Khalifa bin Hamad Al Thani, Emir of the State of Qatar;
Having perused the Amended Provisional Constitution, in particular Articles 23, 34 and 51 thereof;
Law No. 5 of 1970 specifying the powers of the ministers and the functions of the ministries and other government agencies, as amended,
The Penal Code of Qatar No. 14 of 1971, as amended;
The Criminal Procedure Law No. 15 of 1971, as amended;
Law No. 11 of 1982 regulating the medical establishments;
Law No. 2 1983 concerning the practice of the professions of medicine, surgery and dentistry, as amended by Law No. 2 of 1989;
Law No. 3 of 1983 regulating the pharmaceutical profession, the work of intermediaries and agents of pharmaceutical factories and companies; as amended by Law No. 2 of 1989;
Law No. 1 of 1986 on the registration of pharmaceutical companies and their products,
Law No. 9 of 1987 concerning the control of narcotic drugs and dangerous psychotropic substances and regulating their use and trade;
The Customs Law as promulgated by Law No. 5 of 1988;
The proposal of the Minister of Public Health;
The bill submitted by the Council of Ministers; and
Having consulted the *Shura* Council;
Hereby promulgate the following law:

Articles

Article 1

The substances, medicines, drugs and pharmaceutical preparations listed in the schedules attached to this Law shall be deemed psychoactive substances.

Article 2

The use of psychoactive substances shall not be permitted except for medical purposes or scientific research. Pharmacists are only permitted to dispense these substances under medical prescription from a physician licensed to practise human medicine or dental medicine and surgery.

Notwithstanding the provision of Article 3 of this Law, individuals may possess the substances referred to for their personal use and purely for health reasons, within the limits of the quantities prescribed by their physicians licensed to practice the profession of medicine. Pharmacists may not dispense those quantities, except under a medical prescription issued by such a physician.

Article 3

The import, export, production, manufacture, acquisition, possession, trading, purchase, sale, transport, delivery or receipt of psychoactive substances, or the dispensing, prescription, exchange or disposal of the same in any capacity, or serving an intermediary in any of the above, shall not be permitted, unless after obtaining a permit from the Pharmacy and Drug Control Department at the Ministry of Public Health and in the circumstances and with the conditions set forth in this Law.

Article 4

The license referred to in the previous article shall only be granted to the following bodies or categories:

- 1 - Pharmaceutical establishments
- 2 - Medical establishments
- 3 - Government agencies, recognized scientific institutes and research centres.
- 4 - Physicians licensed to practise the profession of medicine or dental medicine and surgery

Article 5

The license application shall be submitted to the Pharmacy and Drug Control Department with the following details:

- 1 - The name of the pharmaceutical establishment, medical establishment, government agency, scientific institute or centre.
- 2 - The full name of the manager of the pharmaceutical establishment, medical establishment, government agency, scientific institute or centre, or the physician.
- 3 - Nationality
- 4 - Permanent address
- 5- The psychoactive substances required to be licensed
- 6 - The purpose of the license application
- 7 - Any other information or details required by the Department

The Department must issue its decision with respect to the license application within sixty days from the date of its submission. The applicant must be informed of the decision by registered letter within thirty days of its issuance. In the event the application is rejected, the decision for rejection must be justified. The applicant may appeal the same to the Minister of Public Health within fifty days of his being informed thereof. The decision of the Minister with respect to the appeal shall be final.

Article 6

A special register shall be created at the Pharmacy and Drug Control Department in which the licenses issued in accordance with Article 3 of this Law and the names of the licensed bodies and individuals shall be recorded. This register shall contain other details for which a resolution of the Minister of Public Health shall be issued.

Article 7

The person licensed to import, export or transport psychoactive substances must submit an application for the same to the Pharmacy and Drug Control Department detailing therein the substances, the quantity and the reasons that justify the import, export and transport as well as other details and documents required by the Department.

The Department has the right to reject the application or reduce the requested quantity, or cancel some substances.

The approval issued in this regard shall be deemed void if not exercised within ninety days from the date of issuance thereof.

Article 8

Customs authorities shall be prohibited from releasing imported or exported psychoactive substances, except by written authorization issued by the Pharmacy and Drug Control Department.

The Department shall only be permitted to issue the authorization referred to after verifying their validity and compliance with the specifications and details in accordance with a report from the Medicines Control Laboratory.

The customs authorities must collect the authorization from the person concerned and return it to the Department after retaining one copy of it and giving a second copy to the person concerned.

The authorization shall be deemed void if not used within ninety days from the date of issuance thereof.

Article 9

Managers of the bodies and the physicians referred to in Article 4 of this Law who are licensed to trade in psychoactive substances must submit to the Pharmacy and Drug Control Department in the first week of each month a signed account indicating the incoming, outgoing and remaining quantities of these substances during the previous month, in accordance with the templates prepared by the Department. A resolution to this effect shall be issued by the Minister of Public Health.

They must also, in the event of the license being revoked, liquidate the remaining substances under the supervision of a committee formed by the Minister of Public Health.

Article 10

Physicians licensed to practise the profession of medicine or dental medicine and surgery shall be permitted to keep in their clinics psychoactive substances ready for use in cases of dire need, provided that they are kept in a form which is consistent with the medical use for which they are intended without any alteration. The physician shall be prohibited to dispense any quantity of such substances to his patients for their personal use. He shall also be prohibited to write a prescription for himself of any quantity for his personal use.

The quantity prescribed by the physician to the patient in one prescription shall be sufficient for a period of sixty days, for the treatment of chronic illnesses, and for a period of ten days for the treatment of other illnesses. If the patient's condition calls for continuation of treatment for a longer period, the physician shall write a new prescription at the end of the periods indicated.

Article 11

A pharmacy shall be prohibited from dispensing medical prescriptions containing psychoactive substances after 7 days from the date of it was written. It shall also be prohibited to dispense the same if there is any scratching, deletion or correction therein. The medical prescriptions referred to shall not be returned to the holder after dispensing the substances described in them. It may not be used more than once. It must be retained in the pharmacy after having been signed by the pharmacist and noting the date it was dispensed and its record number in the medical prescriptions record journal and the dispensing record journal.

Article 12

The manager of the pharmaceutical establishment licensed to trade in psychoactive substances must retain special journals to record all substances incoming to the establishment, the date they arrived, the types, amounts, the quantities dispensed, the person to whom it was dispensed, and the date of dispensing. The pages of these journals must be serially numbered and stamped with the stamp of the Ministry of Public Health. The recordal therein must be one after the other in accordance with the date of arrival or dispensing in writing with no blank spaces, erasure, scratching or cramming. The journals must be submitted to the Ministry of Public Health upon request.

Article 13

The journals stipulated in Article 11 and 12 of this Law must be retained for a period of two years from the last date of entry therein. The medical prescriptions stipulated in Article 11 must be retained for the same period from the date noted on it.

Article 14

By means of a resolution of the Minister of Health the tables attached to this Law may be amended by deletion, addition or alteration of the percentages contained therein.

Article 15

Without prejudice to any more severe sanction provided for by another law, a sanction of imprisonment not exceeding three months, and a fine of not more than ten thousand riyals, or either of these sanctions, shall be imposed on any person who violates the provisions of Article 3 of this Law.

The sanction shall be doubled in the event of repetition.

In all cases, in addition to the sanction mentioned, judgement shall be passed for confiscation of the infringing substances and the devices, equipment and containers used

Article 16

Without prejudice to any more severe sanction provided for by another law, a sanction of imprisonment not exceeding two years, and a fine not more than ten thousand riyals, or either of these sanctions, shall be imposed on any physician who issues a medical prescription that assists a person to use psychoactive substances without medical justification.

In the event of repetition, in addition to the sanction mentioned, judgement shall be passed for closure of the clinic and cancellation of the license to practise the profession.

Article 17

Without prejudice to any more severe sanction provided for by another law, a sanction of imprisonment not exceeding one year, and a fine not more than five thousand riyals, or either of these sanctions, shall be imposed on:

(a) Any person who offers or facilitates the dealing in psychoactive substances in circumstances other than those authorized in this Law.

(b) Any person licensed to possess psychoactive substances for use in a particular purpose who transacts in them for besides this purpose. The sanction shall be doubled in case of repetition.

In all cases, in addition to the sanction mentioned, judgement shall be passed for confiscation of the infringing substances and the devices, equipment and containers used

Article 18

Physicians and pharmacists, who are employees of the Ministry of Public Health and are delegated by the Minister of Public Health's by means of a resolution, shall have the capacity of law enforcement officers in enforcing and establishing the occurrence of crimes committed in violation of the

provisions of this Law and the resolutions that give effect to it. They shall have right to enter pharmaceutical and medical establishments, drug stores and depositories, clinics, pharmaceutical factories and scientific institutes, control psychoactive substances, access the journals and papers relating thereto, and to ascertain the implementation of the provisions of this law.

Article 19

Without prejudice to any more severe sanction provided for by another law, a sanction of imprisonment not exceeding three years, and a fine of not more than ten thousand riyals, or either of these sanctions, shall be imposed on any person who assaults any of the employees referred to in the previous article or offers resistance to him with force or violence, whilst he is discharging his function or on account of it, and any person who prevents or hampers any procedures ordered by the relevant authorities pursuant to the provisions of this Law and the resolutions that give effect to it.

Article 20

The Minister of Public Health shall issue the resolutions necessary for the implementation of the provisions of this law.

Article 21

Any provision that contradicts the provisions of this law shall be repealed.

Article 22

All competent departments, each within their jurisdiction, shall enforce this Law sixty days after its publication in the *Official Gazette*.