

# Law No. 9 of 1987 on Control and Regulation of Control and Regulation of Narcotic Drugs and Dangerous Psychotropic Substances (NDDPS) 9 / 1987

Number of Articles: 65



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We, Khalifa Bin Hamad Al-Thani, Emir of the State of Qatar;

Having considered the Amended Provisional Constitution, particularly, Articles 23, 43, and 51;

Law of Qatar Customs of 1375 H and amending laws;

Decree-Law No. 28 of 1996, "On Controlling Drugs and Regulating their Trade and Use," as amended by Law No. 20 of 1972, Law No. 1 of 1983 and Decree-Law No. 5 of 1986;

Decree-Law No. 5 of 1970 on "Designating the Powers of Ministers and Functions of Ministries and Other Government Bodies, and Amending Laws";

Law No. 5 of 1970, "Designating the Powers of Ministers and Functions of Ministries and Other Government Bodies, and Amending Laws";

Law No. 14 of 1971 "Enacting Qatar's Penal Code";

Law No. 15 of 1971 "Enacting Qatar's Code of Criminal Procedures";

Law No. 3 of 1975 on "Commercial, Industrial and Other Similar Public Establishment";

Law No. 11 of 1982 "Regulating Medical Treatment Institutions";

Law No. 2 of 1983 on "Practicing Human Medicine and Dental Medicine & Surgery";

Law No. 3 of 1983 on "Regulating the Professions of Pharmacy, the Intermediaries and Agents of Pharmaceutical Factories and Companies";

Acting upon the Proposal of the Minister of Interior, the draft law submitted by the Council of Ministers and the opinion of the Shura Council,

Have enacted the following Law:

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## **Chapter One**

### **Narcotic Drugs and Dangerous Psychotropic Substances (NDDPS)**

#### **Article 1**

##### **Article 1**

In the application of the provisions of the present Law; Control and Regulation of Narcotic Drugs and Dangerous Psychotropic Substances (NDDPS) means dangerous substances and psychotropic agents listed in tables 1 and 2 appended hereto. The preparations listed in Schedule 3 shall be excluded therefrom.

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#### **Article 2** (Amended By Law 20/2003)★

##### **Article 2**

The import, export, production, manufacture, cultivation, ownership, acquisition, possession, trafficking, buying, selling, transferring, delivering and receipt of narcotic substances or plants, or dangerous psychotropic substances, as well as medical dispensation or prescription, exchange and transfer thereof, in whatever capacity, and intermediation therein may only be permitted in the circumstances and conditions set forth in the present law.

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## **Chapter Two**

### **NDDPS Import, Export and Transportation**

#### **Article 3** (Amended By Law 1/2006)★

##### **Article 3**

NDDPS may only be imported, exported or transported, by a written permission from the Minister of the Public Health. In instances where such authorization is not granted, the decision of the Minister shall be accompanied by a statement of grounds, and communicated to the applicant. The applicant may appeal against the refusal notification within fifteen (15) days of the date of such notification to the Council of Ministers. The decision of the Council of Ministers, in the appeal, shall be final.

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#### **Article 4** (Amended By Law 1/2006)★

##### **Article 4**

A Special Registry shall be established at the Ministry of Public Health to register the persons and organizations permitted to import, export and transport listed NDDPS. Such Registry shall also include the information decreed by the Minister of Public Health.

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## Article 5

### Article 5

The licence to import, export or transport as provided for, in Article 3 above may not be granted except to the following:

1. Managers of pharmacies and businesses licenced to trade in NDDPS;
  2. Managers of licenced medical treatment institutions.
  3. Managers of recognized laboratories for chemical or industrial analysis.
  4. Government departments and recognized scientific institutes and scientific research centers.
  5. Physicians licenced to practice medicine in the State of Qatar.
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Article 6 (Amended By Law 1/2006) ★

### Article 6

The licensee to import, export or transport NDDPS must submit an application therefor, to the Ministry of Public Health; stating their full name, nationality, business address and the name of the relevant NDDPSs; nature thereof, the quantities intended to be imported or exported and the reasons for such import, export or transport, coupled with the approval of the Ministry of Interior, in addition to such information and documents as may be required by the Ministry of Public Health.

The permission issued by the Ministry of Public Health shall be deemed to have expired if such permission is not used within 90 days of the date of issue.

The Minister of Public Health may reject the application, reduce the requested quantity or exclude certain items.

The Ministry of Public Health shall send a copy of the permission to the Ministry of Interior within one week of the date of issue.

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Article 7 (Amended By Law 1/2006) ★

### Article 7

NDDPS identified at Customs may not be delivered or exported except by clearance or a valid export permit issued by the Ministry of Public Health.

The Customs and Ports Authority shall, in case of import or export, receive the clearance or the export permit from the licensee and submit such clearance or permit back to the Ministry of Public Health.

A copy of this permit shall be kept with each of the Customs and Ports Authority, the Ministry of Interior and the licensee.

The permit shall be deemed to have expired if it is not exercised within ninety (90) days from the date of issue.

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Article 8 (Amended By Law 1/2006) ★

### Article 8

NDDPS may be cleared from the Customs only if they are listed in the registries of the Ministry of Public Health and the Ministry of Interior and proved fit for use, and if they conform to the specifications and information stated in the import permission as certified by a report from the Laboratory of Drug Control.

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## Article 9

## Article 9

NDDPS may not be imported, exported or transported in parcels containing other substances. Transportation of NDDPS, including samples, must be in insured parcels bearing the full name; nature, quantity; and the percentage of the NDDPS therein.

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## Chapter Three

### Traffic in Narcotic Drugs and Dangerous Psychotropic Substances

Article 10 (Amended By Law 1/2006) ★

#### Article 10

There may be no traffic in NDDPS except with the express advance permission from the Ministry of Public Health. Such permission may not be granted to the following:

1. A person convicted for a felony with a liberty-restricting sentence.
  2. A person convicted for an offence provided for in this Law.
  3. A person convicted for committing, attempting to, or abetting of commit crimes against property, a sexual or moral, adultery, profligacy, prostitution, and gambling; or falsification of documents or using falsified documents, or crimes relating to impersonation or perjury.
  4. A person dismissed from public service for disciplinary reasons relating to honor, honesty and integrity. The permission and licence shall be revoked if the licensee is found guilty and convicted of one of the offences stated herein.
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Article 11 (Amended By Law 1/2006) ★

#### Article 11

Trading in NDDPS may be licenced only on the condition that this trafficking is conducted through a pharmacy, a drugstore, a drug warehouse or a medical factory, which satisfies such conditions as may be specified by a decision of the Minister of Public Health.

An establishment licenced to traffic in NDDPS shall employ a pharmacist licenced to practice in the State of Qatar who shall be responsible for managing the establishment and those matters pertaining to narcotic drugs in accordance with the provisions of this Law.

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Article 12 (Amended By Law 1/2006) ★

#### Article 12

Managers of the establishment licenced to traffic in NDDPS may not sell, deliver or administer such substances in whatever capacity except to the persons and authorities provided for in Article 5 of this Law, in accordance with a licence from the Ministry of Public Health. The Minister of Public Health shall issue a decision specifying the conditions and procedures for issuing such licences.

NDDPS that have been sold or administered shall be delivered only against a receipt made out by the person taking delivery thereof, in one original and three copies, each of them indicating in print the name and address of the recipient and, in indelible ink, the full name, nature and concentration of the narcotic drug or dangerous psychotropic substance, the date, and the quantity in figures and in words.

The original and three copies of the receipt shall be signed by the person taking delivery and stamped with the seal of the recipient, with the word "narcotic drug" appearing at the centre of the seal.

The manager of the establishment shall, indicate on the original and three copies of the receipt that delivery has been effected, stating the date of delivery, whereupon the manager shall keep the original, give one copy to the person taking delivery, and send one copy each to the Ministry of Interior and the Ministry of Public Health by registered letter on the day following the date of delivery of the goods at the latest. The establishment manager shall mark on the receipt and its three copies a statement to the effect of the delivery and the date thereof. The manager shall keep the original and give the receiver one

of the copies and send the other copies with a covering letter to each of the Ministry of Interior and Ministry of Public Health by the next working day after the delivery.

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Article 13 (Amended By Law 1/2006)★

#### **Article 13**

Managers of establishment licenced to traffic in NDDPS shall, in the first week of every month, send to the Ministry of Interior and the Ministry of Public Health, by registered letter, a statement signed thereby listing the NDDPS received and dispensed during the previous month and the remaining NDDPS by filling out the forms prepared by the Ministry of Public Health.

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Article 14 (Amended By Law 1/2006)★

#### **Article 14**

An establishment licensed to trade in NDDPS, whose licence is cancelled shall liquidate its stocks under the supervision of a committee appointed by the Minister of Public Health, on which the Ministry of the Interior shall be represented.

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### **Chapter Four**

#### **Possession and Medical Dispensation of Narcotic Drugs and Dangerous Psychotropic Substances**

Article 15

#### **Article 15**

Notwithstanding the provisions of Article 2 above, a person may possess NDDPS only for personal use and for strictly health reasons, in the quantities prescribed by physicians licenced to practice medicine in the State of Qatar. Under no circumstances shall such NDDPS be administered to another person for any reason.

The aforesaid physicians may not prescribe NDDPS for any patient except for the purpose of proper, legitimate and well-indicated medical treatment.

The patient shall, in circumstances where any part of a prescription is not used, return the unused NDDPS to the dispenser.

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Article 16 (Amended By Law 1/2006)★

#### **Article 16**

Physicians licenced to practice medicine in the State of Qatar may keep in their clinics some of the NDDPS for use in urgent medical necessity, provided that such NDDPS be kept in the form suited to their particular medical usage without change, and the physician must have a private clinic licence in Qatar.

The physician must comply with the provisions governing the possession of the NDDPS set out in Article 31 of this Law and enter them in the particular record.

A physician shall not dispense any quantity therefrom to patients for self-administration, nor shall he prescribe for himself, for his own private use, any quantity of NDDPS.

A physician licenced to practice medicine in the State of Qatar may keep an adequate quantity of NDDPS to treat a patients in the event of an emergency outside his clinic.

The Minister of Public Health shall issue a decision specifying the due procedures to be followed in respect of the possession and safe keeping of such substances and their return to the dispenser.

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Article 17 (Amended By Law 1/2006)★

**Article 17**

Pharmacists may not dispense NDDPS except upon a medical prescription issued by a physician licenced to practice medicine in the State of Qatar or upon permission issued from the Ministry of Public Health pursuant to Article 12 above.

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Article 18 (Amended By Law 1/2006)★

**Article 18**

The Minister of Public Health shall issue a decision specifying the information and conditions, which must be included in the medical prescriptions detailing NDDPS for dispensation by a pharmacy. Such prescriptions shall be given from prescription books stamped by the seal of the Ministry of Public Health. The Minister may determine the maximum quantities that may be dispensed to one patient

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Article 19

**Article 19**

A medical prescription containing NDDPS shall not be dispensed when more than five days have elapsed since the date of the writing of such prescription.

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Article 20

**Article 20**

Medical prescriptions referred to in the above Articles shall not, once redeemed for the substances in question, be given back to their bearer. They shall not be used more than once. They shall be kept in the pharmacy after checking the date of delivery, the entry number in the medical prescriptions' record book, the pharmacy dispensing record book, and the signature of the pharmacist. The bearer of the prescription shall be given a receipt for the quantity of the drug dispensed by the pharmacy. This receipt shall also contain the date and signature of the dispensing pharmacist, as well as the pharmacy stamp.

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Article 21 (Amended By Law 1/2006)★

**Article 21**

All NDDPS delivered to a pharmacy must have their delivery date recorded in an entry book. Likewise, a record of those drugs dispensed shall also be

All such information as may be required by decision of the Minister of Public Health shall also be entered in this book, which shall be presented to the Ministry of Public Health and the Ministry of Interior on request.

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## Article 22

### Article 22

Pharmacies may dispense NDDPS under licence cards provided for in the following Articles for the following persons:

1. Physicians licenced to practice medicine in the State of Qatar.
  2. Physicians administered for this purpose in hospitals, sanatoriums and medical centres having no pharmacists.
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## Article 23 (Amended By Law 1/2006) ★

### Article 23

The Ministry of Public Health shall grant the licence cards referred to in the preceding Article upon request, stating the full names of the NDDPS, the nature and percentage concentration of each, and the quantity required by the person or organization making the request, in addition to any such further information as the Ministry of Public

Health may request.

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## Article 24

### Article 24

The licence card shall state the following:

1. The full name, nationality, occupation and address of the cardholder;
  2. The quantity of NDDPS permitted to be dispensed on the basis of the card and the maximum quantity to be dispensed on each single occasion.
  3. The expiry date of the card.
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## Article 25 (Amended By Law 1/2006) ★

### Article 25

Pharmacists shall state in the licence card the quantity dispensed and the dates thereof, and sign their entries. NDDPS dispensed under a licence card may only be delivered against a receipt given by the cardholder stating in indelible ink the date and full name of the NDDPS and the quantity dispensed, both in figures and words, in addition to the number and date of the licence card.

The cardholder shall return the card to the Ministry of Public Health within seven days of the date on which the card expires. The Ministry of Public Health shall send a copy of the card to the Ministry of Interior within three days of the date on which it receives the original card.

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Article 26

**Article 26**

The production, extraction, separation and manufacture of any of the substances listed in Schedule 2 shall be prohibited.

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Article 27

**Article 27**

Preparations containing NDDPS may not be manufacture in pharmaceutical factories except after obtaining the permission provided for in Article 10 above. Such factories may only use the NDDPS they possess for the manufacture of the medical preparations they produce. Manufacturers shall observe the provisions of Articles 13 and 31 regarding any NDDPS received, and the provisions of Articles 12, 13, 14 and 31 regarding manufactured medical preparations which contain one of the NDDPS, irrespective of its concentration.

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**Chapter Five**

**Plants not to be Cultivated**

Article 28

**Article 28**

The cultivation of the plants listed in Schedule 4 annexed to this law shall be prohibited.

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Article 29

**Article 29**

The import, export, ownership, acquisition, possession, trafficking, buying, selling, delivering, exchange and administration of the plants listed in Schedule 4, in all stages of their growth, including seeds thereof, as well as intermediation in any such transaction, shall be prohibited, except in respect of the parts of plants listed in Schedule 5 annexed to this law.

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Article 30 (Amended By Law 1/2006) 

**Article 30**

The Minister of Public Health may authorize government institutions, recognized scientific institutes, and research centres to cultivate any of the prohibited plants, for scientific purposes or research. The Minister of Public Health may also authorize the importation of the plants stated in Schedule 4 and seeds thereof. In this case, such plants and seeds shall be subject to the provisions of Chapter II and III of this Law.



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## **Chapter Seven**

### **General Provisions**

Article 31 (Amended By Law 1/2006)★

#### **Article 31**

Whoever licenced to import, export, transport, possess or traffic in NDDPS, shall enter the incoming and outgoing thereof, in chronological order, on the same day in a particular entry book with numbered pages which bear the official stamp of the Ministry of Public Health.

This book shall also include the incoming and outgoing dates of the listed substances, and the full name of the seller or purchaser; nationality, age, address thereof, and name of the NDDPS, nature, quantity and percentage concentration thereof, and any other information required by the Ministry of Public Health.

This book shall be presented to the representative of the Ministry of Public Health and the Ministry of Interior on request.

These provisions shall apply to the persons referred to in Article 22 therein.

Managers of pharmacies shall, within the first fifteen days of January and July each year, send to the Ministry of Public Health and the Ministry of Interior, by a registered letter, with a covering letter, a detailed list signed by them stating the incoming, outgoing and the remaining NDDPS during the preceding six months. Such lists shall be written on the form prepared for that purpose by the Ministry of Public Health.

The above shall also apply to non-government hospitals, dispensaries and clinics of physicians licenced to practice medicine in the State of Qatar.

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#### **Article 32**

#### **Article 32**

Books provided for by Articles 20, 21 and 31 shall be kept for five years as from the date of the last entry. Likewise, the medical prescriptions provided for in Article 15 shall be kept for the same duration as from the dates stated therein.

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Article 33 (Amended By Law 1/2006)★

#### **Article 33**

The Tables appended to this Law may be modified by omission or addition or changing the percentages listed therein.

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## **Chapter Eight**

### **Sanctions**

Article 34 (Amended By Law 7/1998)★

#### **Article 34**

Whoever commits the following actions shall be punished by imprisonment for a term up to twenty years and not less than ten years with an

accompanying fine up to three-hundred thousand (300,000) Riyals and not less than one-hundred thousand Riyals:

1. imports, with the intention of traffic in, or exports NDDPS before obtaining the permission provided for in Article 3 therein;
2. produces, extracts, separates or manufactures NDDPS with the intention of traffic thereof;
3. cultivates any one of the plants stated in Schedule 4 or exports or imports thereof; in any stage of their growth, including their seeds, with the intention of traffic in, or traffics therein, in any form other than the situations authorized under this Law,

Recidivists shall be punished with the death sentence or life imprisonment with a fine of not more than five-hundred thousand (500,000) Riyals and not less than three-hundred thousand (300,000) Riyals. In establishing recidivism, account shall be taken of all the judgments handed down by foreign courts carrying a conviction for an offence similar to those provided for in this law. The same penalty shall be applied where the offender was a public official or servant entrusted with combating NDDPS, or supervising their circulation or possession.

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Article 35 (Amended By Law 7/1998) ★

#### Article 35

Whoever commits any of the following actions shall be punished with imprisonment for a term up to fifteen years and not less than seven years with an accompanying fine of up to two-hundred thousand (200,000) Riyals and not less than one-hundred thousand (100,000) Riyals.

1. Possesses, acquires, purchases or sells NDDPS, or one of the plants listed in Schedule 4, or who, delivers, receives, transports, administers, and exchanges thereof; or dispenses such substances in whatever capacity or intermediates in any of such transaction, for commercial purposes, or traffics therein, in any form other than the situations authorized under this Law;
2. Provides, for a consideration, NDDPS for illicit consumption, or facilitates this consumption in situations other than authorized under this Law;
3. Licenced to possess NDDPS to use for a specific purpose(s) and dispenses such substance for a consideration, in any capacity, in any form whatsoever for purposes other than those specified;
4. Manages, prepares or makes ready, for a consideration, a place for the illicit use of NDDPS.

Where the offences covered by subparagraphs (b), (c) and (d) herein are committed without a consideration, the penalty shall be imprisonment for a term up to seven years and not less than three years and a fine of not more than one-hundred thousand (100,000) riyals and not less than (50,000) riyals.

The punishment shall be imprisonment for a term of not more than twenty years and not less than ten years with an accompanying fine of not more than four-hundred thousand (400,000 Riyals) and not less than two-hundred thousand (200,000) Riyals in the case of recidivism. In establishing recidivism, account shall be taken of all the judgments handed down by foreign courts carrying a conviction for an offence similar to those provided for in this law.

The same penalty shall be applied where the offender has taken part in the commission of an offence covered by this article involving a minor under 18 years of age, or where the person to whom the NDDPS was supplied was a minor under 18 years of age, or where the offender was a public official or servant responsible for controlling NDDPS, or supervising the circulation or possession thereof.

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#### Article 36

#### Article 36

The following shall be liable to imprisonment for a term up to ten years and not less than five years with a fine up to two-hundred thousand (200,000) Riyals and not less than one-hundred thousand (100,000) Riyals:

1. A physician who writes and dispatches a medical prescription that facilitates the use by others of NDDPS without medical justification;
1. Anyone who, knowing that a medical prescription is not justified, supplies or helps to supply a NDDPS prescribed therein for any person whatsoever.

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Article 37 (Amended By Law 1/2006) ★

#### Article 37

Whoever imports, possesses, acquires, purchases, receives, transports, produces, extracts, separates or manufactures NDDPS, or who cultivates, possesses or purchases one of the plants listed in Schedule 4, with the intention of illicit consumption or personal use, unless he proves to be permitted to do so pursuant to the provisions of this Law, shall be liable to imprisonment for a term of up to five

years and not less than two years and a fine of not more than one-hundred thousand (100,000) Riyals and not less than fifty-thousand (50,000) Riyals, unless it can be established that he was authorized to do so in accordance with the provisions of this law.

The court may, in lieu of imposing the sentence provided for in the preceding paragraph, order the commitment of the person, whose addiction to NDDPS has been established, to one of the sanatoriums established for this purpose, until such time as the Committee responsible for examining the cases of persons committed to such sanatoriums, to be appointed by decision of the Minister of Public Health, submits a report on his condition to the court, which shall then decide whether he is to be discharged from the sanatorium or to remain committed for a further period(s).

The length of stay in the sanatorium may not be less than three months and not more than one year.

A person may not be committed to a sanatorium if they have already been committed to a sanatorium twice previously, or when less than two years have elapsed since the last episode of treatment in a sanatorium.

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## Article 38

### Article 38

No criminal case shall be filed against a person, taking NDDPS, who *proprio motu* presents himself for treatment. Such patients shall be placed under observation in a sanatorium for a period not exceeding two weeks. If it transpires, that the patient is addicted to narcotics and needs treatment, he shall sign a consent accepting his committal to the sanatorium for a period not exceeding three months. If he is cured within that period, the administration of the sanatorium shall order his discharge.

If, in the opinion of such administration, after the expiry of the observation period the patient still needs treatment, or that he should remain at the sanatorium after the end of the three-month period, and the patient refuses to agree to this in writing, the

sanatorium administration shall submit a report to the committee provided for in article 37 above, which, after hearing the patient, shall decide whether he is to be discharged or kept on at the sanatorium for treatment for a further period(s), provided that the duration of his committal to the sanatorium shall not exceed one year. The administration of the sanatorium shall notify the patient in writing of a decision to extend his committal to the sanatorium within three days of the date on which it is announced. The decision ordering his discharge shall be implemented within twenty-four hours following its issuance.

The patient may appeal the decision extending his committal to the major Criminal Court within 15 days of the date on which he was notified thereof.

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## Article 39 (Amended By Law 7/1998) ★

### Article 39

Either spouse or any of the relatives to the second degree, of a person accused of addiction to NDDPS, may apply to the Public Prosecution section of the Ministry of Interior to commit such spouse or relative to one of the sanatoriums for treatment.

The public prosecution section, if satisfied of the seriousness of the application following due investigation and on considering the report of the committee referred to in Article 37 of this Law, shall commit such spouse or relative to the major Criminal Court to decide on the application, *in camera*. After hearing relevant testimony, considering testimony from the public prosecution section and reviewing the results of any investigations deemed appropriate, the application for treatment may either be dismissed or the subject of the application may be committed to a sanatorium for treatment pursuant to the second and third paragraphs of Article 37 of this Law.

The Court shall take its decision at a closed session, after hearing the two parties to the accusation and the Office of the Public Prosecutor as well as conducting such inquiries as it may wish.

The court may, either *proprio motu*, or upon a request made by the public prosecution section, order the person who is alleged to be addicted to narcotics, to be put under observation in one of the sanatoriums for a period not exceeding two weeks, before deciding on the application for inpatient treatment.

## Article 40

### Article 40

Commitment decisions passed pursuant to the provisions of Articles 37, 38 and 39 shall not be subject to appeal and shall not be deemed to constitute conviction for the purposes of recidivism provisions.

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## Article 41

### Article 41

Whoever possesses, acquires, purchases, delivers, transports, produces, extracts, separates or manufactures NDDPS or one of the plants listed in Schedule 4, for purposes other than trafficking, illicit consumption or personal use, outside

the circumstances permitted by law, shall be punished with imprisonment for a term of up to seven years and not less than three years with an accompanying fine of up to two-hundred thousand (200,000) Riyals and not less than one-hundred thousand (100,000) Riyals.

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Article 41 - (bis) Cancelled (Repealed By Law 1/2006) ★

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## Article 42

### Article 42

Anyone apprehended in any location set up or prepared for the consumption of NDDPS, shall, where such substances are taken with his knowledge, be liable to imprisonment for a term of not more than one year and not less than six months with a fine of not more than ten-thousand (10,000) Riyals and not less than five-thousand (5,000) Riyals.

This provision shall not apply to the husband or wife, or ascendants or descendants, of a person who has set up or prepared such premises or to anyone residing thereof.

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## Article 43

### Article 43

The public prosecution section of the Ministry of Interior may submit a substantiated written application to the major Criminal Court to investigate the actual origin of the property, both real and moveable, of everyone who has imported, exported, transported, distributed, produced, extracted, separated, manufactured, owned, possessed, acquired, sold, bought, delivered, or received NDDPS or any of the plants listed in Schedule 4, or who has exchanged, dispensed thereof in any form whatsoever; or intermediated in any of the above, or who has managed, prepared or made ready a place for the illicit consumption of NDDPS with the intention of trafficking, or traffics therein in situations not permitted by this Law.

This request for investigation shall be submitted to the president of the said court, who shall set a date for the hearing, and who shall notify all the parties concerned.

The investigation shall cover the real and moveable property of the defendant, his spouse and minor children located in and outside the country.

The court, for this purpose shall have all the powers prescribed for the investigation authorities in the Criminal Procedures Law No. 15 of 1971.

The court may deputize one of its members to carry out this investigation.

The procedures, provisions and rules set out in Law No. 15 of 1971, and the Rules of Procedure and Evidence prescribed by the law shall, each within its area of jurisdiction, be observed before the court.

Without prejudice to the rights of *bona fide* third parties, If it is established before the Court that the property of the offender, his spouse or minor children, have been funded by one the acts mentioned herein, the court shall order the confiscation of such property for the interest of the State.

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## Article 44

### Article 44

In all cases, the court shall order the confiscation and requisition of the seized NDDPS, or plants mentioned in Schedule 4.

Without prejudice to the rights of *bona fide* third parties, the tools, equipments, machines and utensils used therein, and transport means that might have been used in committing the offence shall be forfeited.

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## Article 45 (Amended By Law 1/2006)★

### Article 45

NDDPS subject to an order for confiscation shall be destroyed under the supervision of a committee whose composition and rules of procedure shall be determined by a decision of the Minister of Interior. Such committee shall include a representative from the Ministry of Public Health.

The Minister of Interior may, in consultation with the Minister of Public Health, permit the delivery of such NDDPS to government authorities who may use them for regulated industrial or scientific purposes.

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## Article 46

### Article 46

Anyone licensed to trade in, or have in his possession NDDPS, and does not keep the correct documentation provided for in Articles 20, 21 and 31 above, or who deliberately obscures such documentation, or hides it, or makes no entries therein, shall be punished with a fine of not more than twenty-thousand (20,000) Riyals and not less than ten-thousand (10,000) Riyals.

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## Article 47

### Article 47

Whoever commits any other contravention to the provisions of this Law or of the **decisions issued** for enforcement thereof, shall be punished with imprisonment for a term of not more than three months and not less than one month, and/or a fine of not more than ten-thousand (10,000) Riyals and not less than five-thousand (5,000) Riyals.

Closure shall be decreed on contravening the provisions of Article 11 of this Law.

Offenders shall be suspended from practicing the profession for a period which is equivalent in length to the custodial sentence imposed for violating the provisions of Articles 16, 17, 19 and 20 of this Law.

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## Article 48

### Article 48

Every establishment licenced to traffic in, or have possession of NDDPS, or any other uninhabited or non-residential premises, shall be closed if any of the offences provided for in Articles 34 and 35 are committed therein.

Any establishment in which one of the offences provided in Article 41 is committed shall be closed for a period of not more than one year and not less than three months. In cases of proven recidivism within three years of the previous closure decree, the establishment shall be closed permanently.

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## Article 49 (Amended By Law 7/1998)

### Article 49

The execution of a sentence imposed against a recidivist on any of the offences provided for in this Law may not be stayed by any court decree.

In all cases, present judgments decrees shall be executable immediately even if appealed.

The court may order the publication of the final judgment summary in the daily press, at the expense of the convicted person.

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## Article 50

### Article 50

Every offender who voluntarily and proactively informs the public authorities of an offence and offenders before it comes to the knowledge of such authorities shall be pardoned from the punishments prescribed in Articles 34, 35 and 51 in this law.

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## Article 51

### Article 51

Whoever robs with the intention of illicitly using any NDDPS or preparations including NDDPS or any of the plants listed on Schedule 4, in any stage of their growth, or while being transported from a pharmacy, warehouse, pharmaceutical factory, government authority, scientific institute or research center licenced to traffic or deal in NDDPS or cultivation thereof, shall be punished with imprisonment for a term up to ten years and not less than five years.

Punishment shall be imprisonment for a term of up to fifteen years and not less than seven years, if the offence provided for in the preceding paragraph is committed by two or more persons by night or by assaulting any one of the persons in charge of such places, or with the intention of traffic in the stolen substances.

Punishment shall be imprisonment for a term not more than twenty years and not less than ten years, if the assault has resulted in permanent disability or grievous physical deformation that is irreparable or likely to be permanent, or if the offender carries a weapon, or if he is a public servant entrusted with keeping the peace.

Punishment shall be death if the assault resulted in the death of the victim.

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## Article 52

## Article 52

Whoever assaults a public servant entrusted with enforcing this Law or who obstructs them discharging their duty by force and violence, shall be punished with imprisonment for a term up to fifteen years and not less than seven years.

Punishment shall be imprisonment for a term of not more than twenty years and not less than ten years if the assault resulted in permanent disability or lifelong damage or deformation to the victim, or if the offender carried a weapon, or if he is a public servant entrusted with keeping the peace.

Punishment shall be death if the assault resulted in the death of the victim.

Whoever intentionally kills a public servant entrusted with enforcing this Law and who is lawfully discharging his duty shall also be punished with death.

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## Article 53 (Amended By Law 7/1998)

### Article 53

The Heads of the Criminal Investigations, the chief of the Border Guards Force and the officer in charge of the drugs division; aides thereof including: officers and noncommissioned officers, and the staffs of the Customs and Ports Departments, shall have the capacity of Judicial Enforcement Officers regarding the offences provided for in this Law.

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## Article 54

### Article 54

Agricultural engineers of the Agricultural Affairs Department of the Ministry of Municipal and Agricultural Affairs shall have the capacity of Judicial Enforcement Officers in all matters pertaining to offences committed which contravene the provisions of Chapter V1 of this Law.

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## Article 55 (Amended By Law 1/2006)

### Article 55

Physicians and pharmacists staff of the Ministry of Public Health appointed by the Minister of Public Health, may enter the premises, stores and warehouses suspected of trafficking in NDDPS. They may also enter pharmacies, hospitals, sanatoriums, dispensaries, clinics, medicine factories, chemical, industrial analysis laboratories, and recognized scientific institutes to ensure compliance with the provisions of this Law. They shall, furthermore, be allowed to examine the registers and documentation concerning such NDDPS. They shall have the capacity of Judicial Enforcement Officers in respect of offences provided for in this Law that occur in the said places, and they may be escorted by policemen to assist them in the discharging of their duties.

Judicial Enforcement Officers may be accompanied by one of the staff of the Ministry of Public Health referred to in the preceding paragraph when searching the places referred to in the aforementioned paragraph.

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## Article 56

### Article 56

Judicial Enforcement Officers provided for in this Law shall uproot any cultivation prohibited by the provisions therein, seize and collect leaves and seeds thereof, at the expense of the offender. The confiscated material shall be kept in the stores of the Department of Agricultural Affairs of the Ministry of Industry and Agriculture for the trial until a final decision is reached in the ensuing criminal case.

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### Article 57

A General Registry shall be established at each of the Ministries of Public Health and Interior in which shall be entered the individuals and organizations licenced to import, export, transport, traffic in, manufacture, possess or keep NDDPS or cultivate one of the plants stated in Schedule 4. The Registry shall contain the following information:

1. Name of the person and his nationality, or the organization's name and address.
  2. Details of licensing, date of issuance, type and reason thereof.
  3. Name of the licenced narcotic drug or dangerous psychotropic substance in full, nature, percentage concentration and quantity thereof.
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### Article 58

The manner of handling NDDPS in hotels, sanatoriums, dispensaries and units of the Ministry of Public Health, whether public or private, shall be regulated by the Minister of Public Health.

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### Article 59

The Minister of the Interior shall, in consultation with the Ministers of Finance, Petroleum Resources and Public Health, issue a decision setting forth regulations for the payment of a financial reward to anyone who provides information leading to, contributes to, facilitates, or participates in, the seizure of narcotic drugs or dangerous psychotropic substances.

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### Article 60

The Ministry of Public Health shall establish sanatorium(s) for the treatment of persons addicted to NDDPS.

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### Article 61

The Minister of Public Health may delegate to the Undersecretary some of the powers vested in him under this law.

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**Article 62**

The decisions as may be required for the enforcement of the present law shall be issued by the competent minister in accordance with the provisions of the present law.

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**Article 63****Article 63**

Decree-Law No. 28 of 1966 on "Combating Narcotic Drugs and Regulating their Uses and Trafficking" as amended by Law No. 20 of 1971, Law No. 1 of 1983 and Decree Law No. 5 of 1986 and any provision inconsistent with the provisions of this law, shall hereby be repealed.

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**Article 64****Article 64**

All competent authorities, each within its jurisdiction, shall implement this Law. It shall come into force after sixty days from its publication in the *Official Gazette*.

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