



## LAW OF MONGOLIA

November 28, 2002

Ulaanbaatar city

### ON CONTROL OF THE CIRCULATION OF DRUGS AND MENTAL DRUGS

#### CHAPTER ONE General grounds

##### **Article 1 The purpose of the law**

1.1. The purpose of this law is to control the circulation of narcotic drugs and psychotropic substances, and to regulate relations related to the protection of public health and gene pool from the harm of this type of substance and prevention.

##### **Article 2. Legislation to control the circulation of narcotic drugs and psychotropic substances**

2.1. Legislation on controlling the circulation of narcotic drugs and psychotropic substances shall consist of the Constitution, the Law on National Security, the Law on Drugs and Medical Devices, this law and other legislative acts enacted in conformity with them.

/ This part was amended according to the law dated May 26, 2011 /

2.2. If an international treaty to which Mongolia is a party provides otherwise than this law, the provisions of the international treaty shall prevail.

##### **Article 3 Legal terminology**

3.1. The following terms used in this law shall have the following meanings:

3.1.1. "Narcotic drugs and psychotropic substances" are addictive and have other strong effects on the psyche. drugs, natural and synthetic preparations to be controlled in Mongolia in accordance with

3.1.2. "Circulation of narcotic drugs and psychotropic substances" means preparation, distribution, sale, use, transportation, storage, destruction of narcotic drugs, psychotropic substances and their raw materials, transit through the territory of Mongolia and transit through the territory of the country activities specified in this law and other legislation;

3.1.3. "Manufacture of narcotic drugs and psychotropic substances" means collection, planting, harvesting, purification, processing and conversion of narcotic plants growing in nature in the form of finished products and raw materials;

3.1.4. "Raw materials for narcotic drugs and psychotropic substances" means plants used for production and processing of narcotic drugs and psychotropic substances specified in the legislation and international treaties to which Mongolia is a party and subject to drug control;

3.1.5. "Drug addiction" means a mental illness related to drugs.

#### CHAPTER TWO

##### Circulation and control of narcotic drugs and psychotropic substances

##### **Article 4. Production, use and application of narcotic drugs, psychotropic substances and their raw materials**

/ The title of the above Article 4 was amended by the law in 5 May 2011 /

The following organizations may use narcotic drugs, psychotropic substances and their raw materials for the following purposes:

4.1.1. Medical and research organizations for the purposes of treatment, analysis and research;

[/ This part was amended according to the law dated May 26, 2011 /](#)

4.1.2. An organization responsible for monitoring the illicit trafficking of narcotic drugs and psychotropic substances for the purpose of conducting laboratory tests and conducting training;

4.1.3. An organization authorized to conduct executive work for the purpose of making comparisons, prevention, suppression and detection of crimes and violations;

[/ This part was amended according to the law dated May 26, 2011 /](#)

4.1.4. Organizations and business entities licensed to produce and export psychotropic substances and their raw materials in case of cultivation of medicinal plants.

/ This provision was added by the law in 5 May 2011 /

4.2. The drug can be used by patients who have received a prescription for the use of narcotic and psychotropic drugs.

4.3. The Government shall approve the list and procedures for the use of narcotic drugs, psychotropic substances and organizations for analytical and research purposes.

#### **Article 5. Drugs and psychotropic substances**

5.1. Narcotic drugs and psychotropic substances to be used for therapeutic purposes shall be issued with a prescription that meets the requirements of the state standard.

5.2. Aimag and capital city health departments shall determine the number and location of pharmacies authorized to serve drugs taking into account the population.

[/ The above Article 5 was re-edited by the Law of May 26, 2011 /](#)

#### **Article 6. Smuggling of drugs, psychotropic substances and their raw materials across the border of Mongolia**

6.1. Organizations and business entities licensed in accordance with the legislation shall allow narcotic drugs, psychotropic substances and their raw materials to cross the border of Mongolia.

6.2. Exporters and importers shall enter into a mutual agreement before importing narcotic drugs, psychotropic substances and their raw materials across the border of Mongolia.

6.3. Narcotic drugs, psychotropic substances and their raw materials shall be imported across the border of Mongolia on the basis of agreements and licenses concluded between the exporters and importers.

/ This part was amended according to the law dated May 26, 2011 /

6.4. Drugs, psychotropic substances and their raw materials shall be imported through a specially designated border crossing point based on the license specified in 6.3 of this Law.

6.5. Each time drugs, psychotropic substances and their raw materials are crossed the border of Mongolia, the specialized border inspection service shall notify the central specialized inspection body within 7 days.

[/ This part was amended according to the law dated May 26, 2011 /](#)

6.6. The Central Customs Administration shall approve and enforce special procedures for control over the entry of narcotic drugs, psychotropic substances and their raw materials across the border of Mongolia.

#### **Article 7 Storage and disposal of drugs, psychotropic substances and their raw materials**

7.1. Drugs, psychotropic substances and their raw materials shall be stored in appropriate premises and warehouses, and the packaging shall be made without compromising its integrity.

7.2. Drugs, psychotropic substances, their raw materials and preparation equipment shall be destroyed in the following cases:

7.2.1. If it was found to be used illegally during the inspection activities of the authorized organization and does not meet the quality requirements for further use;

7.2.2. Used for treatment, analysis and research purposes or stored in reserve, but expired and lost its quality;

7.2.3. The packaging does not have a label or name.

7.3. The Government shall approve the procedure for storage and destruction of narcotic drugs, psychotropic substances, their raw materials and equipment for their preparation.

#### **Article 8. Licensing of production and sale of narcotic drugs and psychotropic substances**

It is prohibited to produce, sell, use and use narcotic drugs and psychotropic substances in the territory of Mongolia for purposes other than those specified in 4.1 and 4.2 of this Law.

8.2. The state administrative body in charge of drug matters shall issue a license for the production and sale of narcotic and psychotropic drugs, substances and their raw materials to drug supply organizations.

8.3. A license to use and import chemicals used in the production of narcotic drugs and psychotropic substances for the purposes specified in 4.1 of this Law shall be issued in accordance with Article 15.6.3 of the Law on Licensing of Business Activities.

8.4. An organization or business entity wishing to obtain a license specified in 8.2 of this Law shall have a warehouse that meets the requirements and special conditions for storage of narcotic drugs and psychotropic substances, and a professional inspection body shall issue an opinion on the warehouse.

8.5. A license for preparation, production and sale of narcotic drugs, psychotropic substances and their raw materials shall be issued for a period of three years.

8.6. Relations related to the issuance, suspension and revocation of a license other than those specified in this law shall be regulated by the Law on Licensing of Business Activities and the Law on Health.

/ The above Article 8 was re-edited by the Law of May 26, 2011 /

#### **Article 9. Report on the use and consumption of narcotic drugs and psychotropic substances and their raw materials**

9.1. The state administrative center in charge of health shall submit a report on preparation, production, import, use, consumption and consumption of narcotic drugs and psychotropic substances and their raw materials before November 15 of each year. organizations, the central police and the National Committee specified in Article 14.5 of this Law.

/ This part was amended according to the law dated May 26, 2011 /

### **CHAPTER THREE Prevention of Harm from Drugs and Psychotropic Substances**

#### **Article 10. A common role in prevention**

10.1. The organization specified in Article 14 of this Law shall have a general duty to protect and prevent the health of the population and the gene pool from the harm of narcotic drugs and psychotropic substances.

10.2. Organizations, business entities and citizens operating in the territory of Mongolia shall provide all possible support to prevent the harm of narcotic drugs and psychotropic substances.

#### **Article 11 Advertising on the prevention of harm from drugs and psychotropic substances**

11.1. State central and local administrative organizations, as well as health, media, culture, science, education institutions and organizations to prevent the harm of narcotic drugs and psychotropic substances shall be informed about the dangers of narcotic drugs and psychotropic substances. A non-governmental organization shall be responsible for conducting advertisements.

11.2. The harm and prevention of narcotic drugs and psychotropic substances shall be specified in the curriculum of secondary and high school.

11.3. Liability for smuggling narcotic drugs and psychotropic substances across the state border shall be written in Mongolian, Russian, Chinese and English in the Customs declaration.

11.4. There is a special memorandum on the packaging of drugs, psychotropic substances and their raw materials warning of its dangers.

11.5. It is responsible for disseminating propaganda materials prepared and reviewed by the competent authorities on the harmful effects of narcotic drugs and psychotropic substances to the media, regardless of the form of ownership.

#### **Article 12 Treatment of drug addicts**

If a person addicted to drugs requests voluntary medical treatment, he / she shall be treated as usual.

A person who has been identified as a drug addict by a medical institution but has avoided treatment shall be compulsorily treated by a court decision.

#### **Article 13 Prohibitions**

13.1. In order to prevent harm from narcotic drugs, psychotropic substances and their raw materials, the following activities are prohibited:

13.1.1. To send narcotic drugs, psychotropic substances and their raw materials by post;

13.1.2. To teach methods of preparation and use of narcotic drugs, psychotropic substances and their raw materials, to distribute cassettes, books, brochures and printed pictures promoting movies, audio and video recordings, and to use mass media and computer networks to advertise;

[/ This part was amended according to the law dated May 26, 2011 /](#)

13.1.3. to dispense narcotic and psychotropic drugs without a prescription or with an invalid prescription, as well as in excess of the quantity and amount specified in the prescription;

/ This part was amended according to the law dated May 26, 2011 /

13.1.4. To act on narcotic drugs and psychotropic substances other than those included in the list for use in treatment;

[/ This part was amended according to the law dated May 26, 2011 /](#)

13.1.5. To allow a citizen to bring narcotic drugs, psychotropic substances and their raw materials across the border of Mongolia;

13.1.6. To use narcotic drugs, psychotropic substances and their raw materials without a doctor's instruction or prescription;

/ This part was amended according to the law dated May 26, 2011 /

13.1.7. To replace drugs, psychotropic substances and their raw materials with other similar items specified in the bilateral agreement and to allow them to cross the Mongolian border in excess of the permitted quantity and quantity;

13.1.8. To import, export, produce, sell, store and import narcotic drugs, psychotropic substances and their raw materials without a license;

/ This part was amended according to the law dated May 26, 2011 /

13.1.9. To sell or distribute narcotic drugs, psychotropic substances and their raw materials to minors;

13.1.10. To produce, sell and store narcotic drugs, psychotropic substances and their raw materials in the territory where general education schools, kindergartens and other children's organizations are located.

#### **Article 14 Monitoring illicit trafficking in narcotic drugs and psychotropic substances**

14.1. The specialized inspection agency shall monitor the registration, distribution, production, consumption, storage, trade and consumption of narcotic drugs and psychotropic substances in accordance with the procedures set forth in the law and the extraction of raw materials and plants and take measures to eliminate the revealed violations.

/ This part was amended according to the law dated May 26, 2011 /

~~The state administrative body in charge of nature and environment shall monitor the extraction of narcotic drugs and psychotropic substances.~~

[/ This part was annulled by the law in 5 May 2011 /](#)

14.3. Customs and border control authorities shall be obliged to stop the smuggling of narcotic drugs, psychotropic substances and their raw materials across the border of Mongolia.

14.4. Police, intelligence, border control and other relevant organizations shall take measures to stop the illicit trafficking of narcotic drugs, psychotropic substances and their raw materials, to detect and prevent such violations and crimes within the powers specified in the legislation.

14.5. The National Committee shall be responsible for coordinating the preventive activities of the organizations specified in Articles 14.1-14.4 of this Law, reducing inappropriate use of drugs and psychotropic substances, controlling their circulation, creating a legal environment and developing international relations. The National Committee shall have a full-time office.

/ This part was amended according to the law dated May 26, 2011 /

14.6 The Government shall determine the composition and working procedures of the National Committee specified in Article 14.5 of this Law.

/ This part was amended according to the law dated May 26, 2011 /

#### **Article 15 Support the fight against the harmful effects of drugs and psychotropic substances**

15.1. Funds necessary for the state organization authorized to prevent and control the illicit trafficking in narcotic drugs, psychotropic substances and their raw materials shall be allocated from the state budget.

15.2. The state shall provide appropriate support and discounts for training animals and providing them with control and laboratory testing equipment for the purpose of stopping, preventing and detecting illicit trafficking in narcotic drugs, psychotropic substances and their raw materials.

#### **CHAPTER FOUR Other**

##### **Article 16. Liability for violators**

16.1. If the actions of an official violating this Law are not of a criminal nature, he / she shall be subject to liability specified in the Civil Service Law.

A person or legal entity that violates this Law shall be subject to liability specified in the Criminal Code or the Law on Violations.

/ This article was amended according to the law dated December 04, 2015 /

##### **Article 17 Liquidation of a legal entity**

~~17.1. A legal entity that engages in financial and economic activities knowing that the proceeds of illicit trafficking in narcotic drugs, psychotropic substances and their raw materials are clearly illegal shall be liquidated by a court decision in accordance with the legislation of Mongolia.~~

~~/ This article was repealed by the law in 4 December 2015 /~~

##### **Article 18 Make state revenue**

18.1. Drugs, psychotropic substances and their raw materials imported across the border of Mongolia shall be confiscated if they exceed the type, quantity and amount specified in the agreement issued by the exporting and importing parties with the permission of the competent state organization and turned into state revenue in accordance with legislation.

18.2. Income from illicit trafficking in narcotic drugs, psychotropic substances and their raw materials shall be confiscated and turned into state revenue in accordance with the procedures specified in the legislation.

18.3. The confiscated and found narcotic drugs, psychotropic substances, raw materials and equipment for their preparation, processing and production shall be used as state revenue and concluded at the request of the organization specified in 8.2 of this law. can be.

**CHAIRMAN OF THE PARLIAMENT OF MONGOLIA S.TUMUR-OCHIR**