Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:
11 June 1998 [shall come into force from 15 July 1998];
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If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima* [1] has adopted and
the President has proclaimed the following law:

# Law on the Legal Trade of Narcotic and Psychotropic Substances and Medicinal Products, and also Precursors

[*6 June 2019*]

## Chapter I
## General Provisions

**Section 1.** Terms used in the Law:

1) **trade** – the import, export, transit, manufacture, preparation, distribution, research and development of narcotic and psychotropic substances and medicinal products;

2) **export** – the physical movement of narcotic and psychotropic substances and medicinal products from the territory of Latvia to the territory of another country by taking them out of the territory of Latvia;

3) **import** – the physical movement of narcotic and psychotropic substances and medicinal products from the territory of another country to the territory of Latvia;

4) **distribution** – the purchase, storage, supply, movement across the State border (import, export, transit), sale, or transfer for use for a charge or free of charge, of narcotic and psychotropic substances and medicinal products;

5) **the consignee** – a natural or legal person to whom a shipment of plants, substances or medicinal products included in the lists of narcotic substances, psychotropic substances and precursors controlled in Latvia is delivered. Such person need not be the user of the plants, substances or medicinal products received;

6) **narcotic and psychotropic medicinal products** – medicinal products in the composition of which narcotic and psychotropic substances are included;

7) **narcotic substance** – any natural or synthetic substance which has been classified in accordance with the Single Convention on Narcotic Drugs of 30 March 1961 and with the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 30 March 1961 and included in the lists of narcotic substances, psychotropic substances and precursors controlled in Latvia;

[1] The Parliament of the Republic of Latvia

8) **illicit trade** (illicit traffic) – any activities with narcotic and psychotropic substances and medicinal products that are not in compliance with the provisions of this Law;

9) [11 May 2006];

10) **psychotropic substance** – any natural or synthetic substance which has been classified in accordance with the Convention on Psychotropic Substances of 21 February 1971 and included in the lists of narcotic substances, psychotropic substances and precursors controlled in Latvia;

11) **transit** – transportation of narcotic or psychotropic substances and medicinal products through the territory of Latvia if Latvia is neither the exporter nor the importer of such substances and medicinal products;

12) **preparation** – activity as a result of which narcotic or psychotropic substances and medicinal products may be obtained and which includes purification as well as the transformation of narcotic and psychotropic substances into other substances;

13) **new psychoactive substance** – a new narcotic substance in pure form or in a preparation (contains one or several new psychoactive substances) which has not been listed in accordance with the Single Convention on Narcotic Drugs of 30 March 1961 (amended under the Protocol of 1972) and could cause health or social risks that are equivalent to those created by substances included in Schedule I, II or IV of the abovementioned convention, or a new psychotropic substance in pure form or in a preparation which has not been listed in accordance with the Single Convention on Psychotropic Substances of 21 February 1971 and could cause health or social risks that are equivalent to those created by substances included in Schedule I, II, III or IV of the abovementioned convention;

14) **precursors (scheduled substances)** – substances which may be used for illicit preparation of narcotic or psychotropic substances and which correspond to Article 2(a) of Regulation (EC) No 273/2004 of the European Parliament and of the Council of 11 February 2004 on drug precursors (hereinafter – Regulation No 273/2004) and Article 2(a) of Council Regulation (EC) No 111/2005 of 22 December 2004 laying down rules for the monitoring of trade between the Community and third countries in drug precursors (hereinafter – Regulation No 111/2005);

15) **precursor operator** – a natural or legal person corresponding to Article 2(d) of Regulation No 273/2004 or Article 2(f) of Regulation No 111/2005;

16) **precursor user** – a natural or legal person corresponding to Article 2(h) of Regulation No 273/2004.

[*11 June 1998; 19 June 2003; 11 May 2006; 17 October 2013; 6 June 2019*]

**Section 2.** (1) The purpose of this Law is to prescribe the procedures for the legal trade of narcotic and psychotropic substances and medicinal products, and also precursors, and to prevent such substances, medicinal products and precursors from being introduced in illicit trade, and also to lay down liability for violations of this Law.

(2) This Law shall stipulate the legal trade of precursors insofar as it is not stipulated by the Regulation No 273/2004, Regulation No 111/2005, Commission Delegated Regulation (EU) 2015/1011 of 24 April 2015 supplementing Regulation (EC) No 273/2004 of the European Parliament and of the Council on drug precursors and Council Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Union and third countries in drug precursors, and repealing Commission Regulation (EC) No 1277/2005, and Commission Implementing Regulation (EU) 2015/1013 of 25 June 2015 laying down rules in respect of Regulation (EC) No 273/2004 of the European Parliament and of the Council on drug precursors and of Council Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Union and third countries in drug precursors.

[*6 June 2019*]

## Chapter II
## Classification of Narcotic and Psychotropic Substances

**Section 3.** (1) Plants, substances and medicinal products, which have been classified by or in accordance with international conventions as narcotic or psychotropic substances and medicinal products, or which may be used for the illicit preparation of such substances or medicinal products, and also any other plants, substances or medicinal products with a similar pharmacological effect the abuse of which may endanger health, depending on the degree of risk from the abuse of such plants, substances and medicinal products, shall be included in the lists of narcotic substances, psychotropic substances and precursors controlled in Latvia.
(2) The Cabinet shall approve the lists of narcotic substances, psychotropic substances and precursors controlled in Latvia on the basis of a recommendation of the Ministry of Health. Schedule I shall include prohibited especially dangerous narcotic substances and also psychotropic substances and plants equivalent thereto. Schedule II shall include very dangerous narcotic substances and also psychotropic substances and medicinal products equivalent thereto which may be used for medical and scientific purposes. Schedule III shall include dangerous psychotropic substances and medicinal products which are subject to abuse.
(3) The botanical names shall be indicated for plants, and for substances and medicinal products – their international non-patented names – or, if such do not exist – their chemical names. Mixtures of substances and medicinal products the composition of which has substances included in the Schedules shall be subject to the same control measures as for the substances that are in the composition thereof. If a mixture of substances or the composition of a medicinal product contains several substances included in Schedules, the control conditions which are applicable to the more strictly controlled substance contained in such mixture or medicinal product shall be applied.
[*19 June 2003; 11 May 2006; 6 June 2019*]

**Section 4.** (1) Medicinal products or other mixtures which contain any of the substances included in Schedules II or III, but do not create any, or create a minimal possibility for their abuse because the substances in their composition are not readily separable in such amounts as are subject to abuse, may be exempted, according to a decision of the Ministry of Health, from specific control measures provided for by this Law. This decision shall specify the control measures from which the medicinal products or other mixtures are exempted.
(2) By a decision of the Centre for Disease Prevention and Control, the preparation, purchase, use, storage, transportation, transfer or distribution of such new psychoactive substances or products containing them, which are not included in the lists of narcotic substances, psychotropic substances and precursors controlled in Latvia and regarding which information has been obtained from the European Early Warning System or an opinion on new psychoactive substances has been received from a forensic expert-examination institution, may be prohibited or restricted for a time period of up to 12 months from the day of entering into effect of the decision. The decision shall enter into effect on the day following publication thereof in the official gazette *Latvijas Vēstnesis*.
(3) A natural or legal person shall hand over new psychoactive substances or products containing them the trade of which has been prohibited or restricted by the decision referred to in Paragraph two of this Section to the State Police within three working days after the day when the decision came into effect. Upon establishing that in a specific movable or immovable property unauthorised preparation, storage, transportation or sale of new psychoactive substances or products containing them has taken place, the State Police shall inform the owner of such fact in writing.
(4) Storage of such new psychoactive substances or products containing them the trade of which has been prohibited or restricted by the decision referred to in Paragraph two of this Section shall be ensured by the State Police or investigating institution which has seized the new

psychoactive substances or products containing them within the scope of criminal proceedings (hereinafter – the investigating institution).
(5) If the new psychoactive substances are included in any of the lists of narcotic substances, psychotropic substances and precursors controlled in Latvia, the investigating institution shall take the decision to destroy such substances or products containing them. Enforcement of the abovementioned decision shall be ensured by the State Police, applying the procedures laid down in the legal act regarding actions involving material evidence and seized property.
(6) If the new psychoactive substances are not included in the lists of narcotic substances, psychotropic substances and precursors controlled in Latvia, the State Police or investigating institution shall take the decision to return such substances or products containing them to the owner or lawful possessor thereof. The State Police or investigating institution shall notify the owner or lawful possessor thereof, concurrently informing of the destruction of the new psychoactive substances or products containing them if the owner or lawful possessor has not withdrawn them within two months from the day of sending the notice. The State Police or investigating institution shall return the new psychoactive substances or products containing them to the owner or lawful possessor or destroy them, drawing up a deed thereon.
(7) The decision referred to in Paragraph two of this Section may be contested to the Ministry of Health in accordance with the procedures laid down in the Administrative Procedure Law. Contesting of the decision shall not suspend its validity.
(8) The decision of the Ministry of Health on the contested decision referred to in Paragraph two of this Section may be appealed in accordance with the procedures laid down in the Administrative Procedure Law. Appeal of the decision shall not suspend its validity.
[*11 May 2006; 17 October 2013; 21 November 2019*]

## Chapter III
## Prohibited Plants, Substances and Medicinal Products Included in Schedule I

**Section 5.** The plants, substances and medicinal products included in Schedule I may not be cultivated, manufactured, prepared, imported, exported, distributed, advertised, transported, stored, transferred for a charge or free of charge, purchased and used, and also sent through the territory of Latvia.
[*19 June 2003*]

**Section 6.** (1) Cultivation of opium poppies (*Papaver somniferum*), coca bushes (*Erythroxylum*) and cannabis indica plants (*Cannabis sativa* subsp. *indica*) is prohibited in Latvia. It shall be the obligation of the owner or lessee of the land used for agricultural or other purposes to destroy opium poppies growing on their land.
(2) Cannabis sativa plants (*Cannabis sativa* subsp. *sativa*) may be cultivated for industrial needs as well as for horticultural purposes. When cultivating cannabis sativa for industrial purposes, only certified seeds of the varieties included in the Common catalogue of agricultural plant species of the European Union or officially examined seeds of hemp varieties to be maintained may be used. The cannabis sativa may be cultivated only in open fields (they may not be cultivated in rooms and closed areas – in greenhouses or beneath a cover). It shall be the obligation of the owner or lawful possessor of land to destroy cannabis growing in his or her territories that is prohibited to be cultivated in accordance with this Law.
[*11 May 2006; 3 May 2007; 6 June 2019; 17 June 2020*]

**Section 7.** In cases where plants, substances and medicinal products included in Schedule I, II or III are required for medical and veterinary medical scientific research, for the determination of physical and chemical properties or for educational purposes, persons may receive the permit issued by the State Agency of Medicines for the cultivation of plants included in Schedules I, II and III or for the trade of substances and medicinal products included in Schedules I, II and

III. The procedures for issuing, suspending and cancelling the permits, and also the requirements the fulfilment of which shall be ensured by the permit holder when receiving, purchasing, using, storing, recording and destroying plants, substances and medicinal products included in Schedules I, II and III shall be determined by the Cabinet.
[*11 May 2006*]

**Section 7.**[1] (1) In the cases when the substances included in Schedules II and III and their derivatives, isomers, structural analogues, active metabolites, esters, ethers, and salts (also salts of isomers, structural analogues, active metabolites, esters, and ethers) are needed for use in the industrial sector, except for use for pharmaceutical purposes, the person shall receive the permit of the State Agency of Medicines for the trade of these substances.
(2) List of those substances included in Schedules II and III and their derivatives, isomers, structural analogues, active metabolites, esters, ethers, and salts (also salts of isomers, structural analogues, active metabolites, esters, and ethers) which in accordance with Paragraph one of this Section may be used in industrial sector, except for pharmaceutical purposes, shall be approved by the Cabinet.
(3) The Cabinet shall determine the procedures for the issuing, suspension and cancellation of the permit referred to in Paragraph one of this Section and also the requirements the fulfilment of which shall be ensured by the permit holder when receiving, purchasing, using, storing, recording and destroying the substances included in the list approved by the Cabinet and referred to in Paragraph two of this Section.
[*6 June 2019*]

## Chapter IV
## Licensing of Activities with Substances and Medicinal Products Included in Schedules II and III

**Section 8.** In respect of substances and medicinal products included in Schedules II and III, the same conditions shall apply as are prescribed for substances and medicinal products used in medicine and veterinary medicine, to the extent they are not in contradiction to this Law.

**Section 9.** (1) Activities with substances and medicinal products included in Schedules II and III may only be performed at a pharmacy, medicinal product wholesaler and medicinal product manufacturing undertaking following the receipt of the special permit (licence) for pharmaceutical or veterinary pharmaceutical activities which indicates that activities with psychotropic substances and medicinal products or narcotic and psychotropic substances and medicinal products are permitted.
($1^1$) The manufacturer, importer or distributor of active substances shall perform activities with the substances included in Schedules II and III only when it has received the special permit (licence) for the manufacture, import or distribution of active substances which indicates that activities with narcotic and psychotropic substances are permitted. The persons who have received the special permit (licence) for pharmaceutical or veterinary pharmaceutical activities in the manufacture of medicinal products and veterinary medicinal products which indicates that activities with narcotic and psychotropic substances are permitted do not need the abovementioned licence.
(2) The activities provided for in the licence shall be performed only on the premises specified in the licence.
[*30 March 2000; 11 May 2006; 6 June 2019*]

**Section 10.**
[11 May 2006]

**Section 11.** The permit referred to in Section 7 or the licence referred to in Section 9 of this Law shall be issued only if:

1) the legal person in accordance with the requirements of laws and regulations has appointed the official responsible for the trade of narcotic and psychotropic substances and medicinal products who is not ill with a mental illness, addicted to alcoholic, narcotic, psychotropic or toxic substances;

2) the founders and partners as well as the officials of the legal person have not been convicted for the committing of a criminal offence, and also have not been administratively punished for the offences related to the trade in narcotic and psychotropic substances and precursors;

3) the natural person is not ill with a mental illness, addicted to alcoholic, narcotic, psychotropic or toxic substances and has not been convicted for the committing of a criminal offence, and also has not been administratively punished for the offences related to the trade in narcotic and psychotropic substances and precursors.

[*19 June 2003; 11 May 2006*]

**Section 12.** (1) The procedures for issuing, re-registering, suspending, renewing and cancelling the special permit (licence) referred to in Section 9 of this Law shall be determined by the Cabinet.

(2) Licensed persons shall, in accordance with the procedures laid down in laws and regulations, notify the State Agency of Medicines of the changes in the nomenclature, methods of manufacture, the form and composition of substances and medicinal products to be manufactured and included in Schedules II and III.

[*30 March 2000; 19 June 2003; 11 May 2006; 28 October 2010; 29 November 2012*]

**Section 13.** Operations of a licensed person with substances or medicinal products included in Schedules II and III may be performed in the territory of Latvia only by such natural or legal persons to whom the licence or permit has been issued for the relevant activities.

[*11 May 2006*]

**Section 14.** (1) The decision to issue, to refuse to issue or to re-register the special permit (licence) and the decision to suspend, renew or cancel the special permit (licence) shall be taken by the State Agency of Medicines. The contesting or appealing of the decision of the State Agency of Medicines to suspend or cancel a special permit (licence) shall not suspend its validity.

(2) The State Agency of Medicines shall maintain and update a database and in accordance with the procedures laid down in laws and regulations shall provide information on the companies that have received the special permit (licence) referred to in Section 9.

[*19 June 2003; 11 May 2006; 28 October 2010; 29 November 2012*]

**Section 14.[1]** (1) The State Agency of Medicines shall, within 90 days after receipt of the submission, take the decision to issue the special permit (licence) for the manufacture or import of medicinal products or veterinary medicinal products, manufacture or import of active substances or for the opening (operation) of a wholesaler which shall indicate that activities with psychotropic substances and medicinal products or narcotic and psychotropic substances and medicinal products are permitted, or to refuse to issue the licence.

(2) The State Agency of Medicines shall, within 30 days or – in exceptional cases – within 90 days after receipt of the submission, take the decision to re-register the special permit (licence) for the manufacture or import of medicinal products or veterinary medicinal products which indicates that activities with psychotropic substances and medicinal products or narcotic and psychotropic substances and medicinal products are permitted if it is necessary to make changes in the information:

1) regarding manufactured or imported medicinal products, pharmaceutical forms, the place where they are manufactured or controlled, and also regarding the qualified person;

2) regarding the premises intended for the manufacture of medicinal products or import activities, regarding the technical equipment and control possibilities in the manufacture, quality control and storage process of medicinal products;

3) in relation to investigational medicinal product – regarding the types and forms of investigational medicinal products to be manufactured or imported, manufacture and import activities and manufacture process (as in cases with deactivation of viruses or non-traditional agents), and also regarding the place where the investigational medicinal products are manufactured, regarding the premises intended for the manufacture of investigational medicinal products or import activities, regarding technical equipment and control possibilities in the manufacture, quality control and storage process of investigational medicinal products, and regarding the qualified person.

[*29 November 2012; 6 June 2019*]

**Section 15.** The decision to suspend or cancel a licence shall not release the person from administrative or criminal liability for the violation of this Law.

## Chapter V
## Control of Manufacture, Import and Export of Substances and Medicinal Products Included in Schedules II and III

**Section 16.** (1) The State Agency of Medicines shall perform an analysis of the estimated consumption of narcotic and psychotropic substances and medicinal products and on the basis thereof prepare and submit an annual consumption quota of narcotic and psychotropic substances and medicinal products to the UN International Narcotics Control Board for approval.

(2) The State Agency of Medicines shall compile and submit to the UN International Narcotics Control Board quarterly and annual statistical reports on the trade of narcotic and psychotropic substances.

(3) The State Agency of Medicines shall provide reports to the UN International Narcotics Control Board on such orders or operations which could divert narcotic and psychotropic substances and medicinal products into illicit trade.

(4) The State Police shall prepare a quarterly report on the confiscated and detained narcotic and psychotropic substances and submit it to the State Agency of Medicines until the 20$^{th}$ day of the following month.

[*11 June 1998; 11 May 2006; 28 October 2010*]

**Section 17.** Only the persons to whom the licence referred to in Section 9 of this Law has been issued may engage in the international trade in the substances included in Schedules II and III and the substances included in the list referred to in Section 7.$^{1}$, Paragraph two of this Law, but in the cases when the respective substances are intended to be used in the industrial sector, except for pharmaceutical purposes, also the persons who have received the permit referred to in Section 7.$^{1}$, Paragraph one of this Law may engage in the international trade thereof, except for transit.

[*6 June 2019*]

**Section 18.** Substances and medicinal products included in Schedules II and III may be imported and exported only with a single-use permit issued by the State Agency of Medicines which corresponds to the requirements of the Commission on Narcotic Drugs of the UN Economic and Social Council.

[*11 June 1998; 11 May 2006*]

**Section 19.** (1) The intended activities, the relevant licence number, the importer and exporter, their addresses, details of the consignee, the international non-patented name of each substance or the name given in the schedules of international conventions, the pharmaceutical form and the patented name thereof, if any, the amount of the substances and medicinal products, the mode of transportation or shipment, and the place and time of crossing the border shall be indicated in the applications for an import or export permit.
(2) Together with an export application, an import permit issued by a competent authority of the importing country shall be submitted if such is provided for by the laws of the respective country.
[*11 May 2006*]

**Section 20.** An import or export permit shall include the same information which is specified in the relevant application, and the period of validity of the permit. An import permit shall specify whether the import consignment consists of a single consignment or several lots. Where necessary, an export permit shall include the number and the date of issuance of the relevant import permit, thereby confirming the import permit for the substances or medicinal products.

**Section 21.** (1) For each consignment to a country which is not a European Union Member State or European Economic Area country four copies of the import or export permit shall be required.
(2) The client shall send one copy of the import permit to the exporter, submit the second copy to the customs office of entry together with a customs declaration, and the customs authority shall send it together with endorsements regarding the actual amount of imported substances or medicinal products to the State Agency of Medicines, the client shall attach the third copy to the consignment and after completion of the import transaction shall indicate on the fourth copy of the permit the actual amount of imported substances and medicinal products, the date and submit it to the State Agency of Medicines.
(3) The client shall submit one copy of the export permit to the customs office of exit together with a customs declaration and the customs authority shall send it with endorsements regarding the actual amount of exported substances or medicinal products to the State Agency of Medicines, the client shall attach the second copy to the consignment, the State Agency of Medicines shall send the third copy to the competent authority of the importing country and the fourth copy shall be issued to the client who after completion of the export transaction shall indicate the actual amount of exported substances and medicinal products, the date and submit it to the State Agency of Medicines.
[*19 June 2003; 11 May 2006*]

**Section 21.[1]** (1) For each consignment to a country which is a European Union Member State or European Economic Area country three copies of the import or export permit shall be required.
(2) The client shall send one copy of the import permit to the exporter, attach the second copy to the consignment and after completion of the import transaction shall indicate on the third copy the actual amount of imported substances and medicinal products, the date and submit it to the State Agency of Medicines.
(3) The client shall attach one copy of the export permit to the consignment, the State Agency of Medicines shall send the second copy to the competent authority of the importing country and the third copy shall be issued to the client who after completion of the export transaction shall indicate the actual amount of exported substances and medicinal products, the date and submit it to the State Agency of Medicines.
[*11 May 2006*]

**Section 21.[2]** (1) An importer shall ensure that an export permit issued by the competent authority of the exporting country is attached to every consignment.
(2) The State Agency of Medicines shall request from the importer a copy of the export permit referred to in Paragraph one of this Section which was attached to the import consignment, if it has not received the respective export permit from the competent authority of the exporting country.
[*29 November 2012*]

**Section 22.** As soon as an imported consignment has arrived in the territory of Latvia or the period of validity mentioned in the import permit has expired, the State Agency of Medicines shall send to the competent authority of the exporting country the export permit issued by that country, indicating the actual amount of the imported substances or medicinal products.
[*11 June 1998; 11 May 2006*]

**Section 23.** If the actual amount of the exported narcotic and psychotropic substances or medicinal products is less than the amount specified in the export permit, the State Agency of Medicines shall record this in the copy of the export permit which shall be sent to the competent authority of the importing country.
[*11 June 1998; 11 May 2006*]

**Section 24.** The commercial documents (invoices, consignment bills, customs, transport and other accompanying documents) shall include the names of substances and medicinal products in conformity with the schedules of the UN conventions, the amount of substances and medicinal products to be exported from or imported into the territory of Latvia, the exporter and the importer, their addresses, the consignee and its address.

**Section 25.** If only a bank or a post office box number is indicated in the place for the address of the consignee, export from or import into the territory of Latvia of substances and medicinal products included in Schedule II or III is prohibited.

**Section 26.** Export of substances and medicinal products included in Schedules II and III to a consignment warehouse is prohibited, except in cases when such form of delivery has been approved in the import permit issued by the competent authority of the importing country. Such substances and medicinal products also may not be imported to a consignment warehouse in the territory of Latvia.

**Section 27.** The competent authorities (institutions and the border guard forces) shall have an obligation to detain those consignments which do not have the relevant import, export or transit permit, and to require the legality of the consignments be verified. In case of failure to do so, the cargo shall be confiscated.
[*11 June 1998; 11 May 2006*]

**Section 28.** The Cabinet shall determine the customs points through which the import, export and transit of substances and medicinal products included in Schedules II and III shall be permitted to countries which are not European Union Member States or European Economic Area countries.
[*11 May 2006*]

**Section 29.** The substances and medicinal products included in Schedules II and III may be transported in transit through the territory of Latvia only if a transit permit issued by the State Agency of Medicines has been received, irrespective of whether the cargo is or is not unloaded from the vehicle by which it is transported.

[*11 June 1998; 11 May 2006*]

**Section 30.** (1) The substances and medicinal products included in Schedules II and III shall be transported in transit in accordance with the route specified in the attached export permit and shall be delivered accompanied by armed guards to the destination specified in the permit.
(2) Transit regulations for such substances and medicinal products shall be determined by the Cabinet.
[*11 June 1998*]

**Section 31.** No one shall change the composition, content or packaging of a transit cargo of substances and medicinal products included in Schedules II and III and conveyed through the territory of Latvia if a permit from the State Agency of Medicines has not been received. The provisions of this Section shall not restrict the lawful activities of competent authorities (institutions and the border guard forces).
[*11 June 1998; 11 May 2006*]

**Section 32.** In respect of free ports and free trade zones, the same control and supervision measures shall be applied as have been determined for other parts of the territory of Latvia.

**Section 33.** Commercial carriers have the obligation to take appropriate precautionary measures to prevent the use of their vehicles for the illegal transportation of plants, substances and medicinal products referred to in this Law. Upon arrival in the territory of Latvia, they have the obligation to immediately inform the Drug Control Office of the Ministry of the Interior of the circumstances which give rise to suspicions that the vehicles have been used illegally.

**Section 34.** Persons who have received the licence referred to in Section 9 of this Law may send the substances and medicinal products specified in this Law by registered postal consignments if such are packaged in boxes, indicating their value and requesting confirmation of delivery.
[*11 May 2006*]

**Section 34.[1]** The State Police shall take appropriate measures to prevent substances included in Schedules II and III and their derivatives, isomers, structural analogues, active metabolites, esters, ethers and salts (also salts of isomers, structural analogues, active metabolites, esters, and ethers) from being introduced in illicit trade.
[*6 June 2019*]

## Chapter VI
## Distribution of Substances and Medicinal Products Included in Schedules II and III

**Section 35.** In accordance with the provisions of this Law, the substances included in Schedules II and III and the substances included in the list referred to in Section 7.[1], Paragraph two of this Law may be purchased for professional activities only from such person to whom the licence referred to in Section 9 of this Law has been issued, but in the cases when the respective substances are intended to be used in the industrial sector, except for pharmaceutical purposes, they may be purchased also from a person who has received the permit referred to in Section 7.[1], Paragraph one of this Law.
[*6 June 2019*]

**Section 36.** (1) The substances and medicinal products included in Schedules II and III may be dispensed to patients only pursuant to a prescription in which instructions for their therapeutic use are indicated. The procedures for writing out and storing prescriptions shall be determined

by the Cabinet. If the dispenser of the medicinal products does not personally know the submitter of the prescription, they have the right to request that a personal identification document be presented.
(2) The substances and medicinal products included in Schedules II and III shall be administered to animals by a practising veterinarian or a veterinarian, a veterinary paramedic or veterinarian's assistant under his or her supervision.
[*11 June 1998; 11 May 2006; 29 November 2012*]

**Section 37.** The Cabinet shall determine the procedures for the receipt, purchase, distribution, dispensation, storage, inventory and destroying of substances and medicinal products included in Schedules II and III:

1) at medicinal product and veterinary medicinal product wholesalers;

2) during the manufacture of medicinal products and veterinary medicinal products;

3) at pharmacies;

4) at medical treatment institutions and social care institutions;

5) at veterinary medical care companies and for persons employed in veterinary medical practice (practising veterinarians and veterinary medical care operators);

6) during the manufacture, importing and distribution of active substances.

[*11 May 2006; 28 October 2010; 6 June 2019*]

**Section 38.**
[11 May 2006]

**Section 39.** (1) Natural persons may purchase and store only such quantities of medicinal products included in Schedules II and III as are necessary for a course of medical treatment. The medicinal products shall be prescribed and purchased in accordance with the procedures laid down in laws and regulations.
(2) Natural persons who enter from a country which is not a Schengen Agreement country or leave for such country may bring into or take out medicinal products containing substances included in Schedules II and III for personal use without a special permit if the medicinal products included in Schedule II are intended for a course of medical treatment not exceeding 14 days but the medicinal products included in Schedule III are intended for a course of medical treatment not exceeding 30 days. The need to use such medicinal products shall be certified by the person by presenting a prescription, a true copy or copy of the prescription or other documents that certify such fact.
(3) Natural persons are not entitled to send and receive medicinal products included in Schedules II and III using inland and international postal parcels.
(4) Upon leaving for a Schengen Agreement country, a citizen of Latvia, a non-citizen and a foreigner who has received a residence permit may carry the medicinal products necessary for medical treatment which contain the substances included in Schedules II and III if the respective person has received a certificate for the use of narcotic or psychotropic substances for medical purposes issued by a physician and approved by the Health Inspectorate in accordance with the laws and regulations regarding record-keeping of medical documentation.
(5) A natural person who enters from a country which is a Schengen Agreement country may bring into medicinal products for personal use which contain substances included in Schedules II and III if he or she has received a certificate issued by the competent authority of the respective country for the use of narcotic or psychotropic substances for medical purposes.
[*19 June 2003; 29 November 2012*]

**Section 40.**
[11 May 2006]

## Chapter VII
## Special Provisions

**Section 41.** If a freight contains substances or medicinal products included in Schedule II, only the given name, surname and address of the consignor and the consignee may appear on the outer packaging of the parcel intended for shipment. Consignments shall be sealed with the seal of the consignor.

**Section 42.** The substances and medicinal products included in Schedules II and III may not be advertised in the mass media, and also any other form of advertising which is intended for non-specialists may not be used to popularise them.
[*11 May 2006*]

## Chapter VII.[1]
## Precursors and Non-Scheduled Substances
[*6 June 2019*]

**Section 42.[1]** (1) The State Agency of Medicines shall decide on:

1) granting or refusal to grant the special permit (licence) for activities with precursors of Category 1, and also on suspending or cancelling its validity;

2) registering a person for activities with precursors of Category 2, on refusal to register a person, and also on suspending or cancelling the registration.

(2) The decision of the State Agency of Medicines referred to in Paragraph one of this Section may be contested to the Ministry of Health, whereas the decision of the Ministry of Health may be appealed to a court in accordance with the Administrative Procedure Law.

(3) Contesting of the decision referred to in Paragraph one of this Section and appeal of the decision referred to in Paragraph two of this Section shall not suspend the enforcement of the respective decision.

(4) Procedures for the registration and licensing of precursor operators and users, requirements for the storage of precursors and also the procedures for the suspension or revocation of the special permit (licence) or registration shall be determined by the Cabinet.
[*6 June 2019*]

**Section 42.[2]** (1) Precursor operator shall:

1) specify the number of the export permit in all relevant customs documents (export and import declarations);

2) ensure that, when transporting precursors, copies of the export and import permits are attached to the freight and submitted to the customs point;

3) once a quarter, submit information to the State Agency of Medicines regarding its transactions with precursors;

4) issue internal rules of procedure for the trade of precursors specifying therein the person who shall be responsible for the supervision of the trade of precursors.

(2) The Cabinet shall determine the procedures by which the precursor operator shall provide information to the State Agency of Medicines regarding its transactions with precursors and also content of the information to be provided.
[*6 June 2019*]

**Section 42.[3]** (1) The State Agency of Medicines shall:

1) prepare and submit to the UN International Narcotics Control Board reports on such transactions, consignments or activities as a result of which precursors could be diverted into illicit trade;

2) once a year, prepare and submit to the European Commission a report on confiscated and detained precursors.

(2) The Health Inspectorate shall perform the functions of the competent authority referred to in Article 10 of Regulation No 273/2004 and Article 26(2) and (3) of Regulation No 111/2005.

(3) The State Revenue Service shall:

1) send to the State Agency of Medicines the used import and export permits;

2) provide to the State Agency of Medicines information on the import and export of precursors, and also prepare quarterly reports on confiscated and detained precursors indicating the number and place of incidents, and submit them to the State Agency of Medicines until the 20th day of the following month;

3) perform the functions of the competent authority referred to in Article 10 of Regulation No 273/2004 and Article 26(2), (3), (3.a) and (3.b) of Regulation No 111/2005;

4) immediately submit to the UN International Narcotics Control Board reports on detained precursors and non-scheduled substances.

(4) The State Police shall:

1) perform the functions of the competent authority referred to in Article 10 of Regulation No 273/2004 and Article 26(2), (3) and (3.b) of Regulation No 111/2005;

2) prepare quarterly reports on confiscated and detained precursors indicating the number and place of incidents, and submit them to the State Agency of Medicines until the 20th day of the following month;

3) immediately submit to the UN International Narcotics Control Board reports on detained precursors and non-scheduled substances.

[*6 June 2019*]

**Section 42.[4]** (1) The State Agency of Medicines shall establish and maintain the list of non-scheduled substances (substances conforming to Article 2(b) of Regulation No 273/2004) controlled in Latvia in accordance with Article 26(3.b) of Regulation No 111/2005 and Article 9(3) of Regulation No 273/2004 and shall publish it on the website www.zva.gov.lv. The list of non-scheduled substances controlled in Latvia shall consist of Parts A and B.

(2) It shall be prohibited to bring into the territory of Latvia substances that are included in Part B of the list of non-scheduled substances controlled in Latvia. If, upon implementing the customs control measures, the State Revenue Service finds a substance that is included in Part B of the list of non-scheduled substances controlled in Latvia, such substance shall be confiscated and destroyed in accordance with the laws and regulations regarding customs matters.

(3) It shall be prohibited to bring into the territory of Latvia substances that are included in Part A of the list of non-scheduled substances controlled in Latvia and for which there are grounds to believe that they are used with the objective to prepare narcotic or psychotropic substances. If, upon implementing the customs control measures for a specific consignment based on the information received by law enforcement authorities or other institutions responsible for the supervision or control of narcotic or psychotropic substances, the State Revenue Service finds a substance that is included in Part A of the list of non-scheduled substances controlled in Latvia and for which there are grounds to believe that it is used with the objective to prepare narcotic or psychotropic substances, such substance shall be confiscated and destroyed in accordance with the laws and regulations regarding customs matters.

(4) The Cabinet shall determine the procedures for the trade of non-scheduled substances controlled in Latvia, the procedures by which information regarding transactions with non-scheduled substances shall be provided to the State Agency of Medicines, and also the content of the information to be provided.

[*6 June 2019*]

## Chapter VIII
## Supervision and Control of Compliance with this Law

[*21 November 2009 / The new wording of the title of this Chapter shall come into force on 1 July 2020. See Paragraph 5 of the Transitional Provisions*]

**Section 43.**
[11 June 1998]

**Section 44.** (1) The Health Inspectorate shall:

1) supervise and control the natural and legal persons which perform activities with the substances and medicinal products included in Schedules II and III;

2) evaluate the conformity of the distribution of the substances and medicinal products included in Schedules II and III with the requirements of laws and regulations;

3) suspend distribution of the substances included in Schedules II and III or pharmaceutical activities of a natural person in accordance with laws and regulations until the final establishment of circumstances;

4) control the need for the use of the medicinal products included in Schedules II and III to ensure the medical treatment process;

5) supervise and control the activities of natural and legal persons with precursors;

6) evaluate the conformity of the distribution of precursors with the requirements of laws and regulations;

7) where necessary, suspend the distribution of precursors or commercial activities of a natural or legal person in accordance with laws and regulations until the final establishment of circumstances.

(2) [6 June 2019]

(3) The Food and Veterinary Service shall supervise and control veterinary medical care companies and persons employed in veterinary medical practice (practising veterinarians and veterinary medical care operators, veterinary pharmacies) and performing activities with substances and medicinal products included in Schedules II and III.

[*30 March 2000; 19 June 2003; 27 September 2007; 10 July 2008; 29 November 2012; 6 June 2019*]

**Section 45.** [21 November 2019 / See Paragraph 5 of the Transitional Provisions]

## Chapter IX
## Administrative Offences in the Field of Trade of Narcotic and Psychotropic Substances and Medicinal Products and Precursors and Competence in Administrative Offence Proceedings

[*21 November 2019 / Chapter shall come into force on 1 July 2020. See Paragraph 5 of the Transitional Provisions*]

**Section 46.** For the unauthorised preparation, purchase, storage, transportation or transfer of precursors in small amounts, a warning or a fine from ten to fifty-six units of fine shall be imposed on a natural person, but a fine from one hundred to five hundred and sixty units of fine – on a legal person.

[*21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 5 of the Transitional Provisions*]

**Section 47.** For the violation of the provisions for the preparation, purchase, storage, inventory, dispensation, transportation, transfer or distribution of precursors, a warning or a fine from twenty to two hundred units of fine shall be imposed on a natural person, but a fine from two hundred to two thousand units of fine – on a legal person.

[*21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 5 of the Transitional Provisions*]

**Section 48.** (1) For the unauthorised purchase or storage of narcotic or psychotropic substances in small amounts or for the unauthorised use of narcotic or psychotropic substances, a warning or a fine from ten to fifty-six units of fine shall be imposed.
(2) For the refusal from the medical check-up for detecting the influence of narcotic or psychotropic substances, a warning or a fine from ten to fifty-six units of fine shall be imposed.
(3) When imposing an administrative penalty for the offence provided for in Paragraph one of this Section, the person shall be concurrently warned in writing of being held criminally liable if within a year after the imposition of the administrative penalty he or she will purchase or store narcotic or psychotropic substances in small amounts without authorisation or use them without authorisation.
[*21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 5 of the Transitional Provisions*]

**Section 49.** (1) For the unauthorised purchase, storage, transportation, transfer or use of such new psychoactive substances or products containing them the trade of which is prohibited or restricted, a warning or a fine from ten to fifty-six units of fine shall be imposed.
(2) For allowing unauthorised preparation, storage, transportation or sale of new psychoactive substances or products containing them in the movable or immovable property of the person if such offence has been established within a year after the person was informed in writing of the unauthorised preparation, storage, transportation or sale of new psychoactive substances or products containing them that has been established in this property, a fine from fifty-six to one hundred and forty units of fine shall be imposed on a natural person, but a fine from two hundred and eighty to one thousand four hundred and twenty units of fine – on a legal person.
(3) When imposing an administrative penalty for the offence provided for in Paragraph one of this Section, the person shall be concurrently warned in writing of being held criminally liable if within a year after the imposition of the administrative penalty he or she will purchase, store, transport, transfer or use without authorisation such new psychoactive substances or products containing them the trade of which is prohibited or restricted.
[*21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 5 of the Transitional Provisions*]

**Section 50.** For the violation of the provisions for the manufacture, preparation, purchase, storage, inventory, dispensation, transportation, transfer or distribution of narcotic or psychotropic substances or medicinal products, a warning or a fine from twenty-eight to one hundred and forty units of fine shall be imposed on a natural person, but a fine from two hundred and eighty to two thousand eight hundred units of fine – on a legal person.
[*21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 5 of the Transitional Provisions*]

**Section 51.** For the violation of the requirements for writing out or storing a prescription by which the substances and medicinal products for use in animals included in Schedules II and III are issued, a fine from seven to seventy units of fine shall be imposed on a natural person, but a fine from ten to one hundred units of fine – on a legal person.
[*21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 5 of the Transitional Provisions*]

**Section 52.** For the failure to implement measures in order to prevent narcotic or psychotropic substances, plants containing them, parts of plants or their plant residues or manufacturing

waste from being introduced in illicit trade, a fine from ten to twenty-eight units of fine shall be imposed.
[*21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 5 of the Transitional Provisions*]

**Section 53.** (1) Administrative offence proceedings for the offences referred to in Sections 46, 48, 49 and 52 of this Law shall be conducted by the State Police.
(2) Administrative offence proceedings for the offences referred to in Sections 47 and 50 of this Law shall be conducted by the Health Inspectorate in accordance with the mandate provided for in Section 44, Paragraphs one and two of this Law.
(3) Administrative offence proceedings for the offences referred to in Sections 47 and 51 of this Law shall be conducted by the Food and Veterinary Service in accordance with the mandate provided for in Section 44, Paragraph three of this Law.
(4) Until the examination of administrative offence case, administrative offence proceedings for the unauthorised transportation or transfer of precursors referred to in Section 46 of this Law or the unauthorised transportation or transfer of the new psychoactive substances or products containing them that is referred to in Section 49, Paragraph one of this Law shall be conducted by the State Revenue Service, but the administrative offence case shall be examined by the State Police.
(5) Until the examination of administrative offence case, administrative offence proceedings for the offence referred to in Section 50 of this Law regarding the transportation or transfer of narcotic or psychotropic substances or medicinal products shall be conducted by the State Revenue Service, but the administrative offence case shall be examined by the Health Inspectorate.
[*21 November 2019; 17 June 2020 / Section shall come into force on 1 July 2020. See Paragraph 5 of the Transitional Provisions*]

## Transitional Provisions

[*30 March 2000*]

1. The permits (licences) referred to in Section 9 of this Law that have been issued up to the day of coming into force of this Law shall preserve their specified term of validity.

2. Up to the day when the Cabinet regulations which determine the procedures by which the special permits (licences) for pharmaceutical activities and also for activities with narcotic and psychotropic substances and medicinal products are issued, re-registered and cancelled have come into force, the procedures for the issue of the special permits (licences) referred to in Section 9 shall be determined by the Minister for Welfare.

3. Amendment to this Law regarding the new wording of Section 6, Paragraph two shall come into force on 1 January 2020.
[*6 June 2019*]

4. Until 1 September 2019, the Cabinet shall issue the regulations provided for in Section $7.^{1}$, Paragraphs two and three, Section $42.^{1}$, Paragraph four, Section $42.^{2}$, Paragraph two, and Section $42.^{4}$, Paragraph four of this Law. Until the day of coming into force of the relevant Cabinet regulations, but not longer than until 31 August 2019, the Cabinet Regulation No. 1142 of 21 December 2010, Procedures for Registering and Licensing Operators, shall be applicable, insofar as it is not in contradiction with this Law.
[*6 June 2019*]

5. Amendments regarding the new wording of the title of Chapter VIII and deleting Section 45 of this Law, and also Chapter IX of this Law shall come into force concurrently with the Law on Administrative Liability.
[*21 November 2019*]

**Informative Reference to European Union Directive**
[*6 June 2019*]

The Law contains legal norms arising from Directive (EU) 2017/2103 of the European Parliament and of the Council of 15 November 2017 amending Council Framework Decision 2004/757/JHA in order to include new psychoactive substances in the definition of 'drug' and repealing Council Decision 2005/387/JHA.

The Law has been adopted by the *Saeima* on 9 May 1996.

Acting for the President – Chairperson of the *Saeima* I. Kreituse

Rīga, 23 May 1996