

Regulations on the Control of Narcotic Drugs and Psychotropic Substances

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Chapter I — General Provisions

Article 1 — These Regulations are formulated for the purposes of strengthening the control of narcotic drugs, psychotropic substances, and precursor chemicals, ensuring their lawful, safe and rational use, and preventing their diversion into illegal channels.

Article 2 — These Regulations shall apply to the cultivation of narcotic drug raw plants, the experimentation, research, production, trading, use, storage and transportation of narcotic drugs and psychotropic substances, and the examination, approval, supervision and administration of precursor chemicals.

Article 3 — The narcotic drugs and psychotropic substances referred to in these Regulations are those listed in the catalogues of narcotic drugs and psychotropic substances published by the drug regulatory authority under the State Council in conjunction with the public security authority under the State Council and the health authority under the State Council.

Article 4 — The state shall implement designated production and designated trading systems for narcotic drugs and psychotropic substances, and shall exercise special control over the experimentation and research, production, trading, use, storage and transportation of narcotic drugs and psychotropic substances.

Article 5 — The drug regulatory authority, public security authority, health authority and other relevant authorities under the State Council shall, in accordance with their respective functions and duties, be responsible for the supervision and administration of narcotic drugs, psychotropic substances and precursor chemicals.

Chapter II — Cultivation, Production and Trading

Article 6 — The cultivation of narcotic drug raw plants shall be subject to the approval of the drug regulatory authority under the State Council and the agricultural authority under the State Council, and shall be conducted by designated units.

Article 7 — The production of narcotic drugs and class I psychotropic substances shall be subject to the approval of the drug regulatory authority under the State Council and shall be conducted by designated enterprises. No other entity or individual shall produce narcotic drugs or psychotropic substances.

Article 8 — The trading of narcotic drugs and class I psychotropic substances shall be conducted by designated trading enterprises. Trading enterprises shall not trade narcotic drugs or class I psychotropic substances with undesignated entities or individuals.

Article 9 — The import and export of narcotic drugs and psychotropic substances shall be subject to the approval of the drug regulatory authority under the State Council and shall be handled by designated import and export enterprises.

Chapter III — Use and Administration

Article 10 — Medical institutions and other entities that need to use narcotic drugs and class I psychotropic substances shall apply to the health authority for a narcotic drug and class I psychotropic substance purchase card, and shall purchase them from designated trading enterprises with the said card.

Article 11 — Qualified licensed physicians may prescribe narcotic drugs and class I psychotropic substances. Licensed assistant physicians may prescribe narcotic drugs and class I psychotropic substances only under certain conditions.

Article 12 — The prescription of narcotic drugs and psychotropic substances shall be subject to the prescription right and prescription management system. Medical institutions shall review, keep and register narcotic drug and psychotropic substance prescriptions.

Article 13 — The use of narcotic drugs and psychotropic substances for scientific research and teaching purposes shall be subject to approval in accordance with regulations and shall be carried out by designated units.

Chapter IV — Storage and Transportation

Article 14 — Narcotic drugs and psychotropic substances shall be stored in special warehouses or special counters, and shall be subject to a double-person and double-lock management system.

Article 15 — The transportation of narcotic drugs and class I psychotropic substances shall be subject to a transportation certificate system. The transportation certificate shall be applied for from the drug regulatory authority.

Article 16 — Mailing narcotic drugs and psychotropic substances is prohibited. Narcotic drugs and psychotropic substances shall not be carried in postal packages or express delivery items.

Chapter V — Legal Liability

Article 17 — Where an entity, in violation of the provisions of these Regulations, produces, trades or uses narcotic drugs or psychotropic substances without authorization, the drug regulatory authority shall ban it, confiscate its illegal gains and impose a fine of not less than five times but not more than ten times the value of the illegal gains.

Article 18 — Where a medical institution, in violation of the provisions of these Regulations, purchases, stores or uses narcotic drugs or psychotropic substances in violation of regulations, the health authority shall order it to make corrections and impose a fine.

Article 19 — Where a staff member of the relevant authority abuses his or her power, neglects his or her duties or engages in malpractice for personal gain, he or she shall be subject to administrative sanctions in accordance with law; if a crime is constituted, criminal liability shall be pursued in accordance with law.

Chapter VI — Supplementary Provisions

Article 20 — These Regulations shall come into force on November 1, 2005.

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