

Psychotropic Substances Act  
B.E. 2518 (1975)

BHUMIBOL ADULYADEJ, REX.  
Given on 4th January B.E. 2518;  
Being the 30th year of the present Reign.

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that :  
whereas it is expedient to have a law on psychotropic substances :

Be it, therefore, enacted by the king, by and with the advice and consent of the National Legislative Assembly acting as the National Assembly, as follows :

Section 1 This Act is called the "Psychotropic Substances Act, B.E. 2518".

Section 2 This Act shall come into force after ninety days from the date of its publication in the Government Gazette.

Section 3 All other laws, rules and regulations in so far as they have been provided in this Act or are contrary to or inconsistent with the provisions of this Act shall be replaced by the Act.

Section 4 In this Act,

"psychotropic substance" means such a psychotropic substance which is natural or derived from nature, or synthetic as the Minister notifies in the Government Gazette;

"preparation" means any solution or mixture, in whatever physical state, containing a psychotropic substance including a psychotropic substance in dosage form ready for applying to human being or animal;

"exempt preparation" means a preparation notified by the Minister in the Government Gazette to be exempted from certain measures of control of a psychotropic substance containing therein;

"accompanying leaflet for psychotropic substance" means a piece of paper or anything on which any picture, imprint or statement concerning a psychotropic substance is shown, which has been inserted in or put together with a container or package of the psychotropic substance :

"produce" means manufacture, mix, prepare, or convert and includes transform, repack or pack :

"sell" includes dispose of, dispense, distribute, exchange, deliver, or possess for sale;

"import" means bring or order into the kingdom;

"export" means carry or send from the kingdom to a foreign country;

"carry across" means bring or send through the kingdom but excludes bring or send active ingredients through the kingdom without transshipping from the aircraft used for international public transport :

<sup>(2)</sup>"consume" means take in psychotropic substance by whatever means or whatever ways;

<sup>(3)</sup>"Psychotropic substance addiction" means habitually consuming psychotropic substance so far as being in the state of psychotropic substance dependence whereby such state is capable of being identified on a technical basis;

<sup>(4)</sup>"treatment" means the treatment of psychotropic substance addict which also includes the rehabilitation to return that addict to the state of normal person;

<sup>(5)</sup>"medical establishment" means the medical establishment or convalescent home of the treatment or rehabilitation for psychotropic substance addicts as notified by the Minister under section 6.

"place" includes a building or a part thereof and its compound;

"pharmacist" means a first-class practitioner in the branch of pharmacy;

"licensee" means a person receiving a license under this Act and includes, in the case of a juristic person being a licensee, a person appointed by such juristic person to carry out the business concerning psychotropic substances;

"grantor" means

(1) The Secretary-General of the office of the Food and Drug Board or the person entrusted by him

(a) for the grant of permission to possess or utilize psychotropic substances in all Schedules :

(b) for the grant of permission to produce, import or export psychotropic substances in Schedule III and Schedule IV or carry across psychotropic substances in all Schedules;

(c) for the grant of permission to sell psychotropic substances in Schedule III and Schedule IV in Bangkok Metropolis;

(2) the Governor of Province or the person entrusted by him for the grant of permission to sell psychotropic substances in Schedule III and Schedule IV in Province under his jurisdiction except Bangkok Metropolis;

"Board" means the Psychotropic Substances Board;

"competent official" means a person appointed by the Minister for the execution of this Act;

"Secretary-General" means the Secretary-General of the Office of the Food and Drug Board;

"Minister" means the Minister having charge and control of the execution of this Act.

Section 5 The Minister of Public Health shall have charge and control of the execution of this Act and shall have the power to appoint competent officials, issue Ministerial Regulations determining fees not

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<sup>(2)</sup> added by psychotropic substances Act (No.3) B.E.2535, section 3, published in the Government Gazette Vol.109, Part 14, dated 27<sup>th</sup> February B.E.2535 (1992).

<sup>(3),(5)</sup> added by Psychotropic Substances Act (No.3) B.E.2535, section 3.

exceeding the rates annexed to this Act, exempting fees, and determining other activities as well as to issue Notifications for the execution of this Act.

Such Ministerial Regulations and Notifications shall come into force upon their publication in the Government Gazette.

Section 6 The Minister shall have the power to issue Notifications in the Government Gazette :

(1) specifying the names of and classifying psychotropic substances into Schedule I, Schedule II, Schedule III or Schedule IV;

(2) prescribing the standard on the quantity of ingredients, quality, purity, or other description of psychotropic substances under (1);

(3) revoking or changing the names or Schedules of psychotropic substances under (1);

(4) specifying the names and Schedules of psychotropic substances which shall not be produced, sold, imported, exported, carried across, or kept in possession;

<sup>(6)</sup>(4 bis) Specifying the names of psychotropic substances of Schedule II which are granted permission to produce for exportation and to export;

(5) specifying the names and Schedules of psychotropic substances which require the warning or caution in the form of statement or picture in order that the user may take necessary precaution for his own safety;

(6) specifying the names and Schedules of psychotropic substances which require the statement of their expiration on the labels;

(7) specifying any preparation as an exempt preparation;

<sup>(7)</sup>(7 bis) Prescribing the quantity of psychotropic substances of Schedule I or Schedule II for possession or utilization under section 106 (bis);

(8) specifying the names and Schedules of psychotropic substances which shall not be exported to any country under Section 83;

(9) specifying the official institutions under section 15 (2); Section 17 (2) and Section 63 (3);

<sup>(8)</sup>(10) Prescribing the medical establishment for psychotropic substance addicts;

<sup>(9)</sup>(11) Prescribing rules and regulations for the control of treatment and disciplinary rules for medical establishment.

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<sup>(6)</sup> added by Psychotropic Substances Act (No.3) B.E.2535, section 4.

<sup>(7)</sup> added by Psychotropic Substances Act (No.3) B.E.2535, section 5.

<sup>(8),(9)</sup> added by Psychotropic Substances Act (No.3) B.E.2535, section 6.

## CHAPTER 1 Psychotropic Substances Board

<sup>(10)</sup>Section 7 There shall be a committee called the "Psychotropic Substances committee" consisting of the Permanent Secretary of the Ministry of Public Health as chairman, Director-General of the Department of Medical Services or representative, Director-General of the Department of Health or representative, Director-General of the Royal Thai Police Department or representative, the Attorney General or representative, Director-General of the Customs Department or representative, Secretary-General of the Juridical Council or representative, Secretary-General of the Narcotics Control Board or representative, Director of Mental Health Division of the Department of Medical Services and not more than seven qualified members appointed by the Minister as members.

The Secretary-General shall be the member and secretary, and the Director of the Narcotics Control Division of the Food and Drug Board shall be the member and assistant secretary.

Section 8 A qualified member shall be in office for a term of two years.  
A member who vacates office may be reappointed.

Section 9 A qualified member vacates office before the expiration of term of office upon:

(1) death :

(2) resignation :

(3) being retired by the Ministers :

(4) being an incompetent or quasi-incompetent person ;

(5) having been imprisoned by a final judgement of imprisonment except a punishment for an offence committed through negligence or petty offence; or

(6) having his license to practice the medical profession or license to practice the art of healing suspended or revoked.

If a qualified member vacates his office before the expiration of term office, the Minister shall appoint another person to replace him and such person shall hold office for the remaining term of the member he replaces.

Section 10 A meeting of the Board requires the presence of not less than one-half of the total number of its members to constitute a quorum. If the Chairman is absent or unable to perform his duty, the members present shall elect one of them to preside over the meeting.

A decision of the meeting shall be made by a majority of votes.

In casting votes, each member shall have one vote. In case of an equality of votes, the chairman of the meeting shall have another vote as a casting-vote.

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<sup>(10)</sup> repealed and replaced by Psychotropic Substances Act (No.3) B.E.2535, section 7.

Section 11 The Board shall have the duty to give opinion, advice, or approval in respect of the following matter :

(1)the production, sale, importation, exportation, carrying across, or possession, of psychotropic substances or registration of preparations;

(2)the suspension of licenses, revocation of license revocation of registration of preparations, or revocation of exempt preparations.

(3)the prescription of rules, procedure and conditions concerning the production, sale, importation, exportation, carrying across, possession, or sampling of psychotropic substances or exempt preparations and the inspection of place of production, place of sale, storage and place for conducting other activities regarding the said substances or preparations;

(4)the issue of Ministerial Regulations or Notifications which are required to be published in the Government Gazette for the execution of the Act;

(5)other matters as entrusted by the Ministers or as the Board thinks fit.

Section 12 The Board shall have the power to appoint a sub-committee to consider, study or research into any matter under the jurisdiction of the Board and the provisions of Section 10 shall apply mutatis mutandis to the meeting of the sub-committee.

## CHAPTER 2

### Application for and issue of licenses concerning Psychotropic Substances

<sup>(11)</sup>Section 13 No person shall produce, sell, import or export any psychotropic substance in Schedule I.

The provision of paragraph one shall not apply to the Ministry of Public Health or the person entrusted by the Ministry of Public Health unless otherwise provided by this Act.

<sup>(12)</sup>Section 13 bis No person shall produce, sell, import or export any psychotropic substance in Schedule II, except for the production for exportation and the exportation of that sort of the psychotropic substance in Schedule II notified by the Minister under section 6 (4 bis) as he has obtained a license.

The application for and issuance of a license shall be in accordance with the rules, procedures and conditions prescribed the Ministerial Regulation.

The provisions of paragraph one and paragraph two shall not apply to the Ministry of Public Health or the person entrusted by the Ministry of Public Health unless otherwise provided by this Act.

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<sup>(11)</sup> repealed and replaced by Psychotropic Substances Act (No.3) B.E.2535, section 8.

<sup>(12)</sup> added by Psychotropic Substances Act (No.3) B.E.2535, section 9.

Section 14 The Ministry of Public Health may permit a vehicle used for international public transport registered in the Kingdom to import or export an appropriate quantity of psychotropic substance in Schedule II in so far as it is necessary for first aid use or for use in case of emergency in such vehicle.

The application for and the issue of a license shall be in accordance with the rules, procedure and conditions prescribed in the Ministerial Regulations.

<sup>(13)</sup>Section 15 The provision of section 13 bis shall not apply to :

(1)The sale of psychotropic substances in Schedule II by a medical practitioner or a first class modern practitioner in the branch of dentistry to his patient or by a first class veterinarian for use in curing or preventing animal from diseases;

(2)the sale of psychotropic substances in Schedule II by the Ministries, Sub-Ministries, Departments, Thai Red Cross Society or other official institutions as the Minister notifies in the Government Gazette;

(3)the carrying of psychotropic substances in Schedule II into or out of the Kingdom not exceeding the quantity required for self treatment for a period of thirty days with a certificate of medical doctor; or

(4)the importation or exportation of an appropriate quantity of psychotropic substances in Schedule II in so far as it is necessary for first aid use or for use in emergency case in a ship, aircraft or vehicle used in international public transport and not registered in the Kingdom; but if the said vehicle is registered in the Kingdom, an application for a license shall be filed under section 14.

Section 16 A person shall not produce, sell, import or export any psychotropic substance in Schedule III or Schedule IV or carry across a psychotropic substance of any Schedule unless he has received a license.

The application for a license and the issue of a license shall be in accordance with the rules, procedure and conditions prescribed in the Ministerial Regulation.

Section 17 The provisions of Section 16 shall not apply to

(1)the production of drug containing a psychotropic substance in Schedule III or Schedule IV according to a prescription of a medical practitioner or first-class practitioner in the branch of dentistry for a specific patient or first-class veterinarian for a specific animal;

(2)the production, sale, importation or exportation of psychotropic substances in Schedule III or Schedule IV by the Ministries, Sub-Ministry, Departments, Thai Red Cross Society, Pharmaceutical Organization, or such other official institutions as the Minister notifies in the Government Gazette;

(3)the sale of psychotropic substances in Schedule III or Schedule IV by a medical practitioner or a first-class practitioner in the branch of dentistry to his patient or by a first-class veterinarian for use in curing or preventing animal from diseases;

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<sup>(13)</sup> repealed and replaced by Psychotropic Substances Act (No.3) B.E.2535, section 10.

(4)the taking of psychotropic substances in Schedule III or Schedule IV into or out of the Kingdom not exceeding the quantity required for self-treatment within thirty days with a certificate of physician;

(5)the importation or exportation of an appropriate quantity of psychotropic substances in Schedule III or Schedule IV for first aid use or for use in case of emergency on a ship, aircraft or any international public transport not registered in the kingdom; if the said vehicle has been registered in the Kingdom, an application for a license shall be filed under section 16.

**Section 18** The grantor may issue a license to produce, sell or import psychotropic substances in Schedule III or Schedule IV only when it appears that the applicant

(1)has received a license to produce, sell or import modern drugs under the law on drugs, as the case may be and

(2)has a full-time pharmacist on duty during the working hours.

A licensee to produce or import psychotropic substances may sell the psychotropic substances he produces or imports without having to apply for a license to sell them again.

**Section 19** The grantor may, at each particular time, issue a license to export psychotropic substances in Schedule III and Schedule IV or a license to carry across psychotropic substances of all Schedules to any person and may stipulate any condition as he thinks fit.

**Section 20** Licenses under Section 16 and Section 19 shall also extend to employees or agents of the licensees.

Any act done by an employee or agent of the licensee to whom the license is extended under paragraph one shall be regarded as that done by the licensee unless he can prove that the said act was done without his knowledge or beyond his control.

**Section 21** Licenses under Section 16 and Section 19 shall be valid until 31st December of the year of issue. If a licensee wishes to renew his license, he must file an application before the expiration of his license and he may, after having filed the application, carry on his business until the grantor refuses to renew the license.

The application for renewal of a license and the granting thereof shall be in accordance with the rules, procedure and conditions prescribed in the Ministerial Regulations.

**Section 22** In the case where the grantor refuses to issue or renew a license, the person who applies for a license or for a renewal of a license has the right to submit a written appeal to the Minister within thirty days from the date of receipt of the letter of the grantor advising him of the refusal to issue or renew the license.

The decision of the Minister shall be final.

In the case where there is an appeal in respect of the application for renewal of a license to produce a psychotropic substance under paragraph one, the Minister may, before making the decision on the appeal, authorize the appellant to carry on his business for the time being if he so requests.

Section 23 A licensee under this Act shall be exempted from compliance with the law on drugs.

### CHAPTER 3 Duties of Licensee

Section 24 A licensee shall not produce, sell, import or store psychotropic substances in Schedule III or Schedule IV outside the place specified in his license.

Section 25 The grantor may authorize a licensee to sell psychotropic substances in Schedule III or Schedule IV outside the place specified in his license only in the following cases:

(1)the direct wholesale to another license under this Act or to a medical practitioner, first-class practitioner in the branch of dentistry or first-class veterinarian.

(2)the sale with the premise where there is a meeting of medical practitioners, first-class practitioners in the branch of dentistry, pharmacists, or first-class veterinarians.

The application for a license and the issue of a license shall be in accordance with the rules, procedure and conditions prescribed in the Ministerial Regulations.

Section 26 A licensee to produce, sell or import psychotropic substances in Schedule III or Schedule IV must provide a full time pharmacist to be in charge of the supervision of business throughout the working hours except in case of temporary necessity.

In the absence of a pharmacist in charge of the supervision of business, a person shall not proceed with the production or sale of psychotropic substances in Schedule III or Schedule IV.

Section 27 A licensee to produce psychotropic substances in Schedule III or Schedule IV shall

(1)provide a sign-board at a conspicuous place to be easily visible from outside the building of the place of production showing that it is the place of production of psychotropic substances, the description and size of a sign-board and the statement there on shall be prescribed in the Ministerial Regulations;

(2)provide an analysis of psychotropic substances who have been produced each time before taking out of the place of production together with evidence showing the details which must be kept for not less than ten years from the date of analysis;

(3)provide a label and accompanying leaflet or warning or caution for the use of a psychotropic substance on its container or package which must be in accordance with the rules, procedure and conditions prescribed in the Ministerial Regulations;

(4)do other acts as prescribed in the Ministerial Regulations.

Section 28 A licensee to sell psychotropic substances in schedule III or Schedule IV shall

(1)provide a sign-board at a conspicuous place to be easily visible from outside the building of the place of sale showing that it is a place of sale of psychotropic substances, the description and size of a sign-board and the statement thereon shall be prescribed in the Ministerial Regulations;



- (2) provide a separate storage for psychotropic substances from other drugs or materials;
- (3) ascertain the existence of label, accompanying leaflet or warning or caution for the use of a psychotropic substance on its container or package;
- (4) do other acts as prescribed in the Ministerial Regulations.

Section 29 A licensee to import psychotropic substances in Schedule III and Schedule IV shall

(1) provide a sign-board at a conspicuous place to be easily visible from outside the building of the place of importation showing that it is a place of importation of psychotropic substances, the description and size of a sign-board and the statement thereon shall be as prescribed in the Ministerial Regulations;

- (2) provide a certificate of producer showing the details of the psychotropic substances imported;
- (3) provide a label on the container or package of psychotropic substances;
- (4) provide a label and accompanying leaflet for psychotropic substances in compliance with the registered preparation, the accompanying leaflet must be in Thai language but it may have translation in foreign language;
- (5) do other acts as prescribed in the Ministerial Regulations.

Section 30 In the case where a license is lost or materially damaged, the licensee shall inform the grantor of it and file an application for a substitute of the license within fifteen days from the date of the knowledge of such loss or damage.

The application for and the issue of a substitute of a license shall be in accordance with the rules, procedure, and conditions prescribed in the Ministerial Regulations.

Section 31 A licensee must have his license conspicuously exhibited at the place specified in the license.

Section 32 A licensee shall not move, change or make an extension of the place of production, place of sale, place of importation or storage of psychotropic substances in Schedule III and Schedule IV unless he has received a written permission from the grantor.

The application for and the granting of permission shall be in accordance with the rules, procedure and conditions prescribed in the Ministerial Regulations.

## CHAPTER 4 Duties of Pharmacist

Section 33 A pharmacist in charge of the supervision of the production of psychotropic substances in Schedule III or Schedule IV shall;

- (1) supervise the production in compliance with this Act;
- (2) ascertain the existence of labels and accompanying leaflets for psychotropic substances under Section 27(3);

- (3)supervise the repacking and labeling of containers or packages in compliance with this Act;
- (4)supervise the sale of psychotropic substances under Section 34;
- (5)be in charge of supervision of the business all the time during working hours;
- (6)do other acts as prescribed in the Ministerial Regulations.

Section 34 A Pharmacist in charge of the supervision of the sale of psychotropic substances in Schedule III or Schedule IV shall:

- (1)supervise separate storage for psychotropic substances under Section 28 (2);
- (2)supervise the execution under Section 28 (3);
- (3)supervise the sale in compliance with this Act;
- (4)supervise the preparation of psychotropic substances in accordance with the prescriptions of the persons referred to in (5);
- (5)ascertain the existence of labels on the containers or packages of psychotropic substances prepared in accordance with the prescriptions of medical practitioner, first-class practitioner in the branch of dentistry, or first-class veterinarian so as to be in compliance with the rules, procedure and conditions prescribed in the Ministerial Regulations;
- (6)supervise the delivery of psychotropic substances in accordance with the prescriptions of the persons referred to in (5);
- (7)supervise the keeping of record of acquisition and disposal of psychotropic substances in accordance with the rules, procedure and conditions prescribed in the Ministerial Regulations;
- (8)ensure that psychotropic substance is not sold to a person without a prescription issued by the persons referred to in (5) or to a person without a license to produce, sell, or import psychotropic substances;
- (9)be on duty of supervision of the business all the time during working hours;
- (10)do other acts as prescribed in the Ministerial Regulations.

Section 35 A pharmacist in charge of the duty of supervision of the importation of psychotropic substances in Schedule III or Schedule IV shall:

- (1)ascertain that the imported psychotropic substances be in conformity with the formula of the registered preparation thereof;
- (2)supervise the execution in connection with the labels and accompanying leaflets under Section 29 (3) and (4);
- (3)supervise the sale of psychotropic substances under Section 34;
- (4)be on duty of supervision of the business all the time during working hours;
- (5)do other acts as prescribed in the Ministerial Regulations.

## CHAPTER 5

### Fake psychotropic substances, psychotropic substances not being in conformity with standard and deteriorated psychotropic substances

Section 36 A person shall not produce, sell or import psychotropic substances as follows:

- (1) a fake psychotropic substance;
- (2) a psychotropic substance which is not in conformity with its standard;
- (3) a deteriorated psychotropic substance;
- (4) a psychotropic substance which must be registered but has not been registered;
- (5) a psychotropic substance the registration of preparation of which has been revoked by the

Minister.

Section 37 The following psychotropic substances or articles shall be considered as fake psychotropic substances:

- (1) an article which is totally or partly an imitation of a psychotropic substance;
- (2) a psychotropic substance which shows the name of another psychotropic substance or the expiration date which is overstated;
- (3) a psychotropic substance which shows a name or mark of its producer or the location of the place of production, which is false;
- (4) a psychotropic substance which must be registered but has not been registered;
- (5) a psychotropic substance which is produced not in conformity with the standard to such an extent that its active ingredient is less or more than ten percent of the minimum or maximum limit as prescribed in a Notification of the Minister under Section 6 (2) or as prescribed in the formula of the registered preparation.

Section 38 The following psychotropic substances shall be considered as psychotropic substances which are not in conformity with the standard:

- (1) a psychotropic substance which is produced not in conformity with the standard to an extent that it is less or more than ten percent of the minimum or maximum limits as prescribed in a Notification of the Minister under Section 6 (2) or according to the formula of the registered preparation but not to the extent referred to under Section 37 (5);
- (2) a psychotropic substance which is produced with the purity or any other characteristic, which is essential to its quality differing from the limits prescribed in a Notification of the Minister under Section 6 (2) or according to the formula of the registered preparation.

Section 39 The following psychotropic substances shall be deteriorated psychotropic substances:

(1) a psychotropic substance which has expired as shown on the label of the registered preparation;

(2) a psychotropic substance which has transformed so that it is the same as a fake psychotropic substance under Section 37 (5) or a psychotropic substance which is not in conformity with its standard under Section 38.

## CHAPTER 6 Registration of Preparation

Section 40 A licensee to produce or import psychotropic substances in Schedule III or Schedule IV who wishes to produce or import any preparation containing the aforesaid psychotropic substances must first apply to the competent official for registration of such preparation and after having received a certificate of registration of the preparation, he may then produce or import such preparation.

The application for registration of preparation and the granting of a certificate of registration of preparation shall be in accordance with the rules, procedure and conditions as prescribed in the Ministerial Regulations.

The provisions of paragraph one shall not apply to a licensee to produce or import samples of authorized preparation; provided that he complies with the rules, procedure and conditions as prescribed in the Ministerial Regulations.

Section 41 The application for registration of a preparation under Section 40, must contain the following particulars:

- (1) the name of the preparation;
- (2) the name and quantity of ingredients which are composition of the preparation;
- (3) the content;
- (4) the method of analyzing the standard of composition of the preparation in case of applying a method which is not in the pharmacopoeia specified and notified by the Minister under the law on drugs;
- (5) the label;
- (6) the accompanying leaflet (if any);
- (7) the name of its producer and the country where the place of production is located; and
- (8) other items as prescribed in the Ministerial Regulations.

Section 42 An amendment of any particular of a registered preparation may be made only after having received a written permission from the competent official.

The application for amendment of a particular and the permission to amend a particular of a registered preparation shall be in accordance with the rules, procedure and conditions as prescribed in the Ministerial Regulations.

Section 43 The competent official shall not accept a preparation for registration in the case where he, with the approval of the Board, is of the opinion that:

(1) the application for registration of the preparation is not in accordance with Section 41 or with the Ministerial Regulations issued under Section 40;

(2) the preparation under the application for registration has unreliable properties or may be unsafe to the users;

(3) the name of the preparation under the application for registration is boastful, impolite, or may be misleading; or

(4) the preparation under the application for registration is a fake psychotropic substance under Section 37 or is a preparation which has been revoked by the Minister under Section 46.

The order refusing to accept the preparation for registration by the competent official shall be final.

Section 44 The provisions of Section 43 shall apply *mutatis mutandis* to the amendment of a particular of registered preparation.

Section 45 A certificate of registration of preparation shall be valid for five years from the date of issue. If a person receiving a certificate wishes to renew it, he must file an application before its expiration and after having filed it, he may continue his business until there is an order refusing to renew it.

The application for and the renewal of a certificate of registration of preparation shall be in accordance with the rules, procedure and conditions prescribed in the Ministerial Regulations.

In the case where the applicant has received the order refusing to renew a certificate, the provisions of Section 22 shall apply *mutatis mutandis*.

Section 46 If the Board is of the opinion that any registered preparation does not contain properties as registered or may be unsafe to the users or is a fake psychotropic substance or uses a name different from that which has been registered, the Board shall advise the Minister who shall have the power to revoke the registration of such preparation by issuing a Notification in the Government Gazette.

The decision of the Minister shall be final.

Section 47 In the case where a certificate of registration of preparation is lost or materially damaged the licensee shall inform the competent official of it and file an application for a substitute of certificate of the registration of preparation within fifteen days from the date of the knowledge of such loss of damage.

The application for and the issue of a substitute of certificate of registration of preparation shall be in accordance with the rules, procedure and conditions prescribed in the Ministerial Regulations.

## CHAPTER 7 Advertisement

Section 48 A person shall not advertise the psychotropic substances for commercial purpose unless

(1) such advertisement is made directly to a medical practitioner, first-class practitioner in the branch of dentistry pharmacist or first-class veterinarian or

(2) it is a label or accompanying leaflet for a psychotropic substance on its container or package.

## CHAPTER 8 Competent officials

Section 49 In the performance of duties, a competent official has the power to enter a place of production, place of sale, place of importation, or storage of psychotropic substances during office hours for inspection so as to ensure the execution in accordance with this Act and the power to take an appropriate quantity of psychotropic substances as samples for examination, or may in the case where there is reasonable ground to suspect that an offence under this Act has been committed, seize or attach the psychotropic substances relating to the offence including the containers or packages thereof and relevant documents for the purpose of instituting prosecution.

In the performance of duties of the competent official under paragraph one, the licensee and all persons having the duties in connection with the production, sale importation or storage of psychotropic substances in the place of sale, place of importation, or storage shall provide him with appropriate facilities.

Section 50 In the performance of duties a competent official must produce his identity card at the request of the licensee or the persons concerned.

An identity card of a competent official shall be in accordance with the form prescribed in the Ministerial Regulation.

Section 51 As for the psychotropic substances including the containers or packages thereof and documents seized or attached under Section 48 or in the case of exportation or carrying across of psychotropic substances in violation of this Act. If the owner is not found or the public prosecutor has given the final order of non- prosecution or the Court has not forfeited them in its judgement and the owner or possessor has not claimed them within ninety days from the date of the seizure or attachment or knowledge of the final order of non-prosecution or of the final judgement of the Court they shall become the property of the Ministry of Public Health.

If the thing seized or attached is perishable or if the delay involves risks or storage expenses out of proportion to the price of psychotropic substances, the competent official may, before the expiration of the period under paragraph one, cause the thing seized or attached to be sold and the net proceeds of sale shall be seized in substances, the competent official may, before the expiration of the period under paragraph one, cause the thing seized or attached to be sold and the net proceeds of sale shall be seized in substitute thereof.

Section 52 In the performance of duties, the competent officials shall be officials under the Penal Code.

## CHAPTER 9 Suspension and Revocation of Licenses

Section 53 Any licensee who violates or fails to comply with this Act or Ministerial Regulations or Notifications issued under this Act, the grantor, upon the recommendation or advice of the Board, has the power to suspend his license for a period not exceeding recommendation one hundred and twenty days each time but in the case where a licensee has been prosecuted for having committed an offence under this Act, the grantor may suspend his license pending the final judgement.

The person whose license has been suspended may not apply for any license during the suspension thereof.

Section 54 Any licensee who is disqualified or is under any prohibition under Section 14 of the Drugs Act, B.E. 2510 or fails to provide a full-time pharmacist to supervise the business during the working hours under Section 26 paragraph one, the grantor, upon the recommendation or advice of the Board, has the power to revoke his license.

The person whose license had been revoked may not apply for any license until the lapse of two years from the date of revocation, and the grantor may or may not issue him a license as he thinks fit.

Section 55 The order suspending or revoking a license shall be made in writing and served to the licensee: in the case where he is not found or refuses to receive the said order, it shall be conspicuously posted at the place of production place of sale or place of importation of psychotropic substance and it shall be deemed that the licensee has been informed of such order as from the date of the posting.

The order suspending or revoking a license upon paragraph one may be advertised in newspaper or by any other method.

Section 56 The grantor, upon the recommendation or advice of the Board, has the power to cancel the order suspending the license before the due date when he is satisfied that the licensee whose license has been suspended has complied with this Act or Ministerial Regulations or Notifications issued under this Act.

Section 57 The licensee whose license has been suspended or revoked has the right to appeal to the Minister within thirty days from the date of the knowledge of the order. The Minister has the power to dismiss the appeal or amend the order of the grantor in such a way as to be favorable to the appellant.

The decision of the Minister shall be final.

The appeal under paragraph one shall not stay the execution of the order suspending or revoking a license.

Section 58 The person whose license has been revoked may sell his remaining psychotropic substance to any other licensee or to a person the grantor thinks fit within sixty days from the date of the knowledge of the order revoking his license or of the decision of the Minister unless the grantor has granted an extension for a period not exceeding sixty days.

## CHAPTER 10 Special Measures of Control

Section 59 It shall be deemed that a preparation containing a psychotropic substance in any Schedule shall also be a psychotropic substance in such Schedule.

Section 60 In the case where a preparation containing psychotropic substances which are specified in more than one Schedule, it shall be deemed that such preparation is the psychotropic substance in the Schedule which is under stricter control than the others.

Section 61 In the case where any preparation.

(1) contains one or more psychotropic substances in Schedule II, Schedule III or Schedule IV;

(2) is not likely to be abused;

(3) contains a psychotropic substance which cannot be extracted for use in such quantity that it is likely to be abused; and

(4) does not cause danger to health and the public;

The Minister may issue a Notification in the Government Gazette designating it as an exempt preparation: provided that shall be in accordance with the rules, procedure and conditions prescribed in the Ministerial Regulations.

The Minister may issue a Notification canceling an exempt preparation notified in paragraph two when it appears that such preparation is not in conformity with the rules prescribed under paragraph one.

Section 62 No person except the Ministry of Public Health or the person entrusted by it shall have in possession or utilize any psychotropic substance in any Schedule unless he has received a license.

The application for and the granting of a license shall be in accordance with the rules, procedure and conditions prescribed in the Ministerial Regulations.

The provisions of Section 20, Section 21, and Section 22 shall apply thereto mutatis mutandis.



<sup>(14)</sup>Section 62 bis No person shall consume any psychotropic substance in Schedule I.

Section 62 ter No person shall consume any psychotropic substance in Schedule II unless he consumes under an order of a medical practitioner or a first class modern practitioner in the branch of dentistry for the purpose of his treatment.

Section 62 quarter No person shall induce, pander to, instigate, deceive or threaten another person to consume any psychotropic substance.

A medical practitioner or a first class modern medical practitioner in the branch of dentistry may advice or compel another person to consume any psychotropic substance for the purpose of his treatment.

Section 63 The provision of section 62 paragraph one shall not apply to

(1)the possession or utilization in the business of a licensee to produce, sell, import, export or carry across psychotropic substances in Schedule III or Schedule IV;

(2)the possession by a person for consumption ingestion or application by any other method of an appropriate quantity of any psychotropic substance in Schedule II, or Schedule III, or Schedule IV; provided that it shall be in accordance with the prescription of a medical practitioner first-class veterinarian in the branch of dentistry or first-class veterinarian in connection with the analysis, healing, relief, cure or prevention of diseases or sickness of such person or his animals;

(3)the possession or utilization in the performance of duties of psychotropic substances in Schedule II, Schedule III, or Schedule IV by the Ministries, Sub-Ministries, Departments, Thai Red Cross Society, Pharmaceutical Organization or such other official institutions as the Minister notifies in the Government Gazette;

(4)the possession or utilization in the performance of duties of psychotropic substance in Schedule I or Schedule II by the person entrusted by the Ministry of Public Health;

(5)the possession of psychotropic substances in Schedule II, Schedule III or Schedule IV in an appropriate quantity necessary for first aid use or for an emergency occurring on a ship, aircraft or other vehicle used in international public transport not registered in the Kingdom if such vehicle is registered in the Kingdom, and application for a license shall be filed under section 62.

Section 64 In the case where the Minister thinks fit, he may issue a Notification specifying any psychotropic substance in Schedule II, Schedule III or Schedule IV which a medical practitioner first-class practitioner in the branch of dentistry, or first-class veterinarian may, without permission, have in possession the quantity as prescribed by the Minister.

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<sup>(14)</sup> Section 62 bis, section 62 ter and section 62 quarter have been added by Psychotropic substances Act (No.3) B.E.2535, section 11.

Section 65 A licensee to produce sell, import, export, carry across or have in possession or utilize psychotropic substances must provide adequate measures of control in order that they may not be lost or used illegally.

Section 66 A person who is not a full-time pharmacist supervising the business at the place of production, place of sale, or place of importation of psychotropic substances shall not sell such substance in such place to another person unless it is made under close supervision of the full-time pharmacist of such place.

<sup>(15)</sup>Section 67 Under the enforcement of section 68 pharmacists will sell psychotropic substances in schedule 3 or 4 only to Ministries, Sub-Ministries, Departments, Thai Red Cross Society, Pharmaceutical Organization or such other official institutes as Minister notifies the Government Gazette medical practitioners, first class practitioners in the branch of dentistry, first class veterinarians, holders of such prescriptions or persons who have licenses to manufacture, sell or hold psychotropic substances in schedule 3 or 4 only and must have records showing the details every sales prescribed in the Ministerial Regulations.

Prescriptions in clause I can be used only one time except prescribes write that they may be repeated but not more than three times and quantities of drugs for each prescription must not be more than quantities that shall be consumed within less than thirty days.

Each prescription must be used not more than thirty days after the issue.

Section 68 In the case where there is no medical practitioner, first-class practitioner in the branch of dentistry, or first-class veterinarian within the radius of five kilometers from an authorized place of sale of psychotropic substances, the full-time pharmacist supervising the business of such place of sale may sell, without a prescription issued the said person, psychotropic substances in Schedule III or Schedule IV for a patient or a sick animal provided that he may, in each case, sell it for use not more than three days a month and shall record the particulars of each sale in the form prescribed in the Ministerial Regulations.

Section 69 In the delivery of psychotropic substances under Section 67 or Section 68, the pharmacist must also deliver to the buyer a warning or caution according to the Notification of the Minister under Section 6 (5).

## CHAPTER 11 International Trade

Section 70 In each importation or exportation if psychotropic substances in Schedule I or Schedule II, the person entrusted by the Ministry of Public Health must have first received a specific license from the grantor.

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<sup>(15)</sup> repealed and replaced by Psychotropic Substances (No.2) B.E.2528, section 3.

The application for and the granting of a license shall be in accordance with the rules, procedure and conditions prescribed in the Ministerial Regulations.

**Section 71** In each importation of psychotropic substance in Scheduler Schedule II, the person entrusted by the Ministry of Public Health must cause one copy of the license issued by the authority of the exporting country to be transmitted together with the psychotropic substances and two copies thereof transmitted directly to the Secretary-General.

The competent official shall endorse the copies of license under paragraph one by specifying the date of importation and the quantity of the psychotropic substances actually imported and return one copy to the authority of the country granting the license and return one copy at the Ministry of Public Health.

**Section 72** A person shall not send a psychotropic substance in Schedule I or Schedule II to a person or place other than the person or place specified in the license to import.

**Section 73** In the exportation of psychotropic substances in Schedule I or Schedule II, the person entrusted by the Ministry of Public Health must deliver a license to import issued by the authority of such country to the Ministry of Public Health in order that his application for a specific license to export may be considered and the licensee shall in the exportation, enclose one copy of such license with the psychotropic substance exported.

The Ministry of Public Health shall cause two copies of the specific license to export the psychotropic substance to be transmitted to the authority of the importing country and the Secretary-General shall cause the examination of the copy of the license which will be returned later.

**Section 74** In carrying across a psychotropic substance in Schedule I or Schedule II, the licensee must have a license issued by the authority of the exporting country together with the psychotropic substance and must accordingly inform the person in charge of the vehicle carrying it before entering the Kingdom and the person in charge of the vehicle shall take an appropriate measure to prevent the loss or illegal use of the psychotropic substance in the vehicle.

In the case where the active ingredients have been transshipped from a vehicle used for its carriage to another vehicle, the person in charge of such vehicle shall first inform a customs officer at the place accordingly and the customs officer

shall have the duty to supervise such psychotropic substance during the trans-shipment. After the trans-shipment the person in charge of the vehicle receiving the trans-shipment of psychotropic substance shall have the same duty as the person in charge of the vehicle under paragraph one.

**Section 75** The provisions of the law on customs in so far as the inspection seizure confiscation or arrest of offenders are concerned shall apply to the importation, exportation or carrying across of psychotropic substances in all Schedules under this Act.

Section 76 In the carrying across of a psychotropic substances in all Schedules, a person shall not change the destination of the psychotropic substance to another destination which is not specified in the export license which is enclosed with the psychotropic substance unless he has received a written permission from the authority of the country granting such license and the Secretary General has also given approval thereto.

Section 77 In the case where there is a change in the destination of the psychotropic substance under Section 76 it shall be deemed that such psychotropic substance has been exported from the country granting the license into the Kingdom and the competent official shall endorse the copies of license issued by the authority of the exporting country by specifying the date of importation and the quantity of the psychotropic substance actually carried across and return one copy to the authority of the country granting the license and retain one copy at the Ministry of Public Health.

In the exportation of psychotropic substance to the new destination under paragraph one, the licensee must first deliver the license issued by the authority of the new importing country to the Ministry of Public Health in order that this application for a specific license to export may then be considered, and the licensee shall enclose a copy of such license with the psychotropic substance which will be exported to the new destination.

The Ministry of Public Health shall cause two copies of the specific license to export the psychotropic substance to be transmitted to the authority of the new importing country and the Secretary-General shall cause the examination of the copy of the license which will be returned later.

Section 78 In the course of the carrying across of a psychotropic substance in Schedule I or Schedule II or while the psychotropic substance is under the supervision of the customs officer under Section 74 paragraph two, a person shall not convert or transform it or change its package unless he has received a written permission from the Secretary-General.

Section 79 In the case of emergency or necessity, the Secretary-General has the power to relax the measures of control under Section 74 and Section 77 with regard to the carrying across of psychotropic substances as he thinks fit.

<sup>(16)</sup>Section 80 In the cases of importations of psychotropic substances in schedule 3, holders of such licenses and competent officials must practice as according to rules, procedures and conditions prescribed in the Ministerial Regulations.

Section 81 In the importation of psychotropic substance under Section 80, a person shall not send the psychotropic substance in Schedule III to a person or place other than the person or place specified in the declaration of exportation issued by the proper authority of the exporting country.

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<sup>(16)</sup> repealed and replaced by Psychotropic Substances Act (No.2) B.E.2528, section 4.

<sup>(17)</sup>Section 82 In the cases of each particular of psychotropic substances in schedule 3, a holder of such license must have one copy of export declaration together with psychotropic substance and send directly two copies to Secretary- General.

The Ministry of Public Health must send one copy of export declaration as first class to competent official of importer.

Section 83 When the Ministry of Public Health has been informed of the prohibition of importation of any psychotropic substance in any Schedule by a foreign country which reports to the Secretary-General of the United Nations of the prohibition of importation thereof into such country, the Minister shall issue a Notification prohibiting such importation in the Government Gazette.

Section 84 A person shall not export a psychotropic substance to a country which prohibits the importation thereof under Section 83 unless he has received a specific license from such country and specific license from the Secretary-General.

The application for and the granting of a license shall be in accordance with the rules, procedure and conditions prescribed in the Ministerial Regulations.

Section 85 The possession of a psychotropic substance in Schedule II, Schedule III or Schedule IV in an appropriate quantity needed for first aid use or for an emergency occurring on a ship, aircraft, or any other vehicle used in international public transport shall be exempted from the measures of control for the importation, carrying across or exportation under this Act.

Section 86 A person in charge of a vehicle under section 85 must provide an appropriate measure to prevent the loss or illegal use of the psychotropic substance in such vehicle.

Section 87 Persons entrusted by the Ministry of Public Health or licensees under Section 16, Section 19 or Section 62, including the Ministries, Sub-Ministry, Departments, Thai Red Cross Society, Pharmaceutical Organization and other official institutions as the Minister notifies in the Government Gazette, which carry out the business with regard to the production, sale, importation, carrying across or possession of psychotropic substances which are not exempt preparations must cause the acquisition and disposal of psychotropic substances to be recorded and submit monthly and annual reports to the Secretary-General. Such record shall, at least within two years from the date of the last entry of a particular be kept and available for production to a competent official all the time during the office hours.

The record of acquisition and disposal of psychotropic substances and the reports under paragraph one shall be in accordance with the forms prescribed in the Ministerial Regulations.

Section 88<sup>\*</sup> When it appears that a person is addicted to a psychotropic substance, the Secretary-General or the person entrusted by him upon the recommendation or advice of the Board, has the power to commit such person for treatment or rehabilitation and restoration of ability for a period of one

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<sup>(17)</sup> repealed and replaced by Psychotropic Substances Act (No.2) B.E.2528, Section 5.

<sup>\*</sup> paragraph three of section 88 has been repealed by Psychotropic Substances (No.3) B.E.2535, section 12.

hundred and eighty days in a clinic or rehabilitation home as he thinks fit. In the case where it is necessary for the treatment or rehabilitation and restoration of ability, the Secretary-General or the person entrusted by him may grant an extension for a period of not more than one hundred and eighty days.

The Ministry of Public Health shall have the duty to provide appropriate treatment, education, training, after-care or rehabilitation and restoration of ability for the persons referred to in paragraph one in order that such person may be socially reintegrated, free from addiction to the psychotropic substance.

## CHAPTER 12 Penalties Provisions

<sup>(18)</sup>Section 89 Any person who violates section 13 paragraph one or section 13 bis paragraph one shall be liable to imprisonment for a term of five to twenty years and to a fine of one hundred thousand to four hundred thousand Baht.

Section 90 Any person who violated Section 16 paragraph one shall be liable to imprisonment for a term not exceeding five years and to a fine not exceeding one hundred thousand Baht.

Section 91 Any licensee under Section 16 or who continues the business after the expiration of his license without filing an application for its renewal shall be liable to a fine of two hundred Baht a day as from the day following the date of the expiration of the license until the date of the application for its renewal is filed.

Section 92 Any licensee who violates Section 24 or Section 32 paragraph one or fails to comply with Section 67 shall be liable to a fine not exceeding fifty thousand Baht.

Section 93 Any licensee who fails to comply with Section 26 paragraph one shall be liable to imprisonment for a term not exceeding one year or to a fine not exceeding twenty thousand Baht or to both.

Section 94 Any person who violates Section 26 paragraph two shall be liable to imprisonment for a term not exceeding one year or to a fine not exceeding twenty thousand Baht or to both.

Section 95 Any licensee who fails to comply with Section 27, Section 28 or Section 29 shall be liable to a fine of twenty thousand Baht to one hundred thousand Baht.

<sup>(19)</sup>Section 96 Any licensee who fails to comply with Section 30 paragraph one, Section 31 or Section 47 paragraph one shall be liable to a fine not exceeding ten thousand Baht.

Section 97 Any pharmacist in charge of duties who deserts his duties in respect of the supervision of the business of the licensee without justification or fails to discharge his duties under Section 33, Section 34 or Section 35 shall be liable to a fine of ten thousand to fifty thousand Baht.

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<sup>(18)</sup> repealed and replaced by Psychotropic Substances Act (No.3) B.E.2535, section 13.

<sup>(19)</sup> repealed and replaced by Psychotropic Substances Act (No.3) B.E.2535, section 14.

Section 98 Any person who produces or imports any fake psychotropic substance in violation of Section 36 (1) shall be liable to imprisonment for a term of five to fifteen years and to a fine of one hundred thousand to three hundred thousand Baht.

Any person who sells any fake psychotropic substance in violation of Section 36 (1) shall be liable to imprisonment for a term of one to ten years and to a fine of twenty thousand to two hundred thousand Baht.

Any person who sells or imports any fake psychotropic substance without the knowledge of it being fake shall be liable to a fine of ten thousand to fifty thousand Baht.

Section 99 Any person who produces or imports any psychotropic substance, which is not in conformity with the standard or any psychotropic substance the registration of preparation of which has been revoked by the Minister, which is in violation of Section 36 (2) or (5), shall be liable to imprisonment for a term of one to ten years and to a fine of twenty thousand to two hundred thousand Baht.

Any person who sells any psychotropic substance which is not in conformity with the standard or any psychotropic substance the registration of preparation of which has been revoked by the Minister, which is in violation of Section 36 (2) or (5), shall be liable to imprisonment for a term of six months to five years and to a fine of ten thousand to one hundred thousand Baht.

Any person who sells or imports any psychotropic substance which is not in conformity with the standard or any psychotropic substance the registration of preparation of which has been revoked by the Minister, without the knowledge of it not being in conformity with the standard or that the registration of preparation of which has been revoked by the Minister shall be liable to a fine not exceeding fifty thousand Baht.

Section 100 Any person who sells or imports any deteriorated psychotropic substance in violation of Section 36 (3), shall be liable to imprisonment for a term not exceeding two years or to a fine not exceeding forty thousand Baht or to both.

If the offender under paragraph one did it without the knowledge of it being a deteriorated psychotropic substance, he shall be liable to a fine not exceeding thirty thousand Baht.

Section 101 Any person who produces, sells or imports any psychotropic substance which must be registered but has not yet been registered, which is in violation of Section 36 (4), shall be liable to imprisonment for a term not exceeding three years or to a fine not exceeding sixty thousand Baht or to both.

Section 102 Any licensee who fails to comply with Section 40 paragraph one, shall be liable to imprisonment for a term not exceeding three years or to a fine not exceeding sixty thousand Baht or to both.

Section 103 Any person who violates Section 42, paragraph one shall be liable to a fine not exceeding twenty thousand Baht.

<sup>(20)</sup>Section 104 Any person who violates section 48, section 72, section 76, section 78 or section 84 paragraph one shall be liable to imprisonment for less than three years or a fine for less than sixty thousand Baht or both.

Section 105 Any person who fails to provide appropriate facilities to a competent official in the performance of his duties under Section 49 paragraph two shall be liable to a fine not exceeding one thousand Baht.

<sup>(21)</sup>Section 106 Any person who has in possession or utilizes any psychotropic substance in Schedule I or Schedule II in violation of section 62 paragraph one shall be liable to imprisonment for a term of one to five years and to a fine not exceeding twenty thousand Baht or to both.

Any person who has in possession or utilizes any psychotropic substance in Schedule III or Schedule IV in violation of section 62 paragraph one or any person who violates section 81 shall be liable to imprisonment for a term not exceeding one year or to a fine not exceeding twenty thousand Baht or to both.

<sup>(22)</sup>Section 106 bis Any person who has in possession or utilizes any psychotropic substance in Schedule I or Schedule II, which violates section 62 paragraph one, in quantity exceeding that prescribed by the Minister under section 6 (7 bis)\* shall be liable to imprisonment for a term of five to twenty years and to a fine of one hundred thousand to four hundred thousand Baht.

Section 106 ter Any person who violates section 62 bis, or section 62 ter shall be liable to imprisonment for a term of one to five years and to a fine of twenty thousand to one hundred thousand Baht.

Section 106 quarter Any person who violates section 62 quarter shall be liable to imprisonment for a term of two to ten years and to a fine of forty thousand to two hundred thousand Baht.

In the case where the act in violation of section 62 quarter is committed against a woman or person who is not sui juris or committed for the purpose of persuading other persons to commit a crime or facilitating himself or other persons to commit a crime, the offender shall be liable to imprisonment for a term of three years to imprisonment for life and to a fine of sixty thousand to five hundred thousand Baht.

Section 107 Any person who violates Section 66 shall be liable to a fine of ten thousand to fifty thousand Baht.

Section 108 Any pharmacist who sells psychotropic substance in violation of Section 67 paragraph one or Section 68 shall be liable to a fine of ten thousand to fifty thousand Baht.

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<sup>(20)</sup> repealed and replaced by Psychotropic Substances Act (No.2) B.E.2528, section 6.

<sup>(21)</sup> repealed and replaced by Psychotropic Substances Act (No.3) B.E.2535, section 15.

<sup>(22)</sup> Section 10 bis, section 106 ter and section 106 quarter have been added by Psychotropic Substances Act (No.3) B.E.2535, section 16.

\*Notification of Ministry of the Public Health No.85 (B.E.2536), dated 19<sup>th</sup> January B.E.2536



Section 109 Any pharmacist who fails to record items under Section 67 paragraph one or Section 68 or fails to comply with Section 69 shall be liable to a fine not exceeding one thousand Baht.

Section 110 Any licensee who fails to comply with Section 71 paragraph one, Section 73 paragraph one, Section 74 paragraph one, Section 77 paragraph two or Section 82 paragraph one shall be liable to a fine not exceeding one thousand Baht.

Section 111 Any person in charge of a vehicle who fails to perform his duty under Section 74 shall be liable to a fine not exceeding fifty thousand Baht.

Section 112 Any person in charge of a vehicle used in international public transport who fails to comply with Section 86 shall be liable to a fine not exceeding fifty thousand Baht.

Section 113 Any licensee who fails to comply with Section 87 paragraph one shall be liable to a fine not exceeding twenty thousand Baht.

Section 114 Any addict to a psychotropic substance who refuses to accept treatment or rehabilitation and restoration of ability according to an order of the Secretary-General or the person entrusted by him under Section 88 paragraph one shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding ten thousand Baht or to both, and such person shall, after having been punished, be committed for treatment or rehabilitation and restoration of ability in accordance with the original order.

Section 115 Any person under treatment or rehabilitation and restoration of ability according to an order of the Secretary-General or the person entrusted by him under Section 88 paragraph one, escapes from the clinic or rehabilitation home shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding ten thousand Baht or to both, and such person shall, after having been punished, be committed for treatment or rehabilitation and restoration of ability in accordance with the original order.

Section 116 Whenever a punishment has been inflicted under Section 89, Section 90, Section 98, Section 99, Section 100 or Section 101, all psychotropic substances, tools and equipment used in their production including containers or packages connected with the offence shall be forfeited and forwarded to the Ministry of Public Health for destruction or management as it thinks fit.

Section 117 The Secretary-General or the person entrusted by him shall have the power to settle all offences punishable only with fines under this Act.

### Transitory Provisions

Section 118 A licensee to produce, sell or import any drug which is psychotropic substance or contains a psychotropic substance under the law on drugs on the date this Act comes into force may continue his business until his license expires and if he wishes to continue business thereafter, he shall file an application for a license under this Act within sixty days from the date this Act comes into force. Within

the aforesaid period, the applicant may continue his business for the time being, but if the grantor issues a written order refusing to grant him a license, such person shall not be entitled to continue his business as from the date of the knowledge of the order and the provisions of Section 58 shall apply mutatis mutandis thereto.

Section 119 All drugs which, being psychotropic substances or containing psychotropic substances, have been duly produced, sold or imported under the law on drugs or the law on harmful habit forming drugs on the date this Act comes into force shall not be required to have the statement "psychotropic substance" under Section 27 (3) within one year from the date this Act comes into force.

Countersigned by

Sanya Dharmasakti  
Prime Minister

Certified correct translation

(Surapol Trivate)

Legal and Scientific Detection Division  
Office of the Narcotics Control Board  
Office of the Prime Minister