

**On approval of the Rules for formation of the List of Narcotic Drugs, Psychotropic Substances and precursors to be controlled in the Republic of Kazakhstan, the Summary table on classification of Narcotic Drugs, Psychotropic Substances, their analogues and precursors found in Illicit Trafficking, to small, large and especially large sizes, the List of substituents of hydrogen atoms, halogens and (or) hydroxyl groups in the structural formulas of Narcotic Drugs, Psychotropic Substances**

*Unofficial translation*

Decree of the Government of the Republic of Kazakhstan No. 366 dated June 5, 2019.

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In accordance with Paragraph 1-1 of Article 5 of the Law of the Republic of Kazakhstan dated July 10, 1998 "On Narcotic Drugs, Psychotropic Substances, their analogs and precursors and measures to combat their illicit trafficking and abuse", the Government of the Republic of Kazakhstan hereby **DECREES AS FOLLOWS**:

1. Approve the Rules for formation of the List of Narcotic Drugs, Psychotropic Substances and precursors to be controlled in the Republic of Kazakhstan, the Summary table on classification of Narcotic Drugs, Psychotropic Substances, their analogues and precursors found in illicit trafficking, to small, large and especially large sizes, the List of substituents of hydrogen atoms, halogens and (or) hydroxyl groups in the structural formulas of Narcotic Drugs, Psychotropic Substances.

2. This Decree shall be enforced from July 5, 2019 and subject to official publication.

*The Prime Minister of the Republic of Kazakhstan*

*A. Mamin*

Approved by  
the Decree of the Government of  
the Republic of Kazakhstan  
No. 366 dated June 5, 2019

## **Rules**

**for formation of the List of Narcotic Drugs, Psychotropic Substances and precursors to be controlled in the Republic of Kazakhstan, the Summary table on classification of Narcotic Drugs, Psychotropic Substances, their analogues and precursors found in illicit trafficking, to small, large and especially large sizes, the List of substituents of hydrogen atoms, halogens and (or) hydroxyl groups in the structural formulas of Narcotic Drugs, Psychotropic Substances**

### **Chapter 1. General Provisions**

1. These Rules for formation of the List of Narcotic Drugs, Psychotropic Substances and precursors to be controlled in the Republic of Kazakhstan (hereinafter referred to as the List of Narcotic Drugs, Psychotropic Substances and precursors), the Summary table on classification of Narcotic Drugs, Psychotropic Substances, their analogues and precursors found in illicit trafficking, to small, large and especially large sizes, (hereinafter referred to as the Summary table), List of substituents of hydrogen atoms, halogens and (or) hydroxyl groups in the structural formulas of Narcotic Drugs, Psychotropic Substances (hereinafter referred to as the List of substituents of hydrogen atoms) shall be developed in accordance with Paragraph 1-1 of Article 5 of the Law of the Republic of Kazakhstan dated July 10, 1998 “On Narcotic Drugs, Psychotropic Substances, their analogs and precursors and measures to combat their illicit trafficking and abuse by them”.

2. These Rules shall determine the procedure for formation of the List of narcotic drugs, psychotropic substances and precursors, the Summary table and the List of substituents of hydrogen atoms.

## **Chapter 2. The procedure for formation of the List of Narcotic Drugs, Psychotropic Substances and precursors, the Summary table, the List of substituents of hydrogen atoms**

3. The List of Narcotic Drugs, Psychotropic Substances and precursors shall be compiled on the basis of the Lists of the Single Convention on Narcotic Drugs 1961, the Convention on Psychotropic Substances 1971, and the Convention for the Suppression of the Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988, to which the Republic of Kazakhstan joined in 1998.

4. The list of Narcotic Drugs, Psychotropic Substances and precursors consists of four tables and a List of drugs containing narcotic drugs, psychotropic substances and precursors that shall be subject to control in the Republic of Kazakhstan and shall be approved for use in veterinary medicine.

5. In Tables I, II and III, the names of the Drugs and Substances shall be set out in accordance with the international unregistered names recommended by the World Health Organization (WHO), the names and descriptions specified in the Single Convention on Narcotic Drugs 1961, the Convention on Psychotropic Substances 1971, as well as other unregistered names.

6. Table I includes Narcotic Drugs, Psychotropic Substances, the use of which shall be prohibited for medical purposes (list IV and part of list I of the Convention 1961, and list I of the Convention 1971).

7. Table II includes Narcotic Drugs, Psychotropic Substances used for medical purposes and under strict control (part of list I, list II of the Convention 1961 and list II of the Convention 1971).

8. Table III includes Narcotic Drugs, Psychotropic Substances used for medical purposes and under control (list III of the Convention 1961 and lists III and IV of the Convention 1971)

9. Table IV includes precursors (chemicals and plants that are often used in the illicit manufacture of narcotic drugs and psychotropic substances) - (tables I and II of the Convention 1988), which are under control.

10. The list of Drugs containing narcotic drugs, psychotropic substances and precursors that shall be subject to control in the Republic of Kazakhstan and shall be approved for use in veterinary medicine include drugs that can be used as diagnostic, therapeutic and prophylactic drugs with an appropriate license.

11. Narcotic Drugs or Psychotropic Substances also include their preparations whose names (synonyms) shall not be included in the List of narcotic drugs, psychotropic substances and precursors.

12. The summary table consists of Table I, which determines the sizes of narcotic drugs, Table II - the sizes of psychotropic substances, Table III - the sizes of precursors and Table IV - the sizes of cultivation of plants classified as narcotic drugs.

13. The list of substituents of hydrogen atoms consists of monovalent and divalent substituents of hydrogen atoms.

14. The inclusion of a substance in the List of Narcotic Drugs, Psychotropic Substances and precursors, the Summary table and the List of substituents of hydrogen atoms shall be carried out on one of the following grounds:

upon receipt of recommendations from the UN International Narcotics Control Board;

if there is a substance in the lists, lists, tables of Narcotic Drugs, Psychotropic Substances and precursors to be controlled in the countries of the Eurasian Economic Union.

15. In case of detection in circulation of a psychoactive substance that is not under the control of the International Narcotics Control Board of the United Nations and the countries of the Eurasian Economic Union, its classification as narcotic drugs, psychotropic substances and precursors shall be carried out in the manner prescribed by Paragraphs 15-20 of these Rules.

16. Authorized authorities, including forensic authorities, within seven working days from the date of receipt (giving) the opinion of a forensic expert, shall make proposals on the inclusion of a psychoactive substance under control in the authorized state authority in the field of trafficking in narcotic drugs, psychotropic substances, their analogues and precursors (hereinafter referred to as the authorized state authority).

17. The authorized state authority, within seven working days from the date of receipt of the proposal of the authorized authority to put the psychoactive substance under control, shall send materials to the forensic authorities to determine its size.

18. Forensic authorities within a period not exceeding ten working days from the date of receipt of the request, shall provide the authorized state authority with an opinion on the size of substance (small, large, especially large).

19. After receiving the opinion of the forensic authority on the size of substance, the authorized state authority within one month shall develop, in agreement with the authorized authorities, a draft Decree of the Government of the Republic of Kazakhstan on additions to the List of narcotic drugs, psychotropic substances and precursors and the Summary table or the List of substituents of hydrogen atoms and submit for approval by the Government of the Republic of Kazakhstan.

20. In accordance with the requirements of the Single Convention on Narcotic Drugs 1961, the Convention on Psychotropic Substances 1971, and the Convention for the Suppression of the Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988, the authorized state authority shall send a notification to the UN International Narcotics Control Board on inclusion of psychoactive substances in the List of Narcotic Drugs, Psychotropic Substances and Precursors and the Summary Table.

21. The exclusion of a substance from the List of Narcotic Drugs, Psychotropic Substances and Precursors and the Summary Table shall be carried out in accordance with the established procedure by the Government of the Republic of Kazakhstan at the proposal of the authorized state authority upon receipt of recommendations from the UN International Committee on Drug Control.

For these purposes, the authorized state authority, in agreement with the authorized authorities, shall develop a draft Decree of the Government of the Republic of Kazakhstan on amendments to the List of narcotic drugs, psychotropic substances and precursors and the Summary Table within a month and submit it for approval by the Government of the Republic of Kazakhstan.