

Federal Law by Decree No. (30) of 2021
On Combating Narcotics and Psychotropic Substances

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President of the UAE,

- Having reviewed the constitution,
- Federal Law No. 1 of 1972 on the Competences of Ministries and the Powers of Ministers, and amendments thereof,
- Federal Law No. 9 of 1976 on Delinquent Juveniles and Homeless,
- Federal Law No. 3 of 1987 promulgating the Penal Code, and amendments thereof,
- Federal Law No. 35 of 1992 promulgating the Criminal Procedure Code, and amendments thereof,
- Federal Law No. 36 of 1992 on Rehabilitation,
- Federal Law No. 43 of 1992 on the Penal Facilities Organisation,
- Federal Law No. 14 of 1995 on Combating Narcotics and Psychotropic Substances, and amendments thereof,
- Federal Law No. 4 of 2015 on Private Health Facilities, and amendments thereof,
- Federal Law No. 3 of 2016 on the Child Rights Law "Wadeema Law" and amendments thereof,
- Federal Law No. 2 of 2019 on the Information and Communication Technology use in the health fields,
- Federal Law No. 5 of 2019 on the Regulation of the Practice of the Human Medicine Profession,
- Federal Law No. 8 of 2019 on Medical Products, the Pharmacy Profession and Pharmaceutical Facilities,
- Federal Law by Decree No. 14 of 2021 on the establishment of the Federal Authority for Identity, Nationality, Customs and Ports Security,
- Upon the proposal of the UAE Deputy Prime and Minister of Interior, and the approval of the Council of Ministers,

Have promulgated the following Law by Decree:

Section One
Definitions and General Provisions

Article (1)

In applying the provisions of this Law by Decree, the following words and expressions shall have the meanings assigned to each of them, unless the context stipulates otherwise:

- Narcotics** : Every natural or synthetic substance listed in Schedules Nos. 1, 2, 3, 4 attached thereto.
- Psychotropic Substances** : Every natural or synthetic substance listed in Schedules Nos. 5, 6, 7 and 8 attached thereto.
- Import** : The entry of narcotics or psychotropic substances into the territory of the State in violation of the provisions regulating their import stipulated therein.
- Export** : The removal of narcotics or psychotropic substances from the territory of the State in violation of the provisions regulating their export stipulated therein.
- Bringing** : Entry in or bringing narcotics or psychotropic substances, personally or through others, into the territory of the State by any means, and whoever shall not be licensed to import in accordance with the provisions of the law is considered a bringer.
- Transport** : The transport of narcotics or psychotropic substances within the territory of the State, from one place to another, or by way of transit in violation of the provisions regulating their transportation stipulated therein.
- Promotion** : The dissemination or distribution of narcotics, psychotropic substances, or any substances or plants that may cause anaesthesia or harm the mind to a number of persons without discrimination.
- Production** : Separation of narcotics or psychotropic substances from their

- plant origin.
- Manufacture** : All non-productive operations by which narcotics or psychotropic substances shall be obtained, including purification, extraction, beneficiation and conversion of a narcotic substance into another narcotic substance, and psychotropic substances into other psychotropic substances, and the manufacture of preparations other than those installed by pharmacies based on a medical prescription.
- Placement** : Placement of the addict in one of the treatment units specialised in rehabilitating addicts.
- Subjugation** : Obligating the convicted person of narcotics or psychotropic substances to follow the rules and procedures of periodic examination.
- Compulsory to a rehabilitation programme** : Placement of a convicted person or a final criminal order in respect of one of the crimes of addiction or personal using of narcotics or psychotropic substances in a rehabilitation programme that the unit determines the time and place of implementation thereof.
- The Competent Administrative Authority** : The Authority to be determined by a Resolution of the Minister of Health and Prevention.
- Unit** : The unit specialised in the treatment and rehabilitation of narcotics and psychotropic substances.
- Supervising Committee** : The unit supervising committee.

Article (2)

The provisions of this Law by Decree shall not apply to the plants parts shown in Section (3) of Schedule No. (4) attached thereto.

Article (3)

By virtue of this Law by Decree, a council called (the Anti-Narcotics Council) shall be established to be responsible for developing a comprehensive national strategy to combat drugs that all ministries and federal and local authorities shall be adhered to, each within the limits of its competence. His formation and the determination of his presidency and his competencies shall be issued by a Resolution of the Council of Ministers based on the proposal of the Minister of Interior.

Article (4)

1. Table Nos. (1, 2, 4, 5) may not be amended except by addition only, with such additions being permissible upon the issuance of a resolution by the Minister of Health and Prevention subsequent to the approval of a medical committee established for this purpose. It is a prerequisite that the said committee comprise a representative from each local health authority, appointed by the respective authority, and a representative from the Ministry of Interior designated by the Minister of Interior.
2. Table Nos. (3, 6, 7, 8, 9) may be amended by deletion, addition, or change in proportions or quantities, being permissible upon the issuance of a resolution by the Minister of Health and Prevention subsequent to the approval of a medical committee established for this purpose. It is a prerequisite that the said committee comprise a representative from each local health authority, appointed by the respective authority, and a representative from the Ministry of Interior designated by the Minister of Interior.
3. Table No. (10) shall be amended by changing the percentages or quantities upon the issuance of a resolution by Council of Ministers based on the proposal of the Chairman of the Anti-Narcotics Council stipulated in Article (3) herein. The penalties contained therein may not be amended except by virtue of a Law or a Decree by Law.

Article (5)

The Ministry of Health and Prevention shall establish Specialised Units for the treatment and rehabilitation of addicts to narcotics and psychotropic substances. The Council of

Ministers, based on the proposal of the Minister of Health and Prevention, shall issue the Regulations governing the work of these Units, and local health authorities may establish similar units in accordance with the Laws of their establishment.

Article (6)

All data and information related to the affairs of addicts and convicted persons who are placed in the Unit shall be considered secrets, and these secrets shall not be disclosed or broadcasted, in cases other than those stipulated by Law.

Violation of this Article shall be punishable by the penalties prescribed for this crime in the Federal Penal Code.

Article (7)

Specialised centres shall be established to implement the imprisonment penalty in crimes of addiction and personal using of narcotics and psychotropic substances, and those convicted therein shall be subject to treatment, rehabilitation, sports and vocational training programmes in addition to family, occupational and social integration programmes.

The Council of Ministers shall issue the Regulations for the work of these centres based on a proposal from the Minister of Interior in coordination with the relevant authorities, and they shall be enforced as of the date specified by the Regulation.

Ministries and authorities shall provide the services and programmes stipulated in the First Paragraph, each according to its competence.

Article (8)

The Minister of Justice, in agreement with the Competent Minister, may grant the status of Judicial Police officers to some employees of ministries, agencies and departments related to the implementation of the provisions hereby, each within the limits of its competence.

The heads of the local judicial departments, each within the limits of his competence, may grant the capacity of judicial control officers to the employees of the concerned local authorities in accordance with the legislation in force in the Emirate.

Article (9)

The Ministry of Health and Prevention shall inspect the authorities licensed under the provisions of this Law by Decree.

Section Two

Prohibition of dealing in narcotics, psychotropic substances and plants producing them

Chapter One

Narcotics and Psychotropic Substances

Article (10)

1. Any of the narcotics or psychotropic substances listed in Schedules Nos. (1, 2, 4/ Section (1), 5) attached thereto shall not be imported, exported, transferred, produced, manufactured, brought, possessed or acquired and all other aspects of the activity and other related acts.
2. Monitoring medical uses and scientific research may be carried out on the substances shown in Schedules Nos. (1, 2, 4, 5) attached thereto, with the knowledge of the specialised scientific authorities to be determined by a Resolution of the Minister of Health and Prevention in coordination with the Ministry of Interior, and in accordance with the conditions and procedures issued by a Resolution of the Council of Ministers.

Article (11)

Any of the narcotics or psychotropic substances listed in Schedules Nos. (3,6,7,8) attached thereto shall not be imported, exported, transferred, produced, manufactured, brought, possessed or acquired and all other aspects of the activity and actions related thereto except in the authorised cases and under the conditions stipulated therein.

Article (12)

Addiction of narcotics or psychotropic substances in any form, or to use them personally,

except for treatment, and according to a medical prescription from the Treating Physician issued in accordance with the provisions of Article (40) of this Law by Decree shall be prohibited.

This prohibition shall apply to any substance or plant other than narcotics or psychotropic substances stipulated in the Schedules attached thereto, which is likely to cause anaesthesia or any other effect harmful to the mind when the addiction is with the intent of causing anaesthesia or harming the mind.

Article (13)

In all cases in which possession or acquisition of narcotics or psychotropic substances shall be licensed, the percentages of weight differences may not exceed the percentages stipulated in the prescribed pharmacopoeia constitutions.

Chapter Two

Plants producing narcotics or psychotropic substances

Article (14)

In cases other than those authorised in accordance with the provisions of this Law by Decree, plants mentioned in Schedules No. 4, Section (2), or any other plant that produces narcotics or psychotropic substances shall not be planted, brought, imported, exported, owned, possessed and acquired, in all stages of their growth, as well as their seeds, and all other aspects of activity and actions related thereto.

Article (15)

The land owner shall inform the public authority of the plants that shall be planted on that land in Schedule No. 4, Section (2), as soon as he becomes aware of this.

Article (16)

The Minister of Climate Change and Environment shall issue the necessary licences to government agencies and recognised scientific institutes for the cultivation of any plant

whose cultivation shall be prohibited for scientific purposes and research, and according to the conditions he sets in this regard and in coordination with the Minister of Interior, and for this purpose he may authorise them to import these plants. In this case, the provisions of Chapter (1) of Section (3) of this Law by Decree shall apply.

Section Three

Licenses

Chapter One

Licence to import, export and transport narcotics and psychotropic substances

Article (17)

Without prejudice to the provisions of Article (10) of this Law by Decree, narcotics and psychotropic substances may not be imported, exported or transported without a written permission from the Competent Administrative Authority.

Article (18)

The permission referred to in the previous Article may only be granted to the following authorities:

1. Governmental agencies and recognised institutes.
2. Governmental or licensed hospitals, clinics and psychiatric institutions.
3. Licensed chemical analysis laboratories or medical, scientific and industrial research laboratories.
4. Licensed drug stores, pharmacies and pharmaceutical factories, provided that they employ a responsible pharmacist licensed to practice the profession.
5. Intermediaries offices, factories agents and pharmaceutical and medical preparation companies who shall be licensed to practice this profession, provided that they employ a responsible pharmacist licensed to practice the profession.

The permission shall be issued in the name of the Authority Manager or the person responsible for it in his capacity, based on a request signed by him, on the form prepared for

this purpose by the Competent Administrative Authority, and this Authority may refuse to grant the permission or reduce the required quantity.

Article (19)

The permission stipulated in the previous Article may not be issued in the name of the Authority Manager or the person responsible for it in his capacity, unless he has been rehabilitated if he is one of the following categories:

1. A convicted person of a custodial penalty in a crime involving moral turpitude or dishonesty.
2. A convicted person of one of the crimes stipulated therein.
3. A convicted person of the crimes of money looting, money laundering, sexual crimes, forgery, use of forged documents, impersonation of others or false testimony, as well as the person convicted of attempting to commit one of these crimes.
4. Whoever was previously dismissed for reasons of dishonour or dishonesty, unless three years have passed from the dismissal date.

As an exception to the provision of the previous paragraph, permission may be granted to any of the convicted persons of any of the crimes stipulated in Clauses (1 and 2) of Article (60) of this Law by Decree, even if he has not been rehabilitated.

The permission shall be considered repealed if a final judgment is issued in one of the crimes or disciplinary violations referred to in the First Paragraph of this Article.

Article (20)

Narcotics or psychotropic substances that arrive at customs shall not be delivered without a withdrawal permit signed by the Manager in charge of the Authority licensed to import on the form prepared by the Competent Administrative Authority for that.

The Competent Administration of Customs, in case of import or export, shall keep the withdrawal permit or the export permit and send a copy of it after the substances are delivered to the Competent Administrative Authority.

Article (21)

No narcotics or psychotropic substances may be imported, exported, or transported in parcels containing other substances, and they shall be sent even if they are in a sample form within insured parcels. In addition to the name and address of the Consignee, the cover shall show the name and quantity of the substance and the name and address of the sender in full.

Article (22)

The Competent Administrative Authority shall create a special electronic record in which the permits issued for the import or export of narcotics or psychotropic substances shall be entered. The record shall include in particular the following data:

1. The Licensee name, capacity, date of birth, nationality and place of residence.
2. Permission date and number.
3. Types of substances and their quantities in letters and numbers.
4. The place where the substances shall be placed.
5. The registration number in the commercial register for the authorities to be registered in this register.

Article (23)

An import or export permit shall be considered repealed if it has not been used within sixty days as of the date of its issuance.

Chapter Two

Licensing for trafficking in narcotics and psychotropic substances

Article (24)

Without prejudice to the provisions of Article (10) of this Law by Decree, trafficking in narcotics or psychotropic substances shall not be permitted without obtaining a licence to practice it from the Competent Administrative Authority. In this regard, the provisions of Articles (18), (19), (20), (21), (22) of this Law by Decree shall apply.

Article (25)

The Authority licensed to traffick in narcotics or psychotropic substances shall have a pharmacist responsible for these substances.

Article (26)

If the licence holder changes the location of his industrial or commercial activity or leaves the business for which the licence was granted, he shall inform the Competent Administrative Authority within fifteen days at most from the occurrence of the change or leaving the business, and in case of leaving the business he shall return the licence thereto.

Article (27)

Authorities licensed to traffick in narcotics or psychotropic substances may not sell or deliver these substances or assign them in any capacity whatsoever except to the following persons:

1. Managers of drug stores, pharmacies and pharmaceutical factories licensed to practice the trafficking.
2. Managers of pharmacies in hospitals, warehouses, psychiatric institutions and licensed clinics, if they are pharmacists.
3. Physicians of licensed hospitals, clinics and psychiatric institutions determined by these authorities, if they do not have pharmacists.
4. Managers of licensed chemical analysis laboratories or medical, scientific and industrial research laboratories.
5. Representatives of government agencies and recognised scientific institutes.

Article (28)

The Authority Manager licensed to traffick in narcotics or psychotropic substances shall adhere to the electronic record approved by the Competent Administrative Authority to record what shall be received and dispensed from them on a timely basis and on the same day.

Article (29)

The Authority Manager licensed to traffick in narcotics or psychotropic substances shall send to the Competent Administrative Authority in the first week of every month a list of the incoming and outgoing substances mentioned in the Schedules attached thereto and the rest of them until the end of the previous month.

Article (30)

The Minister of Health and Prevention shall issue a Resolution specifying the procedures and manner of selling, delivering and waiving narcotics or psychotropic substances, as well as the data that shall be recorded in the register and disclosure referred to in the two previous Articles.

Chapter Three

Licensing the production of narcotics or psychotropic substances and the manufacture of medical preparations containing them.

Article (31)

The Authorities other than those mentioned in Clauses (1, 2, 3, 4) of Article (18) of this Law by Decree shall be prohibited to produce or manufacture any of the substances listed in Schedules Nos. 3, 6, 7, 8.

The Authorities mentioned in the aforementioned Clauses may not undertake any of the activities stipulated in the previous paragraph unless after obtaining a licence to do so from the Competent Administrative Authority, and the provisions of Articles (18) Second Paragraph, (19), (20), (21), (22) of this Law by Decree.

Article (32)

In pharmaceutical factories or pharmacies, manufacturing a preparation that contains a narcotics or psychotropic substance except shall be permitted after obtaining the licence stipulated in Article (24) of this Law by Decree and under the conditions referred to in that Article.

These authorities may not use these substances except in the manufacture of the preparations that they produce, and they shall follow the provisions of Articles (28) and (29) of this Law by Decree with respect to what comes to them of those substances and the provisions of these two Articles and Article (25) hereby on the medicinal preparations they produce that contain one of the aforementioned substances in any proportion.

Article (33)

Pharmacies and medical preparation factories may not exceed the percentages mentioned in Schedules No. (9) attached thereto, subject to the conditions stipulated in the prescribed medicines constitutions.

Chapter Four

Medical treatment of narcotics and psychotropic substances

Article (34)

The Pharmacy may not dispense any of the narcotics or psychotropic substances except under a medical prescription from a Treating Physician who shall be licensed to practice the profession of human or veterinary medicine in the State and meets the conditions stipulated in Federal Law No. (8) of 2019 referred to or any other law to replace thereof.

The Minister of Health and Prevention shall specify, by a Resolution from him, the narcotics or psychotropic substances for which the medical prescription shall be registered in the register stipulated in Article (36) of this Law by Decree.

The Pharmacy shall be prohibited from dispensing these substances if the percentage recorded in the prescription exceeds the percentages indicated in Schedule No. (9) attached thereto.

However, if the patient condition necessitates an increase in that percentage, the Treating Physician shall request from the Competent Administrative Authority a licence for the percentages necessary for this purpose.

Article (35)

The Pharmacy may dispense narcotics or psychotropic substances under licence cards issued by the Competent Administrative Authority to the following persons:

1. Physicians licensed to practice human or veterinary medicine.
2. Pharmacists of hospitals, clinics and psychiatric institutions.
3. Doctors of hospitals, clinics and psychiatric institutions designated by these authorities, if they do not have pharmacists.

Article (36)

Without prejudice to the provisions of Article (34) of this Law by Decree, the Pharmacy Manager shall be bound by the electronic record approved by the Competent Administrative Authority to record the incoming narcotics or psychotropic substances and what shall be dispensed from them on time and on the same day.

The Minister of Health and Prevention shall specify, by a Resolution, the data to be recorded in this register.

Article (37)

1. The Pharmacy Manager shall keep the medical prescriptions containing narcotics and psychotropic substances, indicating the date of dispensing and the number of their entry in the register.
2. Repeated dispensing of medical prescriptions for narcotics shall be prohibited.
3. The psychotropic substances that may be dispensed with one prescription and the number of repetitions for each of them shall be determined by a Resolution of the Minister of Health and Prevention.

Article (38)

The Pharmacy Manager shall, within the first fifteen days of January and July of each year, send to the Competent Administrative Authority a registered letter containing a detailed statement signed by him of the incoming, outgoing and remaining narcotics and

psychotropic substances until the end of the previous six months.

Article (39)

The Pharmacy Manager shall keep narcotics and psychotropic substances in a tightly closed cabinet in the pharmacy, and these substances shall be in his custody.

Article (40)

Medical prescription for any narcotics or psychotropic substance may not be given except by physicians licensed to practice the profession of human or veterinary medicine in the State and this shall be required by medical treatment according to the specialisation of the Treating Physician, taking into account the percentages indicated in Schedule No. (9) attached thereto or determined in accordance with the scientific principles approved by the Ministry of Health and Prevention, and in accordance with the provisions of Article (34) of this Law by Decree.

The Minister of Health and Prevention shall issue a Resolution on the controls for medical prescriptions issued from abroad for narcotics and psychotropic substances, and the procedures for attaching them with travellers upon entry to the State, in coordination with the Ministry of Interior and the Federal Customs Authority (FCA) in the State.

Section Four

Penalties and Precautionary Measures and Procedures

Chapter One

Original Penalty

Article (41)

1. A penalty of imprisonment for a period of no less than three months or a fine of no less than twenty thousand dirhams and not more than one hundred thousand dirhams shall be applied in the case of:
 - A. Addicting in any way, or personal using in circumstances other than authorised, or in doses more than specified in the medical prescription, any of the narcotics and

psychotropic substances stipulated in Schedules (1), (2), (5), with the exception of Clause (29) from Schedule No. (1).

- B. Addicting in any way or personal using in circumstances other than the authorised one of the plants listed in Schedule No. (4), with the exception of Clause (8) of the Section (2) of Schedule No. (4).
2. If the Offender commits any of the acts stipulated in the previous Clause for the second time within a period not more than three years as of the date of committing the act or once, the penalty shall be imprisonment for a period of no less than six months or a fine of no less than thirty thousand dirhams and not more than one hundred thousand dirhams.
3. If the Offender commits any of the acts stipulated in Clause (1) of this Article for the third time or more, the penalty shall be imprisonment for a period of no less than two years and a fine of no less than one hundred thousand dirhams.

Article (42)

1. Addicting in any way or personal using of narcotic substances as stipulated in item (29) of Schedule No. 1 shall be punished by imprisonment for a period of no less than three months or a fine of no less than ten thousand dirhams and not more than one hundred thousand dirhams or any of the plants mentioned in Clause 8 of Section Two of Schedule No. (4).
2. If the Offender commits any of the acts stipulated in the previous Clause for the second time within a period not more than three years as of the date of committing the act or once, the penalty shall be imprisonment for a period of no less than six months or a fine of no less than twenty thousand dirhams and not more than one hundred thousand dirhams.
3. If the Offender commits any of these acts stipulated in Clause (1) of this Article for the third time or more, the penalty shall be imprisonment for a period of no less than six months and a fine of no less than fifty thousand dirhams and no more than two hundred dirhams.

Article (42) Bis

1. In exception to the provisions delineated in Article (57) of this Decree by Law, an individual who is neither a citizen of the State nor a legal resident therein, upon entering the State via any land, sea, or air port, and is found in possession of a narcotic or psychotropic substance with the intent of addiction or personal use, excluding cases specifically authorised for medical purposes, shall incur a monetary penalty ranging from (5,000) five thousand Dirhams to (1,000,000) one million Dirhams.
2. The Council of Ministers, upon the recommendation of the Chairman of the Anti-Narcotics Council as specified in Article (3) of this Decree by Law, shall promulgate a resolution delineating the fine amounts based on the type and weight of the narcotic or psychotropic substance, or the frequency of occurrences of their seizure. Additionally, the decision shall specify circumstances under which the offender shall be prohibited from entering the State and the duration of such prohibition. Such resolution shall be officially published in the Official Gazette.
3. In all cases, the seized materials shall be confiscated and destroyed in accordance with the rules stipulated herein.

Article (43)

1. Addicting in any way, or personal using in cases other than authorised, or a fine of no less than twenty thousand dirhams and not more than one hundred thousand dirhams, or a fine of not less than twenty thousand dirhams and not more than one hundred thousand dirhams, or personally used in cases other than authorised, or in doses more than specified in the medical prescription, shall be punished by imprisonment for a period of no less than three months or a fine of no less than twenty thousand dirhams narcotics or psychotropic substances stipulated in Schedules No. (3), (6), (7), (8).
2. If the Offender commits any of the acts stipulated in the previous clause for the second time within a period not more than three years as of the date of committing the act or once, the penalty shall be imprisonment for a period of no less than six months or a fine of no less than thirty thousand dirhams and not more than one hundred thousand dirhams.

3. If the Offender commits any of these acts stipulated in Clause (1) of this Article for the third time or more, the penalty shall be imprisonment for a period of no less than one year and a fine of no less than one hundred thousand dirhams.

Article (44)

1. Addicting in any way or personal using or possesses with intent to use any substance or plant other than the narcotics or psychotropic substances stipulated in the prescribed manner shall be punished by imprisonment for a period not more than six months or a fine of not less than twenty thousand dirhams and not more than one hundred thousand dirhams. In the Schedules attached thereto, it is likely to cause anaesthesia or any other harmful effect on the mind when addicting or personal using is intended to cause anaesthesia or harm the mind.
2. If the Offender commits the crime stipulated in the previous clause for the second time within a period not more than three years, the penalty shall be imprisonment for a period not more than one year or a fine of not less than thirty thousand dirhams and not more than one hundred thousand dirhams.
3. If the Offender commits any of the acts stipulated in Clause (1) of this Article for the third time or more, the penalty shall be imprisonment for a period of no less than one year and no more than two years and a fine of no less than two hundred thousand dirhams.

Article (45)

The Court may, in other than the case of recurrence, instead of ruling the penalties stipulated in Articles (41), (42), (43), (44) replace the penalty by placing the Convict in one of the treatment and rehabilitation units for addicts stipulated in Article (5) of this Law by Decree, after taking the Supervising Committee opinion, provided that the Committee shall submit a report to the Court on his condition within six months or whenever it is requested to submit it.

A placement of person in the Unit who was previously ordered to be placed therein in implementation of a previous ruling, or who has not been released from it for more than three years may not be permitted.

Article (46)

The Court, after taking the Public Prosecution opinion, may order the removal of the Convicted person from the Unit in the following two cases:

1. If the report found that his health condition permits this.
2. At his request, after the approval of the Supervising Committee.

In all cases, the period of placing for treatment or rehabilitation may not exceed one year.

Article (47)

If the placing was found to be futile, or if the patient violated the duties imposed on him or committed any of the crimes stipulated in this Law by Decree during his placing, the Supervising Committee shall submit the matter to the Public Prosecution with a detailed report on the patient condition, and the prosecution shall present the papers to the court that ordered his placing.

In this case, the Court may, after hearing the statements of the Public Prosecution, decide the penalty legally prescribed for the crime for which the subject was placed, provided that the term of placing shall be deducted from the term of the penalty imposed.

Article (48)

Whoever calls or incites a person to commit any of the crimes or facilitate any of crimes stipulated in Articles 41, 42, 43, and 44 shall be punished by imprisonment for a period of no less than five years and a fine of no less than fifty thousand dirhams.

It is considered an aggravating circumstance that the crime of calling, incitement, or facilitation occurs in places of public gatherings, in education houses or service facilities, in a cultural or sports institution, in places of worship, or in penal institutions, or places of detention and pretrial detention, or that it perpetrates on a female, child, or mentally ill patient, or a person who is apparently drunk or drugged.

Article (49)

If the Offender commits any of the crimes referred to in Article (48) of this Law by Decree

with the intent of harming the one who committed the crime before him, and that results in injury or illness, the Offender shall be punished with imprisonment for a period of no less than seven years and a fine of no less than one hundred thousand dirhams.

If the injury or illness results in serious harm, the penalty shall be imprisonment for a period of no less than ten years and a fine of no less than two hundred thousand dirhams.

The penalty shall be life imprisonment or the death penalty if the crime results in the death of the victim.

Article (50)

Whoever puts any of the narcotics or psychotropic substances stipulated in any of the Schedules attached thereto in the drink or food of others, or causes him to use them without his knowledge of the truth, shall be punished by imprisonment for a period not more than five years and a fine of no less than twenty thousand dirhams.

The penalty shall be imprisonment for a period of no less than ten years if the acts stipulated in the First Paragraph of this Article are committed with the intent of committing a crime against the victim or making him addicted to those narcotics or psychotropic substances. If that result is achieved, that shall be considered an aggravating circumstance.

The penalty shall be life imprisonment or the death penalty if the acts stipulated in the First Paragraph of this Article result in the death of the victim.

Article (51)

Whoever forces another to use narcotics or psychotropic substances shall be punished with imprisonment for a period of no less than ten years.

The penalty shall be life imprisonment or the death penalty if the use of force results in the death of the victim.

Article (52)

Anyone who intentionally transports narcotics or psychotropic substances stipulated in the Schedules attached thereto to the possession or acquisition of others without his knowledge

of the truth shall be punished with imprisonment.

Article (53)

Anyone who manages, prepares or provides a place for the consumption of any of the narcotics or psychotropic substances stipulated in schedules Nos. (1, 2, 4, 5), attached thereto shall be punished by imprisonment for a period of no less than ten years and a fine of no less than one hundred thousand dirhams.

Any person, who manages, prepares or provides a place for the use of any of the narcotic substances or psychotropic substances listed in Schedules No. (3, 6, 7 and 8) attached thereto or to any substance of narcotic drugs or psychotropic substances to which the provisions of Article (12), Second Paragraph , of this Law by Decree apply.

The penalty shall be life imprisonment and a fine of no less than one hundred thousand dirhams in the event of recurrence of committing any of the aforementioned crimes.

Article (54)

Whoever is arrested in any of the places referred to in the previous Article with knowledge thereof shall be punished by imprisonment for a period of not less than six months and not more than a year and a fine of not less than ten thousand dirhams and not more than twenty thousand dirhams.

The provision of this Article shall not apply to the spouse, ascendants, or descendants of a person who manages, prepares or provides the place.

Article (55)

Whoever manufactures, imports, brings, sells or possesses with the intent of promoting goods or publications bearing images, drawings, writings or ideas that invite or entitle the commission of any of the crimes of narcotics or psychotropic substances stipulated hereby.

The penalty shall be a fine of not less than fifty thousand dirhams.

Whoever wears any clothing or uses any goods or printed matter of the preceding paragraph shall be punished with a fine of no less than five thousand dollars.

In the event of recurrence, the penalty shall be imprisonment for a period not more than two years, and in all cases, the seized items shall be confiscated.

Article (56)

In cases other than those authorised in accordance with the provisions of this Law by Decree, whoever possesses or acquires with the intent of trafficking or distributing any of the substances or plants subject to the provisions of the Second Paragraph of Article (12) of this Law by Decree shall be punished with imprisonment. If the crime occurred from someone who was authorised to possess or acquire the items referred to in the previous paragraph of this Article and he violated the authorised purpose, this shall be considered an aggravating circumstance.

Article (57)

Violation of the provisions of Clause (1) of Article (10) and Article (14) of this Law by Decree will be punished with the penalties stipulated in Schedule No. (10) attached thereto.

The penalty shall be the death penalty if the crime is committed with the intent of trafficking or promotion, or if the Offender belongs to a hostile group or organised gang or works for its benefit.

Article (58)

Violation of the provision of Article (11) shall be punished with the penalties stipulated in Schedule No. (10) attached thereto. The penalty shall be the death penalty or life imprisonment if the crime is committed with the intent of trafficking or promotion, or if the Offender belongs to a hostile group or organised gang or works for its benefit.

Article (59)

Whoever shall be authorised to possess and acquires one of the substances mentioned in the schedules attached thereto, and violates the purpose for which he is authorised, shall be punished with imprisonment for a period of no less than five years and a fine of no less than

one hundred thousand dirhams.

If the crime is committed with the intent of trafficking or promotion, the penalty shall be life imprisonment and a fine of no less than one hundred thousand dirhams and not more than two hundred thousand dirhams. In the case of recurrence, the penalty shall be death.

Article (60)

Without prejudice to any severer penalty stipulated hereby or any other Law:

1. Whoever violates any of the provisions of Articles (13), (15), (25), (33), (34), (35), (37), Clause 2, (39) and (40) of the First Paragraph, shall be punished by imprisonment for a period not exceeding one year and a fine of not less than fifty thousand dirhams and not more than two hundred thousand dirhams, or either of these two penalties.
2. Whoever violates any of the provisions of Articles (21), (26), (28), (36), (37) Clause 1, (38) and (40) of the Second Paragraph shall be punished with a fine of no less than fifty thousand dirhams and not more than two hundred thousand dirhams.
3. If, by violating any of the provisions referred to in the previous two clauses, the Offender intends to commit another crime stipulated hereby or to conceal it, he shall be punished with the most severe crime penalty.

Article (61)

Whoever assaults or resists one of the officials responsible for the implementation of this Law by Decree shall be punished by imprisonment for a period of no less than five years and a fine of no less than one hundred thousand dirhams, while performing his job or because of it.

If, along with the assault or resistance, a beating or wound occurs, the penalty shall be imprisonment for a period of no less than seven years and a fine of no less than two hundred thousand dirhams.

The penalty shall be life imprisonment or imprisonment for a term of no less than ten years and a fine of no less than one hundred thousand dirhams and not more than two hundred thousand dirhams if the beating or wound results in a permanent and irreversible disability, or if the Offender at the time of the commission of the crime carried a weapon or was a man

of power charged with maintaining security.

If the beating or wounding leads to death, the penalty shall be death.

Article (62)

Anyone who intentionally kills a public official responsible for the implementation of this Law by Decree shall be punished with the death penalty while performing his job or because of it.

Article (63)

Anyone who has been authorised by the Public Prosecution to take the necessary examination sample to establish whether or not it contains narcotics or psychotropic substances and who unjustifiably refrains from giving it shall be punished by imprisonment for a period of no less than two years and a fine of no less than one hundred thousand dirhams.

Article (64)

Without prejudice to any more severe penalty stipulated in any other Law, any person who deposits or transfers funds by himself or through a third party or before transferring them to him with the intent of committing any of the crimes of addiction or personal use of narcotics or psychotropic substances stipulated therein.

Whoever violates the provision of Article (74) of this Law by Decree shall be punished by imprisonment for a period of no less than six months or a fine of no less than fifty thousand dirhams.

Article (65)

Whoever possesses, conceals or performs any operation of funds shall be punished by imprisonment and a fine of no less than one hundred thousand dirhams, whenever there is sufficient evidence or presumption that it was obtained as a result of committing any of the crimes stipulated in this Law by Decree.

Article (66)

An attempt to commit the misdemeanours stipulated in this Law by Decree shall be punished with half the penalty prescribed for the complete crime.

Article (67)

Except for the penalties prescribed for crimes of addiction and personal use when committed in the first and second instances stipulated in Articles (41), (42), (43), (44), as well as in crimes punishable by a fine only, or those punishable by imprisonment or a fine, the penalty imposed in implementation of this Law by Decree may not be inflicted.

Article (68)

The imposition of the penalties set forth in this Law by Decree shall not prejudice the right of the concerned parties to blood money or compensation in accordance with the provisions of the Law.

Article (69)

Whoever among the Offender hastens to inform the judicial or administrative authorities of what he knows about them before starting to commit the crime shall be exempted from the penalties prescribed for the crimes set forth in Articles (53), (57), (58).

The Court may exempt from punishment if the notification took place after the crime was committed and before the investigation began. The Court may also reduce the penalty if the Offender facilitates the arrest of one of the Offenders during the investigation or trial to the competent authorities.

Chapter Two

Subsidiary and Supplementary penalties

Article (70)

It shall be decided to confiscate narcotics, psychotropic substances, and plants that produce narcotics or psychotropic substances, which are the subject of one of the crimes punishable

under this Law by Decree.

It shall also order the confiscation of devices, tools, machines, objects, funds, seized materials and means of transportation that may have been used in committing the crime, without prejudice to the rights of bona fide third parties.

Article (71)

Every place prepared for the consumption of narcotics or psychotropic substances or for carrying out any related activity in cases other than those authorised in accordance with the provisions of this Law by Decree, and the ruling of closure shall be permissible except for that.

In all cases, the Public Prosecution may issue a decision to open the place if it was prepared for a legitimate purpose.

The Court may order the publication of the summary of the judgment in the appropriate method and at the cost of the convicted person.

Article (72)

As a result of a ruling in the offence of addiction of narcotics or psychotropic substances more than once, the convicted person shall not be licensed to drive motor vehicles or the licence shall be revoked if it is issued.

This effect shall end with the lapse of one year as of the completion date of the imposed execution penalty.

Article (73)

Whoever has been sentenced to life or temporary imprisonment in one of the crimes stipulated hereby shall be placed under Police surveillance after the expiration of his sentence in accordance with the rules determined by the Minister of Interior for a period equal to the period of the penalty, provided that it does not exceed five years.

Nevertheless, the Court may, in its judgment, reduce the probation period, order the release of the Convict from it, or ease restrictions thereof.

The Convicted person who violates the conditions of supervision shall be liable to imprisonment for a period not more than one year and a fine not more than five thousand dirhams, or one of these two penalties.

Article (74)

Whoever has been convicted of any of the crimes punishable under the provisions of this Law by Decree shall be prohibited from transferring or depositing any funds to others, by himself or by a third party, except upon a permission issued by the Central Bank of the UAE in coordination with the Ministry of Interior. This prohibition shall continue for two years after the execution of the penalty.

Article (75)

1. The Court shall decide to deport the foreigner who has been convicted of one of the crimes stipulated herein.
2. The ruling to deport the foreigner shall be permissible in case of being convicted of one of the crimes of addiction, personal using, possession or acquisition with intent to addiction.
3. The Public Prosecution may, for the benefit upon its own discretion, rule with the deportation of a foreigner whom the court has not ordered to deport in the event of being convicted of one of the crimes stipulated in Clause (2) of this Article, within (3) three months from final ruling issuance date.

Chapter Three

Precautionary Measures and Procedures

Article (76)

Whoever has been previously sentenced more than once for one of the crimes stipulated hereby, the Court may, in addition to the prescribed penalty, sentence him to one of the following measures:

1. Determination of residence in a particular place.

2. Prohibition of residence in a particular place.
3. Obligation to reside in places.
4. Prohibition of visiting certain places or locations.
5. Denial of practising a particular profession or craft.
6. Obligation of a rehabilitation programme when a conviction is passed for a crime of addiction or personal use.

Article (77)

The period of the sentenced measure may not be less than one year and not more than five years.

Whoever violates the provisions of any of the measures stipulated in the previous Article shall be punished by imprisonment for a period of no less than three months and not more than one year.

Article (78)

The Public Prosecutor may order that the person against whom a penal order shall be issued in one of the crimes of addiction or personal using be obligated to take the measure stipulated in Clause (6) of Article (76) of this Law by Decree.

Article (79)

A Convict or a court-ordered convict in the crime of addiction of narcotics or psychotropic substances, or the crime of refraining from giving the examination sample without justification, shall be subject to periodic examination during the execution of the penalty or during the placing period, and the periodic examination shall continue for a period not more than two years after the execution of the penalty or expiry placing period.

The measure provided for in the preceding paragraph shall apply to the user against whom a criminal order has been issued, against whom a criminal case has not been instituted, or who has been referred to the Unit by order of the Public Prosecutor for a period of two years as of the date of the penal order or leaving the Unit.

The Public Prosecutor may subject a Convict of one of the crimes punishable in Articles (57) and (58) of this Law by Decree to periodic examination after the completion of the penalty execution for a period not more than one year, if necessary based on the report of the investigation authority or the competent chief prosecutor.

The Minister of Interior shall issue a Resolution specifying the rules and procedures for periodic examination, travel ban controls, and rules for electronic Police monitoring during the examination period, and the categories excluded from them.

Anyone who violates the rules and procedures for periodic examination issued by a Resolution of the Minister of Interior shall be punished by imprisonment for a period of no less than one year.

Article (80)

The Competent Judicial control officers shall uproot any plant whose cultivation shall be prohibited by virtue of the provisions of this Law by Decree and shall collect its leaves, roots and parts at the expense of the Offender, under the supervision of a member of the Public Prosecution who writes a report of the procedures that have been taken.

Article (81)

Narcotics and psychotropic substances, which is sentenced to be confiscated, shall be executed by a committee formed by a Resolution of the Public Prosecutor headed by a member of the Public Prosecution, provided that a report of the procedures taken to be approved by the head of the committee shall be drawn up.

The Public Prosecutor may authorize the delivery of those materials to be confiscated to any government agency for use in scientific, medical, or other purposes.

The Competent Court, during consideration of the case, and upon a request from the Public Prosecution, may decide to execute the narcotics and psychotropic substances subject of the crime, or authorize its hand-over to any government agency for use in scientific, medical, or other purposes, provided that an appropriate sample of each of them shall be kept until a final judgment is issued in the case.

Article (82)

The Public Prosecutor shall, by a Resolution issued by him in agreement with the public representatives in the local judicial authority, specify the rules and procedures related to the following:

1. Preserve and destroy plants, narcotics and psychotropic substances and disposing of them in coordination with the Ministry of Health and Prevention and the Ministry of Climate Change and Environment.
2. Seizure of seized narcotics or psychotropic substances that are the subject of one of the crimes punishable under this Law by Decree.

The public representatives shall issue the necessary resolutions to implement the provisions of this Article.

Article (83)

The Public Prosecutor or his representative, if there is sufficient evidence that one of the crimes stipulated hereby has been committed with the intent of trafficking or promoting, may order temporarily preventing the accused from travelling or freezing his money or the money of his wife or minor children obtained from the crime and preventing him from disposing of it or managing it to when the investigation is completed.

Resolutions to freeze funds and prevent them from disposing of financial institutions shall be implemented only by the Central Bank.

The Court may order the freezing of funds or prohibition from disposing of, managing or travelling until the completion of the trial.

Article (84)

A person against whom a resolution was issued to freeze or prevent him from disposing of, managing or travelling in accordance with the previous Article may file a grievance against him before the Competent Court. If his grievance is rejected, a new grievance may not be submitted except after the lapse of three months as of the date of the grievance rejection, unless a serious reason arises before the expiry of that period.

The grievance shall be based on a report with the Competent Court, and the head of the Court shall set a session for its consideration by which the complainant and everyone concerned shall be notified. The Public Prosecution shall submit a memorandum of its opinion on the grievance, and the Court shall decide on the grievance within a period not more than fourteen days as of the date of its report, and the Court shall issue its resolution to cancel the grievance. The resolution issued by the Public Prosecutor, its amendment, or the rejection of the appeal.

Article (85)

Police officers who have the judicial control shall have the right to use force or weapons in order to implement the provisions of this Law by Decree, provided that this is necessary and proportional to the purpose of use.

Section Five

General and Final Provisions

Chapter One

Jurisdiction

Article (86)

As an exception to the provisions of Article (142) of the Criminal Procedure Code, the Court in which the addict was arrested within its territorial scope has jurisdiction to consider the crimes of addiction or personal using stipulated therein.

Article (87)

The judicial authorisation granted by the Public Prosecution in relation to any of the offences delineated herein shall extend its effectiveness across all emirates of the State whenever the commission was under the intent of trafficking or promotion, when the offender is affiliated with a hostile group or organised gang, working for its advantage, or when the offender(s) commit the crime across multiple emirates of the State or whose influence extends thereto.

Article (88)

The federal courts located in the headquarters of the Union capital shall be exclusively competent to adjudicate the crimes stipulated hereby when committed with the intent of trafficking or promotion, in addition to the indivisibly linked crimes, in any of the following two cases:

1. If the offender belongs to a hostile group or an organised gang or works for benefit thereof.
2. If the offender(s) commit the crime across multiple emirates of the State or whose influence extends thereto.

Chapter Two

Special provisions for the narcotics or psychotropic substances addiction

Article (89)

No criminal action shall be instituted against the addict of narcotics or psychotropic substances or the substances in respect of which the provisions of the Second Paragraph of Article (12) of this Law by Decree apply if the addict, his spouse, or one of his relatives up to the second degree, or the person responsible for his upbringing, submits spontaneously to the unit or the Public Prosecution or the Police before arresting him or before issuing an arrest warrant, requesting that he be placed in the Unit for treatment, and he shall be placed with the Unit until the Unit decides to expel him.

In cases where the placing is at the request of a non-addict, the placing authority shall obtain the approval of the Public Prosecution when placing the addict or removing him from the Unit, and the Public Prosecution orders his placing when it is proven that he has addicted narcotics or psychotropic substances, and in all cases the treatment period may not be more than rehabilitation for a year.

Article (90)

The provision of the previous Article shall not apply to anyone who possesses a narcotics or a psychotropic substance and shall not handed it over to the Unit, the Public Prosecution

Office, or the Police when he applies for treatment or refuses to place an order issued by the Public Prosecution, and the Public Prosecution shall take its affairs on filing a criminal case.

Article (91)

The Unit shall notify the Public Prosecution in the event that the patient fails to comply with the treatment or rehabilitation plan, or in violation of the regulations followed in the Unit.

The Unit supervising committee shall issue a report explaining the violations committed and submits it to the Competent Public Prosecution to take action.

In this case, the Court shall rule according to it for a period of no less than one year, and the placing period shall be deducted from the imposed period.

Article (92)

The Public Prosecutor may refer to the Unit any person who commits addiction or personal using crimes stipulated in Articles (41), (42), (43), (44) of this Law by Decree, or in other crimes in which he may issue an order criminal in accordance with the provisions of this Law by Decree, based on the report of the seizure authority or the Competent Chief Prosecutor. A criminal case shall not be instituted against a person who passes the treatment programme.

In all cases, the treatment and rehabilitation period may not more than one year.

In the application of this Article, the provisions and controls stipulated in Article (90) of this Law by Decree shall apply.

Article (93)

The crimes of addiction or personal using stipulated in Articles (41), (42), (43) and (44) shall not be considered a judicial precedent that requires rehabilitation when committed for the first time by citizens, and it shall not be permissible to decide the suspension of the penalty's execution in the event it is committed for the third time.

Chapter Three

Final Provisions

Article (94)

The rules of placement under electronic surveillance shall be applicable to the offences herein, in alignment with the specifications and processes established by a resolution of the Council of Ministers, as per the recommendation of the Chairman of the Anti-Narcotics Council stipulated in Article (3) herein. Except for offences subject to the death penalty or life imprisonment, or crimes mandating deportation as stipulated by the Law.

Article (95)

1. The purity degree of narcotics or psychotropic substances subject of the crime shall not be considered in determining their weight when their presence is proven according to the criminal evidence report, and the components and impurities mixed with them shall be considered an integral part of the total weight thereof.
2. In instances where the narcotic substance assumes a pharmaceutical form, the determination of its weight shall be based on the percentage specified on the manufacturer's packaging, which has been duly approved within the State.

Article (96)

It is not considered bringing, importing, transporting, possessing or penalising acquisition of food, beverages, or any products that contain narcotics or psychotropic substances mentioned in Item No. (29) of Schedule No. (1) and Item No. (29) of Schedule No. 1 and Item No. (8) from the Second Section of Schedule No. (4) and Item (34) of Schedule No. (5) and Item No. (4) of Schedule No. (6) attached thereto, with the intent of personal consumption or use when first seized at the entry points approved by the State.

In all cases, an administrative report is drawn up to prove the seizure of these products, and the Competent Authorities will undertake to seize them administratively and take the necessary measures to prevent their leakage into the State, provided that they shall be destroyed in accordance with the rules stipulated therein.

Article (97)

Without prejudice to the rights of the defence, the Court, when examining one of the crimes stipulated therein, may base its judgment on what witnesses have made in the investigations of the Public Prosecution, whenever it is satisfied with this testimony, without the need to summon the witness or witnesses to hear their testimony before it again.

Article (98)

The Ministry of Health and Prevention and the Ministry of Interior, through an electronic system, shall track and monitor the processes of production, manufacture, import, export, transport, storage, supply and distribution of trafficking or dealing in any form in narcotics and psychotropic substances stipulated in the Schedules attached thereto or any other substance that would cause anaesthesia or any other effect harmful to the mind.

The documents, forms, permissions and books stipulated therein may be electronic, in accordance with the legislation in force in the State, and in accordance with the electronic systems set by the government agencies concerned with the implementation of the provisions of this Law by Decree.

Article (99)

The aforementioned Federal Law No. (14) of 1995 shall be repealed.

The Regulations and Resolutions issued in implementation thereof shall remain in force until they are amended or repealed, to the extent that they shall not conflict with the provisions of this Law by Decree.

Article (100)

This Law by Decree shall be published in the Official Gazette and shall come into force as of January 02, 2022. The Ministers and the Competent Authorities in the Emirates, each within its jurisdiction, shall implement this Law by Decree.

Khalifa Bin Zayed Al Nahyan
President of the UAE,

Issued by Us at the Palace of the Presidency in Abu Dhabi:

On:09/Safar/1443H

Corresponding to: 16 September, 2021