

Ministerial Resolution No. (677) of 2019

Concerning the Regulations and Procedures of Possessing Narcotic or Controlled Drugs by Passengers When Entering or Leaving the Country

Minister of Health and Prevention

After perusal of the following:

- Federal Law No. (1) of 1972 on the Jurisdictions of the Ministries and the Competences of the Ministers, and its amendments;
- Federal Law No. (4) of 1983 on the Profession of Pharmacy and Pharmaceutical Institutions;
- Federal Law No. (14) of 1995 on Narcotics and Psychotropic Substances, and its amendments;
- Federal Law No. 14 of 1995 on Medicines and Preparations Derived from Natural Sources;
- Federal Law No. (2) of 2019 on the Use of Information and Communication Technology in Health Fields;
- Cabinet Resolution No. (6) of 2015 on the Organizational Structure of the Ministry of Health;
- Ministerial Resolution No. (888) of 2016 on the Rules & Regulations for Prescribing and Dispensing Narcotic, Controlled and Semi Controlled Drugs;
- Ministerial Resolution No. (680) of 2017 on Exclusion of Some Articles of Resolution No. (888) of 2016
- And based on the requirements of the Public Interest

Has decided the following:

Article (1)

Definitions

In implementing the provisions of this Resolution, the following words and expressions shall have the meanings indicated opposite each of them, unless the context requires otherwise:

The Country	: The United Arab Emirates
MOHAP/ the Ministry	: The Ministry of Health and Prevention
The Minister	: Minister of Health and Prevention
Health Authority	: Any federal or local government health authority in the Country
Medicines	: Any substance used in diagnosing, treating, alleviating or preventing diseases affecting human beings or animals.
Medical Device	: A medical product contains any instrument, apparatus, appliance, implant, reagent, or a system, including its accessories and operating software, intended to be used in or on human or animal body for specific purpose without any having pharmacological

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immunological or metabolic effect. It is manufactured, sold, or offered to be used in the following cases:

1. Diagnosing, treating, curing, alleviating, controlling, or preventing diseases, injuries or disability;
2. Anatomical diagnosis, compensation, or modification;
3. Birth control.

Medical Prescription : A written or electronic document issued by a healthcare professional legally licensed to prescribe it to a healthcare professional that is authorized to dispense or handle it in accordance with the legislation in force in this regard.

Medical Report : It is a written or electronic document that describes the person's medical condition in detail, along with prescribing the medications and their dosages, documented by the health authority, the embassy of the Country, or any authorized authentication body in the Country in which the report was issued.

Narcotic and Controlled Drugs: : Medical and pharmaceutical products that contain any of the active ingredients in accordance with Federal Law No. (14) of 1995 referred to herein, listed in the International Narcotics Control Board (INCB).

Drug Label : A written document issued by the manufacturer, includes all product details, description, composition of the active and inactive ingredients and their quantities, uses, dosages, methods of use and any other details.

Article (2)

Scope of Application

The provisions of this Resolution shall apply to passengers entering to or leaving the Country in case of possessing any of the following medicines:

- Narcotics (N)
- Controlled Drugs (CD)

Article (3)

Narcotic and Controlled Drugs

Narcotics (N) and Controlled Drugs (CD) include pharmaceutical products that contain any of the active ingredients listed in the following schedules:

1. The International Narcotics Control Board (INCB) schedules Nos. (1, 2, 3, and 4) contained in the International Convention on Narcotic Drugs of 1961 amended by the 1972 Protocol;
2. INCB schedules Nos. (1, 2, 3 and 4) contained in the International Convention on Psychotropic Substances 1971;

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3. Schedules Nos. (1, 2, 3, 4, 5, 6, 7 and 8) contained in Federal Law No. (14) of 1995, and its amendments, referred to herein.

Article (4)

Obligations of Passengers Entering the Country and Possessing Narcotic or Controlled Drugs for Personal Use

Passengers entering or leaving the country and possessing any of the narcotic or controlled drugs referred to in Article (3) of this Resolution shall comply with the following:

1. Obtaining a prior permission of drug possession from the Ministry through its website and disclosing such drugs at the official outlets of the Country. In order to obtain the permission, the following documents are required in Arabic or English:
 - a. A medical report issued less than one year by the health facility in which the patient is treated, authenticated by the health authority in the Country in which the treatment is received, or the Country's embassy therein, or by any accredited authentication body in that country;
 - b. The medical report must include the patient's personal data and information (the patient's full name), the medical diagnosis, the scientific or commercial name of drug, the quantity prescribed, the treatment plan and its duration, the date of the report, the name of the physician, his/ her specialty and the license number along with the name and stamp of the health facility;
 - c. Copy of the prescription in the name of the patient, issued less than three months, provided that it includes the patient's full name, the scientific and/or commercial drug name, the pharmaceutical form, the prescribed dose, the date of issuing the prescription, the duration of treatment, the name of the physician, his/ her seal and the stamp of the treating authority and must be authenticated by the health authority in the Country in which the treatment was received, or the Country's embassy therein, or by any accredited authentication body in that Country;
 - d. Copy of the passport or ID;
 - e. In the absence of a prior permission, the customs authorities shall coordinate with the Ministry to take the necessary measures based on the documents available with the passenger;
 - f. Without prejudice to the provisions of Clauses No. (1 and 2) of this Article, if the medicines are in the possession of one of the patient's relatives or whoever he/she authorizes, an official power of attorney from the patient certified by any accredited authentication body in that Country must be held by that person along with a copy of his/her ID;
 - g. The Ministry's approval for a passenger entering the Country to possess narcotic or controlled drugs is conditioned by the fact that the drugs must be within the limits of an amount commensurate with the treatment period, provided that it does not exceed one month, and if the prescription includes recurrent medicines, it is permissible to allow entry of the quantity necessary to cover the period of recurrence, up to a maximum of three months.

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Article (5)

Controls for Possessing Narcotic or Controlled Drugs by Passengers Entering or Leaving the Country from Diplomatic Missions, Government Agencies, and Delegations Participating in Sports and Other Activities

The conditions and controls stipulated in this Resolution shall apply to diplomatic missions, official government agencies, delegations participating in sports and other activities with regard to possessing narcotic and controlled drugs when entering or leaving the Country. In all cases, they must coordinate with the Ministry to complete the necessary procedures in this regard.

Article (6)

Special Provisions for Passengers Leaving the Country While Possessing Narcotic or Controlled Drugs for Personal Use

1. A patient leaving the Country and possesses narcotic drugs must obtain the Ministry's approval based on a valid prescription and a report issued by the treating physician within the limits of the appropriate quantity for the duration of treatment;
2. A patient leaving the Country and needs to be injected with narcotic drugs during the travel period must be accompanied by a health care professional. It is permissible to take the proper quantity of drugs according to the Ministry's approval based on a valid prescription and a report issued by the treating physician;
3. In the event that a patient leaving the Country needs controlled (non-narcotic) drugs for treatment abroad, he/she may request the Ministry's approval to possess the quantity specified under the prescription, and if the prescription includes re-dispensing, the patient is allowed to take the necessary quantity, for a maximum of three months.

Article (7)

Conditions of Drugs Possessed While Entering the Country

The Drugs subject to the provisions of this Resolution must fulfill the following conditions:

1. The drugs should be in their original airtight packing or in packing with a label issued by the health facility or pharmacy, showing the content of the drug, the patient's name and drug storage temperature in a manner that guarantees the patient's safety;
2. If the drugs are in special boxes to store and organize such drugs, a medical report or prescription must be shown regardless of the type of drugs;
3. The narcotic or controlled drugs shall be included in the Ministry's lists contained on the Ministry's website;
4. The technical conditions for transporting drugs that need refrigeration must be adhered to.

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Article (8)

Conditions of Drugs Possessed While Entering the Country

1. A transit passenger possessing narcotic or controlled drugs in the Country is allowed to possess the quantity allowed in his/her transit time in the Country, and the quantities exceeding the permissible quantity shall be seized and returned to the transit passenger upon leaving the Country;
2. A passenger entering the Country and possessing narcotic or controlled drugs is allowed to possess such drugs, however the quantities in excess of the permissible or the appropriate quantity for the duration of his/ her treatment as indicated in the prescription or medical report shall be seized and destroyed by the competent authorities in accordance with the procedures established in this regard;
3. When the permissible quantity of drugs runs out, the patient must visit a physician licensed by a licensed health facility in the Country and approved by the health authority to verify the patient's need to continue using the same drug or alternative drugs registered in the Country. In the event that the drug is not available in the Country, the health facility shall provide the drug as per the applicable procedures;
4. In the event that a passenger entering the Country possesses medical devices containing narcotic or controlled drugs, such devices will be subject to the provisions of this Resolution, bearing in mind that he/she is not allowed to keep these products except for personal use in accordance with his/her medical condition and requirements of his/her treatment.

Article (9)

Final Provisions

It is prohibited to possess the following narcotic or controlled drugs:

1. Drugs that do not show the active ingredient data in English or Arabic;
2. Expired drugs for personal use;
3. Drugs of unknown ingredients or without an identification label;
4. Drugs forbidden to be circulated in the Country according to the lists determined by a decision of the Minister or his authorized representative, listed on the Ministry's website.

Article (10)

Abrogation

Any provision that contradicts or is in conflict with the provisions of this Law shall be abrogated.

Article (11)

Publication and Enforcement

This Resolution shall be published in the Official Gazette and shall come into force as of the date of its publication.

Abdul Rahman Bin Mohammed Al Owais

Minister of Health & Prevention

Issued on: 22/9/2019 A.D.

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