

(National coat-of-arms)

Royal Kram

NS/RKM/0112/001

We,

Preah Karuna Preah Bat Samdech Preah Baromneat Norodom Sihamoni,

King of the Kingdom of Cambodia

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- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen the Royal Decree No. NS/RKT/0908/1055, dated September 15, 2008 on the Appointment of the Royal Government of Cambodia;
- Having seen the Royal Kram No. 02/NS/94, dated July 20, 1994, promulgating the Law on Organization and Functioning of the Council of Ministers;
- Having seen the Royal Kram No. NS/RKM/0196/08, dated January 24, 1996, promulgating the Law on Formation of the Ministry of Interior;
- Having seen the Royal Decree No. NS/RKT/0995/65, dated September 7, 1995 on the Creation of the National Drugs Authority;
- Having seen the request of Samdech Akkeak Mohasena Padei Techo Hun Sen, Prime Minister of the Kingdom of Cambodia and that of the President of National Authority for Combating Drugs

Promulgate

The Law on Drug Control that was passed by the National Assembly on November 25, 2011 during its seventh session of the fourth legislature and approved in its entirety by the Senate on December 16, 2011 during its tenth plenary session of the second legislature, which reads as follows:

LAW
ON
DRUG CONTROL

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CHAPTER I

GENERAL PROVISIONS

Article 1: Purpose of this law

The purpose of this Law is to prevent and combat against drug offences, as well as to control all legal activities related to drugs in the Kingdom of Cambodia, and to ensure implementation of the obligations of the Kingdom of Cambodia as a party to the conventions and protocols of the United Nations pertaining to drugs.

Article 2: Objectives of this law

The objectives of this Law are as follows:

- Suppress the cultivation, production, trading, trafficking, storing, and distribution of illicit drugs;
- Prevent and eradicate drug abuses;
- Treat, rehabilitate and re-integrate drug addicted persons into society;
- Protect and promote the welfare of the people;
- Participate in efforts to maintain public order and social security.

Article 3: Scope of this law

This Law covers all activities related to drugs in the Kingdom of Cambodia.

Article 4: Definitions

The terminology used in this Law is as follows:

1. “**Drug**” means narcotic plants, narcotic substances, and chemical precursors as defined in the Tables as annexes to this Law.
2. “**Narcotic plants**” refers to opium poppy, cocoa plants, cannabis plants, and other plants which contain narcotic substances as determined by the Royal Government.

3. “**Narcotic substances**” refers to substances which cause addiction, such as narcotic drugs, psychotropic substances that are derived from production, synthetic or semi synthetic processes as listed in the Tables I, II, and III as annexes to this Law.
4. “**Chemical precursor**” means substances used in processing the production of narcotic substances listed in Table IV as annexes to this Law.
5. “**Production**” means the extracting or distilling of narcotic substances from plants, purifying, transforming, preparing, or other activities with the purpose of obtaining narcotic drugs.
6. “**Keeping**” means possession, hiding, storing, and other similar actions, of narcotic drugs.
7. “**Transportation**” means the transferring of drugs through any forms from one place to another place, from one person to another person, or from one country to another, through such activities as delivering, trafficking, importing, or exporting.
8. “**Trafficking**” means offering for sale, selling, purchasing for selling, or exchanging, of drugs.
9. “**Licit activities related to drugs**” refers to activities of study, research, experimentation, production, transportation, storing, trafficking, distributing, supplying, using of drugs or cultivation of narcotic plants and other activities, which are authorized or licensed by the competent authority and under a strict control measure in accordance with the provisions of this Law.
10. “**Control of licit activities related to drugs**” means all authorization pursuant to this Law in respect of surveillance, control, research, investigation or inspection of all licit drug-related activities as to take measures for preventing or combating against the use of licit activities for other purposes.
11. “**Drug addiction**” means the state of a person under the influence or indulgence of a drug due to drug abuse.
12. “**Drug addict**” refers to a person who consumes drugs and is in the state of drug addiction.
13. “**Pure quantity**” means the amount of drug with exclusion of adulterants or any other substances without narcotic substances.

14. **“Medicines containing narcotic substances”** means any kind of medicines that contain narcotic substances listed in Tables II and III and determined by a Prakas by the Minister of Health.
15. **“Harm Reduction Service”** refers to a service programme or any activities with the benefits of reducing harms caused by drug abuse to human health, communities, the economy, and society as a whole.
16. **“Delivery under control”** means measures that allow for transportation, , transit or dispatching of consignments suspected of containing drugs, equipment with the nature of trafficking, or currency, in an illicit manner or under suspicion of being conducted illegally into Cambodia or through Cambodia to another country, with the full knowledge and close track of the competent authorities, with the aim to identify the sources and identities of involved individuals, including ring leaders in their commission of a drug offences as provided for in this Law.

Article 5: Classification of Drugs

Drugs shall be classified in the following:

- Table I: Plants and substances that cause serious harm, but do not have medicinal benefits.
- Table II: Plants and substances that cause serious harm, but have medicinal benefits.
- Table III: Plants and substances that cause harm, but have medicinal benefits.
- Table IV: Chemical precursors that are classified under the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances adopted in 1988, or in connection with the application of this Convention against the illicit traffic in drugs.

Table IV is categorized as Table IV (i) and Table IV(ii).

Details of the four tables above are provided in Annexes to this Law.

Article 6: Revision of the classification of drugs

The four tables as stipulated in Article 5 on the classification of drugs may be modified in respect of registration of new drugs, removal or shifting of any of the drugs from one table to another --by a Prakas of the Minister of Health, following consultation with the National Authority for Combating Drugs.

CHAPTER II
INSTITUTIONS FOR COMBATING DRUGS

SECTION I

THE NATIONAL AUTHORITY FOR COMBATING DRUGS

Article 7: The National Authority for Combating Drugs (NACD)

The National Authority for Combating Drugs is an agency responsible for implementing the Royal Government's policy on combating drugs.

The National Authority for Combating Drugs has a Secretariat-General as headquarters.

The Secretariat-General of the National Authority for Combating Drugs is the central body for coordinating activities to combat drugs in order to implement the decisions of the National Authority for Combating Drugs.

The establishment, organisation, and functioning of this Authority shall be determined by a Royal Decree.

SECTION II

ANTI-DRUG DEPARTMENT

Article 8: The Roles of the Anti-Drug Department

The Anti-Drugs Department of the General Commissariat of National Police of the Ministry of Interior collects all information that can facilitate the investigation and suppression of illegal drug offences as well as coordinates all operations to suppress drug offences at national and international levels.

SECTION III

INSTITUTIONS FOR THE CONTROL OF LICIT ACTIVITIES RELATED TO DRUGS

Article 9: Establishment of a committee for the control of licit activities related to drugs

In case of necessity, an inter-ministerial committee may be established as a body to control all legal activities related to drugs in accordance with the provisions of this Law.

The establishment, organisation and functioning of the committee for the control of licit activities related to drugs shall be determined by a Sub-Decree upon the request of the Chairman of National Authority for Combating Drugs.

CHAPTER III

LICIT ACTIVITIES RELATED TO DRUGS

SECTION I

GENERAL PROVISIONS

Article 10: Licit activities related to drugs

The cultivation of narcotic plants, production, transportation, storing, trafficking, distribution, supply, use of drugs, and other activities related to drugs listed in Tables I, II, and III shall be absolutely prohibited in the territory of the Kingdom of Cambodia, except those activities that are permitted or licensed directly by competent authorities and are under strict control measures in accordance with the provisions of Law.

Article 11: Conditions for issuing a license or permit for drugs

The license or permit for fulfilling any activity related to drugs as provided for in Article 10 (licit activities related to drugs) may be issued only when those activities are restricted for the purpose of research, scientific experimentation, or for medicinal or industrial purpose.

The licence shall be valid for a period not exceeding 2 (two) years. This license may be renewed. This license shall clearly define the kind of activities related to drugs in accordance with this Law. The license shall also provide a clear statement as to the location where the activity will be conducted.

The issuance of a license or a permit requires a verification of personalities and professional needs of the requesting person. The license shall not be issued to any person who has been punished or imprisoned for drug related offences or money laundering crimes related to drugs.

The forms, procedures and requirements for issuing, extending, revoking and suspending a license, and the type of a license or a permit granted, shall be determined by the competent institution responsible for issuing this license, in accordance with the provisions of this Law.

Article 12: Authorization for the use of drugs in research study

For the purpose of medical, scientific or police research, the Minister of Health may grant authorisation to individuals of a state organisation to cultivate, produce, purchase, use or store drugs listed in Tables I, II and III of this Law in a quantity not exceeding an absolute quantity required for that purpose.

The authorized individual shall record in a logbook the quantity of drugs that s/he has cultivated, purchased, produced, used, and destroyed, as well as the dates, the transaction, and the names of suppliers. The person must maintain the above logbook for a period of at least 10 (ten) years.

Each year, the authorized person must report to the Minister of Health about the quantity of drugs that have been used or destroyed and the balance of the quantity in his/her stock.

Article 13: Conditions for authorizing the distribution, supply and sale of medicine containing drug substances

The purchase of medicine containing drug substances as listed in Tables II and III of this Law for the purpose of professional supply may be made only by a private person or a state enterprise holding a license issued by the competent ministry.

A natural or legal person who may purchase and possess narcotic substances listed in Tables II and III for their professional needs without applying for a license or a permit includes:

1. A pharmacist holding a license for performing his/her profession when acting in the normal course of business as an agent or employee of a natural person or legal entity holding a valid license for legally distributing the drugs containing drug substances as listed in Table II and III;
2. A pharmacist holding a license for practicing his/her profession at a public or private hospital or health care institution that are licensed to distribute licit drugs when operating

in the normal course of business as an agent or an employee of the hospital or health care institution;

3. A pharmacist holding a license for performing his/her profession relating to the management of a private or public warehouse, which is licensed to distribute licit drugs;
4. A hospital or a health care institution without a pharmacist in charge, in case of emergency and unforeseen events, provided that a qualified physician attached to the institution, who holds a license to practice his/her profession and is licensed to dispense licit drugs, has agreed to take responsibility for managing the stocks.

Physicians, dentists, veterinarians, midwives, and nurses holding a license to practice their profession may purchase and possess the quantities of narcotic substances based on the actual needs as determined in a list by the Ministry of Health.

Dispensing of drugs listed in Tables II and III to people and animals may be undertaken provided that its use remains under the form of medicine in accordance with a medical prescription issued by one of the following professionals:

1. A physician holding a license to perform his/her profession and a license to dispense medicine containing narcotic substances for treatment of patients within their his/her profession.
2. A dentist holding a license to practice his/her profession and a license to dispense medicine containing narcotic substances for dental treatment.
3. A veterinarian holding a license to practice his/her profession and a license to dispense medicine containing narcotic substances for treatment of animals.
4. A nurse or midwife holding a license to practice his/her profession for treatment within their professional duty and within the limit as determined by the Ministry of Health.

The Minister of Health, in a situation of necessity and subject to conditions as s/he may determine, may authorize licensed pharmacists or any other licensed distributors or retailers to supply a small quantity of medicine containing narcotic substances of one or more types listed in Table III without a prescription in whole or in part of the national territory.

The Minister of Health may set other measures related to the implementation of this Article, in particular, the measures related to drafting and completing prescriptions for medicine containing narcotic substances listed in Tables II and III.

SECTION II

COMPETENT INSTITUTIONS FOR ISSUING A LICENSE OR A PERMIT RELATED TO DRUGS

Article 14: License or permit for licit activities related to drugs listed in Tables I, II, and III

The Ministry of Health shall be given the authority to issue licenses or permits and inspect all licit activities related to drugs as provided in Tables I, II and III as annexes to this Law.

If there is a need to use drugs as provided in Table I, II and III above for industrial production, the Ministry of Health may also issue licenses or permits. In this case, the applicant shall adequately and precisely indicate that the use of drugs is necessary for the industrial production process and that the drug authorised for use, combination or making any industrial product, cannot be easily retracted from that industrial product. In applying for the license, the applicant must submit the application form attached with a certification letter issued by the Ministry of Industry, Mines and Energy.

Article 15: A license or a permit for licit activities related to narcotic substances listed in Table IV

The Ministry of Industry, Mines, and Energy shall be given the authority to issue licenses or permits and inspect all licit activities related to narcotic substances as provided in Table IV as annexes to this Law for the purpose of industrial production only.

Aside from the purpose of industrial production, the issuance of licenses or permits and inspection of licit activities related to narcotic drugs as provided in Table IV shall be the jurisdiction of the Ministry of Health.

SECTION III

CONTROL OF LICIT ACTIVITIES RELATED TO NARCOTIC DRUGS

Article 16: Control measures for drug ingredients

The product that has been prepared by one or more narcotic substance(s), whether in the form of liquid or solution, shall be subject to the same measures of control and inspection as those for drug ingredients in accordance with the provisions of this Law.

Article 17: Prohibition against commercial advertisements

The following shall be prohibited:

- Commercial advertisements of plants, substances and ingredients or substances listed in Tables II and III of this Law.;
- Provision to a private person of pharmaceutical samples or formula, narcotic plants, substances, or samples of ingredients as listed in Tables II and III of this Law.

The Minister of Health shall issue additional instructions related to advertisement of drugs containing the substances listed in Table IV.

Article 18: Control of transit or passage of drugs

The transit and crossing of drugs listed in Tables II and III through the territory of the Kingdom of Cambodia shall be prohibited, whether those drugs are loaded or unloaded from the means of transportation, except that the purchase, transport, and storage of the drugs are aimed at producing pharmaceutical or final products for treatment of people or animals, which are subject to authorization or licence and control by the Ministry of Health.

Article 19: Provisions for chemical precursors listed in Table IV

Production, exportation, importation, possession, sale, purchase, or distribution of the chemical precursors listed in Table IV shall comply with the following provisions:

1. A permit for importation or exportation shall be denied if an attempt has been made to deliver the goods for the illicit production of drugs.;
2. Importation or exportation of substances listed in Table IV as annex to this Law shall be clearly labeled in accordance with the legal provisions in force;
3. A person, who, because of his professional requirements, becomes aware of the economic, industrial, commercial, or professional secrets or commercial processing of the chemical precursors listed in Table IV, shall refrain from disclosing them to a third person;
4. Manufacturers, importers, exporters, wholesalers and retailers of the chemical precursors listed in Table IV are required to inform the police or competent officials of any orders or transactions that appear suspicious, in particular, as a result of the quantity of the

substances being purchased or ordered, the repetition of such orders or purchases or the means of payment or transportation;

5. If there is evidence to suggest that any chemical precursors listed in Table IV are being used for the illicit production of narcotic drugs, the substance shall be immediately seized, awaiting the outcome of the investigation by the Court.

Article 20: Information to be reported

The Minister of the Ministry of Industry, Mines and Energy shall report to the National Authority for Combating Drugs and copy to the Ministry of Health the following information:

1. Issuance, renewal, confiscation and suspension of a permit, which is under his/her competence.
2. Issuance, renewal, confiscation and suspension of a permit, especially the permit related to the importation or exportation of substances with statement of the chemical precursors listed in Table IV.
3. Actual quantity of the import and export of the chemical precursors listed in Table IV.
4. Annual estimated quantity planned for importation and exportation of the chemical precursors listed in Table IV.
5. Actual quantity planned for importation and exportation of the chemical precursors listed in Table IV.
6. Information that has been received relating to the chemical precursors listed in Table IV.

The Minister of the Ministry of Health shall report to the National Authority for Combating Drugs the information about the import, export and stocks of the chemical precursors listed in Table IV.

Article 21: Determination of the quantity of the drugs needed

The Minister of the Ministry of Health shall determine once per year the maximum quantity of drugs required, on the basis of actual needs, by State and private enterprises for their use and production, and shall report to the National Authority for Combating Drugs once a year the quantity of the annually-determined drugs that have been used and the remaining quantity in stock..

The Minister of the Ministry of Industry, Mine and Energy shall determine once per year the maximum quantity of chemical precursors on the basis of actual needs and shall report to the

National Authority for Combating Drugs and copy to the Minister of the Ministry of Health once per year the quantity of the annually-determined chemical precursors that have been used and the remaining quantity in stock.

Article 22: Registration obligations

Manufacturers, importers, exporters, wholesalers and retailers, who are licensed or permitted to perform licit activities related to drugs by the Minister of the Ministry of Health or the Minister of the Ministry of Industry, Mine and Energy, shall record in a logbook with the page number and initials of the competent authority any purchase, sale, use and other transactions affecting the quantity of the substances listed in Tables II, III and IV.

Entries in this logbook shall be made at the time of transaction without leaving blank spaces, erasing or overwriting.

Entries in this logbook shall indicate the dates of transaction, name and quantity of products acquired or sold, and the name, address and occupation of the purchaser or the seller.

The logbook shall be maintained for a period of 10 (ten) years, starting from the date of the last entry in accordance with the requirements of the Committee for Control of Licit Activities related to Drugs.

The Minister of the Ministry of Health and the Minister of the Ministry of Industry, Mine and Energy shall provide additional instructions on how to formulate this logbook.

Article 23: Making inventory list and calculating balance

State enterprises, private enterprises, medical and scientific institutions and other individuals conducting activities or holders of licenses and permits for operation in accordance with the provisions of this Law shall, at the beginning of each year, make an inventory list of drugs as listed in Tables I, II and III in their possession and compare them with the total quantity in stock of the preceding inventory list, which needs to be calculated together with the quantity in their possession in the final inventory.

License holders, pharmacists, and individuals, who obtain licenses or permits to dispense drugs containing narcotic substances through wholesalers, at pharmacies or sub-pharmacies shall make an inventory list and calculate the balance as stipulated in paragraph 1 of this Article.

For any discrepancies that appear in the relative result of the balance or between the result of the balance and the inventory list, the license holder, the pharmacist or the recipients of licenses or

permits to dispense drugs containing narcotic substances shall report immediately to the Ministry of Health, which shall acknowledge the receipt of such report.

Article 24: Packaging and labelling

Distribution of the drugs as listed in Tables II and III can be performed provided that the drugs have been placed in a package or a box bearing their names; and in case of consignments of the substances listed in Table II, the packages or boxes shall be sealed, stamped and wrapped with safety ties.

The outer packaging described in paragraph 1 above shall not bear any information other than the name and addresses of the sender and the recipient. These parcels shall be sealed and stamped as the sender's mark.

The label on which any narcotic drug is offered for sale shall indicate the name of the licit drugs substances, which are their ingredients, together with their percentage and weight.

Labels accompanying the packages for retail or distribution as stated in paragraph 1 above shall provide instructions about how to use as well as cautions and warnings necessary for the safety of users.

If necessary, additional requirements for packaging and labeling shall be determined by a Prakas of the Minister of Health.

Article 25: Check and inspection

All individuals, state enterprises, private enterprises, medical institutions, pharmaceutical institutions and scientific institutions conducting activities or operations that are licensed or permitted pursuant to the provisions of this Law shall be subject to the control and inspection by the Minister of the Ministry of Health, who shall assign pharmaceutical inspectors to conduct ordinary inspections at least once per year, and extra-ordinary inspections at any time as necessary, of the institutions, their stocks and logbooks. The inspectors of the Ministry of Health may request for support forces as needed to carry out inspections.

Compartments, in which first-aid boxes are stored in the means of public transportation providing international transports, shall also be subject to the aforementioned control and inspection.

All individuals, companies, factories, enterprises conducting activities or operations under licenses or permits in paragraph 1 of of Article 15 (license or permit for licit activities related to

narcotic drugs in Table IV) of this Law shall be subject to the control and surveillance of the Minister of the Ministry of Industry, Mine and Energy, who shall assign inspectors to conduct ordinary inspections at least once a year, and extra-ordinary inspections as needed, of the institutions, stocks, and logbooks. Inspectors of the Ministry of Industry, Mine and Energy may request for support forces as needed to carry out inspection.

Format and procedures of the control and inspection shall be determined by a Prakas of the Ministry concerned.

Article 26: Control and check in duty-free ports and zones

Measures for control and check stipulated under this Law shall be applied in the duty-free ports and zones as well.

CHAPTER IV

CRIMINAL PROVISIONS

SECTION I

GENERAL PROVISIONS

Article 27: Implementation of general provisions of the Criminal Code

Unless otherwise stipulated in this Law, the Provisions of Book One (General Provisions) of the Criminal Code shall apply .

Article 28: Imposition of principal penalty

The provisions of Article 97 (imposition of principal penalty) of the Criminal Code shall not apply to the offences as provided for in this Law. The principal penalty shall be imposed in accordance with the provisions of this Law.

The principal penalty of the offences as stipulated in this law shall not be replaced by a substitute punishment or additional penalty under conditions as provided for in the Criminal Code.

Article 29: Definition of ‘attempt’

‘Attempt’ in felony or misdemeanor can be punished provided that the conditions below are fulfilled:

- The perpetrator has started to commit the offence, meaning that the perpetrator has committed the act with a direct intention to commit the offence and,

- The perpetrator has not voluntarily stopped his/her action, but such action has been hindered or interrupted by influences of the circumstances outside of his/her will.

The act of preparation without a direct intention to commit the offence does not constitute the start of the act.

‘Attempt’ in felony or misdemeanor shall be punished in the the same manner as the felony or the misdemeanor completed.

Article 30: Forced treatment

The Court shall order a compulsory treatment as stated in Chapter 6 (measures on treatment and rehabilitation) of this Law, for any person, who has been punished for any offence as stated in this Law if that person is under the state of drug addiction.

Article 31: Acquittal from punishment

Any person, who has joined a criminal syndicate to commit any offence as provided for in this Law, shall be acquitted from punishment as stipulated in Article 59 (the offence of joining the criminal syndicate) of this Law if the person has reported on time to the competent authority before the offence takes place about the existence of the criminal syndicate and the identity of other associates, giving the authority sufficient time to take action against the offence.

Article 32: Attenuation of punishment

Apart from the cases stated in the aforesaid Article, the perpetrator, co-perpetrator, accomplice or initiator of the offense as provided for in Chapter IV (criminal provisions) of this Law, who reports about the identity of other associates before he/she is prosecuted or, who facilitates for the arrest of the others after he/she was prosecuted, shall be entitled to a reduced penalty under the following conditions:

1. The maximum term of imprisonment shall be reduced by half;
2. If the maximum penalty is life imprisonment, the maximum term of imprisonment shall be reduced to 20 (twenty) years;
3. The minimum penalty of imprisonment shall be reduced by half if this minimum penalty is more than one day;
4. The minimum and maximum amount of fines shall be reduced by half.

In the case of prosecution for a felony, if the provisions of this Law have an effect of reducing the maximum term of imprisonment to a duration equal to or less than 5 (five) years, the offense under prosecution remains a felony.

Article 33: Implementation of the attenuating circumstances

The provisions of Article 93 (definition of attenuating circumstances) and Article 95 (life imprisonment and attenuating circumstances) of the Criminal Code shall not apply to any felony provided for in this Law.

For misdemeanor as provided for in this Law, the Court may decide to have the accused person's penalty mitigated as provided for in the Criminal Code. In this case, the minimum term of imprisonment applicable to that offence shall be reduced by half if the minimum term of imprisonment is more than 1 (one) day.

Article 34: Additional penalty against a physical person

As a derogation to Article 54 (the conditions for imposing additional penalty) of the Criminal Code applicable to the offences provided for in this Law, the Court may impose one or more additional penalties as stated in Section 2 (additional penalty), Chapter I (types of penalties), Title 3 (penalty) Book I (general provisions) of the Criminal Code.

Article 35: Criminal liability for a legal entity

A legal entity, except the state, may be held criminally liable in respect to an offence provided for in this Law on the condition that the offence is committed by the organisation or its representative for the benefit of the legal entity in question.

The criminal liability of a legal entity does not exclude the criminal liability of a physical person.

Article 36: Principal penalty applicable to a legal entity

In the case where a Court imposes a criminal liability against a legal entity, the Court shall impose the fine in the form of principal penalty the maximum amount 5 (five) times the amount of the maximum fine against a physical person as provided for in this Law.

Article 37: Additional penalty applicable to a legal entity

As a derogation to Article 169 (conditions for deciding on additional penalty), the Court may impose one or more additional penalties as stated in section 2 (additional penalty), Chapter VII

(penalty applicable to a legal entity), Title 3 (penalty) Book I (general provisions) of the Criminal Code.

SECTION II
OFFENCES RELATED TO NARCOTIC SUBSTANCES IN TABLES I AND II

Article 38: Act of illicit cultivation of narcotic plants

Any person, who intentionally violates the provisions of this Law and regulations on the cultivation of narcotic plants in Tabled I and II:

1. Shall be punished from 6 (six) months to 2 (two) years in prison. In addition to imprisonment, the offender may be liable to a fine from 1,000,000 (one million) Riels to 4,000,000 (four million) Riels.
2. Shall be punished to from 2 (two) years to 5 (five) years in prison and may be additionally liable to pay a fine ranging from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels, if the offense is carried out for the purpose of distribution, production and trade.

If the offence is committed for personal consumption in a small quantity and in the context of habitual consumption, the Prosecutor may exempt the offender from prosecution. If the matter reaches the Court, the Court may decide to acquit the perpetrator or to simply reprimand him/her. It shall be considered habitual consumption if the consumption does not cause addiction and the consumers traditionally consume the substances as part of their ancestral practice over a long period of time.

Article 39: Act of illicit production of narcotic substances

Refinement or fragmentation of narcotic substances from the plants, purification, transformation, combination or any other forms of illegal actions aiming at obtaining drugs shall constitute the act of illegal production of narcotic substances.

The act of illicit production of narcotic substances in Tables 1 and 2 shall be punished from 2 (two) years to 5 (five) years in prison. In addition to imprisonment, the offender may be liable a fine ranging from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

Shall be punished from 5 (five) years to 10 (ten) years in prison and by a fine ranging from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) Riels if the offense is committed in one of the following circumstances:

- 1) The offence is committed repeatedly,
- 2) The offence is committed within his/her position or in the course of performing his/her duty,
- 3) The production of opium poppy, cannabis or coca paste with a pure quantity ranging from 400 (four hundred) grams to less than 800 (eight hundred) grams,
- 4) The production of cannabis oil with a pure quantity of 200 (two hundred) grams to less than 400 (four hundred) grams,
- 5) The production of morphine, heroin, or cocaine with a pure quantity ranging from 4 (four) grams to less than 25 (twenty-five) grams,
- 6) The production of methamphetamine, amphetamine, or ecstasy with a pure quantity ranging from 15 (fifteen) grams to less than 80 (eighty) grams,
- 7) The production of other narcotic substances, provided in Tables 1 and 2, with a pure quantity ranging from 15 (fifteen) grams to less than 80 (eighty) grams;
- 8) The production of narcotic substances from two or more types and with the total pure quantity of those substances equal to the level of pure quantity of narcotic substances as determined in any of items 3 to 7 of this paragraph .

Shall be punished from 10 (ten) years to 20 (twenty) years in prison and by a fine ranging from 20,000,000 (twenty million) Riels to 40,000,000 (forty million) Riels if the offense is committed in one of the following circumstances:

- 1) With the nature of a business,
- 2) The production of opium poppy, cannabis or coca paste with a pure quantity ranging from 800 (eight hundred) grams to less than 1,600 (one thousand and six hundred) grams,
- 3) The production of cannabis oil with a pure quantity ranging from 400 (four hundred) grams to less than 800 (eight hundred) grams,

- 4) The production of morphine, heroin or cocaine with a pure quantity of 25 (twenty five) grams to less than 80 (eighty) grams,
- 5) The production of amphetamine, methamphetamine or ecstasy with a pure quantity ranging from 80 (eighty) grams to less than 240 (two hundred and forty) grams,
- 6) The production of other narcotic substances, provided in Tables 1 and 2, with a pure quantity ranging from 80 (eighty) grams to less than 240 (two hundred and forty) grams,
- 7) The production of narcotic substances of two or more types, and with the total pure quantity of the substances equal to the level of pure quantity of narcotic substances as determined in any of items 2 to 6 in paragraph 4 above.

Shall be punished from 20 (twenty) years to 30 (thirty) years in prison or by life imprisonment and by a fine ranging from 40,000,000 (forty million) Riels to 100,000,000 (hundred million) Riels if the offense is committed in one of the following circumstances:

- 1) The production of opium resin, cannabis resin or coca paste with a pure quantity of over 1,600 (one thousand and six hundred) grams ,
- 2) The production of cannabis oil with a pure quantity ranging from 800 (eight hundred) grams;
- 3) The production of morphine, heroin, or cocaine with a pure quantity of 80 (eighty) grams,
- 4) The production of amphetamine, methamphetamine, or ecstasy with a pure quantity of over 240 (two hundred and forty) grams,
- 5) The production of other narcotic substances in Table 1 and 2, with a pure quantity of over 240 (two hundred and forty) grams,
- 6) The production of narcotic substances of two or more types and with the total pure quantity of the substances equal to the level of pure quantity of the narcotic substances as determined in any of items 1 to 5 of this paragraph.

Article 40: Act of keeping, transporting or illicit traffic of narcotic substances

Possession, concealment, storage, and any other similar illegal activities, of narcotic drugs is an illicit act of keeping narcotic substances.

The dispatch by any means, which causes an illicit movement from one location to another, from one person to another or from one country to another, of narcotic substances such as through consignments, trafficking, importing or exporting, is an act of illegal transportation of narcotic substances.

Illicit offer for sale, selling, buying for sale or exchanging narcotic substances is an act of illicit traffic of narcotic substances.

The act of illicit keeping, transporting or trafficking of narcotic substances in Tables 1 and 2 shall be punished from 2 (two) years to 5 (five) years in prison. In addition to imprisonment, the offender may be liable to pay a fine ranging from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

Shall be punished from 5 (five) years to 10 (ten) years in prison and by a fine from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) Riels if the offense is committed in one of the following circumstances:

- 1) Repeated offence ,
- 2) The offence is committed within his/her position or in the course of performing his/her duties,
- 3) Opium resin, cannabis resin or coca paste with a pure quantity of 400 (four hundred) grams to less than 800 (eight hundred) grams,
- 4) Cannabis oil with a pure quantity of 200 (two hundred) grams to less than 400 (four hundred) grams,
- 5) Morphine, heroin or cocaine with a pure quantity of 4 (four) grams to less than 25 (twenty five) grams;
- 6) Methamphetamine, amphetamine or ecstasy with a pure quantity of 15 (fifteen) grams to less than 80 (eighty) grams,
- 7) Dry cannabis or coca leaf with a quantity of 8 (eight) kilograms to less than 20 (twenty) kilograms,
- 8) Fresh opium fruit with a quantity of 8 (eight) kilograms to less than 40 (forty) kilograms,
- 9) Dry opium fruit with a quantity of 40 (forty) kilograms to less than 160 (one hundred and sixty) kilograms,

- 10) Other narcotic substances in Tables 1 and 2, with a pure quantity of 15 (fifteen) grams to less than 80 (eighty) grams,
- 11) Narcotic substances from two or more types and with the total pure quantity of those substances equal to the level of pure quantity of narcotic substances as determined in any of items 3 to 10 in paragraph 2 of this Article.

Shall be punished from 10 (ten) years to 20 (twenty) years in prison and by a fine ranging from 20,000,000 (twenty million) Riels to 40,000,000 (forty million) Riels if the offense is committed in one of the following circumstances:

- 1) Opium resin, cannabis resin or coca paste with a pure quantity of 800 (eight hundreds) grams to less than 1,600 (one thousand and six hundred) grams,
- 2) Cannabis oil with a pure quantity of 400 (four hundred) grams to less than 800 (eight hundred) grams,
- 3) Morphine, heroin, or cocaine with a pure quantity of 25 (twenty five) grams to less than 80 (eighty) grams,
- 4) Amphetamine, methamphetamine, or ecstasy with a pure quantity of 80 (eighty) grams to less than 240 (two hundred and forty) grams,
- 5) Dry cannabis or coca leaf with a quantity of 20 (twenty) kilograms to less than 60 (sixty) kilograms,
- 6) Fresh opium fruit with a quantity of 40 (forty) kilograms to less than 120 (one hundred and twenty) kilograms,
- 7) Dry opium fruit with a quantity of 160 (one hundred and sixty) kilograms to less than 480 (four hundred and eighty) kilograms,
- 8) Other narcotic substances as provided in Tables 1 and 2, with a pure quantity of 80 (eighty) grams to less than 240 (two hundred and forty) grams,
- 9) The production of narcotic substances from two or more types and with the total pure quantity of those substances equal to the level of pure quantity of narcotic substances as determined in any of points 1 to 8, paragraph 3 of this Article.

Shall be punished from 20 (twenty) years to 30 (thirty) years in prison or by life imprisonment, and by a fine ranging from 40,000,000 (forty million) Riels to 100,000,000 (one hundred million) Riels:

- 1) Opium resin, cannabis resin, or coca paste with a pure quantity of 1,600 (one thousand and six hundred) grams,
- 2) Cannabis oil with a pure quantity of 800 (eight hundred) grams,
- 3) Morphine, heroin or cocaine with a pure quantity of 80 (eighty) grams,
- 4) Amphetamine, methamphetamine or ecstasy with a pure quantity of 240 (two hundred and forty) grams,
- 5) Dry cannabis or coca leaf with a quantity of 60 (sixty) kilograms,
- 6) Fresh opium fruit with a quantity of 120 (one hundred and twenty) kilograms,
- 7) Dry opium fruit with a quantity of 480 (four hundred and eighty) kilograms,
- 8) Other narcotic substances as provided in Tables 1 and 2 with a pure quantity of 240 (two hundred and forty) grams,
- 9) Narcotic substances of two or more types and with a total pure quantity of those substances equal to the level of pure quantity of narcotic substances as determined in any of points 1 to 8, paragraph 4 of this paragraph.

Article 41: Act of acquisition of narcotic substances

An intentional act of illicit exchanging of narcotic drugs under the possession of other person to place under his/her own possession is the acquisition of narcotic substances.

The acquisition of narcotic drugs as stated in Tables 1 and 2 shall be punished from 2 (two) years to 5 (five) years in prison. In addition to imprisonment, the offender may be liable to a fine ranging from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

within the framework of his/her position and in the course of performing his/her professional duties shall be punished from 5 (five) years to 10 (ten) years in prison and by a fine ranging from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) if the offense is committed within his/her position and in the course of performing his/her professional duties.

The acquisition of narcotic drugs shall be subject to the punishment applicable to another offence if the acquisition of narcotic substances constitutes that offence, and if the maximum term of punishment under the other offence, is more severe than the maximum term of punishment under acquisition of narcotic substances.

Article 42: Act of administration of illicit/illicit use/consumption of narcotic substances

The act of assisting another person to consume narcotic substances in any form, the act of leading, dividing, ordering or distributing to administer narcotic substances into the body of another person shall constitute the act of illicit administration of narcotic substances for use/consumption.

The offence of illicit administration of narcotic drugs listed in Tables 1 and 2 for consumption shall be punished from 2 (two) years to 5 (five) years in prison. In addition to imprisonment, the offender may be liable to pay a fine ranging from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

Shall be punished from 5 (five) years to 10 (ten) years in prison and liable to pay a fine ranging from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) Riels if the offense is committed in one of the following circumstances:

- 1) Repeated offence ,
- 2) On many persons,
- 3) On a minor aged 15 years or above,
- 4) On a pregnant woman of whose pregnancy the offender is aware,
- 5) Causing a harmful disease to pass to another person,
- 6) Causing serious damage to the health of another person
- 7) On another person who is undergoing treatment.

Shall be punished from 10 (ten) years to 20 (twenty) years in prison and by a fine from 20,000,000 (twenty million) Riels to 40,000,000 (forty million) Riels if the offence is committed in one of the following circumstances:

- 1) Causing serious damage to the health of many other persons,
- 2) Causing harmful illness(es) to pass to many other persons,
- 3) On a minor aged below 15 years,
- 4) Causing the death of another person.

If the commission of the offence leave many people dead imprisonment from 20 (twenty) years to 30 (thirty) years or life imprisonment, and by a fine ranging from 40, 000,000 (forty million) Riels to 100,000,000 (one hundred million) Riels shall be imposed.

Article 43: Act of coercing, seducing another person to enter into illicit use of narcotic substances

Violence, threat or any other actions that causes fear for another person and thereby induce that person to illegally use narcotic substances shall form the act of coercing another person to enter into illicit use of narcotic substances.

The act of persuading, consoling, inciting or using other means to cause another person to enter into illicit use of narcotic substances shall form the act of seducing another person to enter into illicit use of narcotic substances.

A person guilty of committing the offence of coercing or seducing another person to enter into illicit use of narcotic substances as listed in Tables 1 and 2 shall be punished by imprisonment for a period of 2 to 5 years. In addition to imprisonment, the offender may be subject to a fine ranging from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

A person guilty of committing this offence under any of the following circumstances shall be punished by imprisonment for a period of 5 (five) to 10 (ten) years, and liable to pay a fine ranging from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) Riels:

- 1) The offence has been committed repeatedly,
- 2) Out of revenge or with malice,
- 3) On many people,
- 4) On a minor aged 15 years or above
- 5) On a pregnant woman of whose pregnancy the offender is aware,
- 6) Causing a harmful disease to pass to another person,
- 7) Causing serious damage to the health of another person,
- 8) On a person who is undergoing treatment

A person guilty of committing the offence under any of the following circumstances shall be punished by imprisonment from 10 to 20 years and liable to pay a fine ranging from 20,000,000 (twenty million) Riels to 40,000,000 (forty million) Riels:

- 1) Causing serious damage to the health of many people,
- 2) Causing a harmful disease to pass to many people,

- 3) On a minor aged under 15 years,
- 4) Causing the death of another person.

A person guilty of committing an offence causing the death of many people shall be punished by imprisonment from 20 (twenty) to 30 (thirty) years or to life imprisonment, and liable to pay a fine ranging from 40,000,000 (forty million) Riels to 100,000,000 (one hundred million) Riels.

Article 44: Act of facilitating illicit use of narcotic substances

The act of renting a location, providing a location or any other actions that facilitate illicit use of narcotic substances as listed in Tables I and II is an offence of facilitating the illicit use of narcotic substances. A person guilty of committing this offence shall be punished by imprisonment from 1 (one) year to 5 (five) years. In addition to imprisonment, the offender may be punished with a fine ranging from 2,000,000 (two million) Riels to 10,000,000 (ten million) Riels.

A person guilty of committing this offence under any of the following circumstances shall be punished by imprisonment from 5 (five) years to 10 (ten) years and liable to pay a fine ranging from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) Riels:

- 1) The offence was committed within the his/her position or in the course of performing his/her professional duty;
- 2) The offence was committed repeatedly;
- 3) On a minor;
- 4) On many people;
- 5) On a pregnant woman of whose pregnancy the offender is aware.

Article 45: Act of illicit use/consumption of narcotic substances

Any person who illegally consumes narcotic substances as provided in Tables I and II in any forms, and has been forced to undertake treatment, shall be punished by imprisonment for a period from 1 (one) month to 6 (six) months and maybe liable to pay a fine ranging from 100,000 (one hundred thousand) Riels to 1,000,000 (one million) Riels.

In the case of recidivism, the person shall be punished by imprisonment for a period from 6 (six) months to 1 (one) year and may be liable to pay a fine ranging from 1,000,000 (one million) Riels to 2,000,000 (two million) Riels.

An attempt to commit a misdemeanor as provided for in paragraph 1 and paragraph 2 above shall be punished with the same terms of punishment for committing the misdemeanor.

If an offence has been committed in respect of the narcotic substances provided for in Tables I and II involves a small quantity of the substance, and takes place within the context of customary consumption, the Prosecutor may relinquish such an offender from prosecution. If the matter has reached Court, the Court may decide to acquit such a perpetrator from punishment or to reprimand the person. Consumption is deemed 'customary consumption' if it does not trigger drug addiction and if the consumer carries out the consumption as part of his/her ancestral customs that have been practised over a long period of time.

SECTION III

OFFENCES RELATED TO DRUGS IN TABLE III

Article 46: Act of illicit cultivation of narcotic plants

Any person who intentionally violates the provisions of this Law and the regulations related to the cultivation of narcotic plants listed in Table III:

- 1) Shall be punished by imprisonment for a period from 3 (three) months to 18 (eighteen) months. In addition to imprisonment, the offender may be liable to pay a fine ranging from 600,000 (six hundred thousand) Riels to 3,000,000 (three million) Riels.
- 2) Shall be punished by imprisonment for a period from 18 (eighteen) months to 4 (four) years and may additionally be liable to pay to a fine ranging from 3,000,000 (three million) Riels to 8,000,000 (eight million) Riels, if the offence is carried out for the purpose of distribution, production, and trade.

If the offence is committed for personal consumption with a small quantity, and as a part of customary consumption, the Prosecutor may relinquish the offender from prosecution. If the matter has reached Court, the Court may decide to acquit the perpetrator from punishment or to give a reprimand to the person. Consumption is deemed 'customary consumption' if it does not trigger drug addiction and if the consumer carries out the consumption as part of his/her ancestral customs that have been practiced over a long period of time.

Article 47: Act of illicit production of narcotic substances

The refinement or segregation of narcotic substances from plants, purifying, transforming, combining or any other illegal actions, to obtain narcotic substances constitute illicit production of narcotic substances.

A person guilty of illegal production of narcotic drugs as listed in Table 3 shall be punished by imprisonment for a period of 2 (two) years to a maximum of 5 (five) years. In addition to imprisonment, the offender may be liable to pay a fine ranging from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

A person guilty of committing this offence under any of the following circumstances shall be punished by imprisonment for a period of 5 (five) years to a maximum of 10 (ten) years, and liable to pay a fine ranging from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) Riels:

- 1) If the offence has been committed repeatedly,
- 2) The offence is committed within his/her position or in the course of performing his/her professional duty,
- 3) If the production of narcotic substances listed in Table III results in a pure quantity of 100 (one hundred) grams to less than 300 (three hundred) grams,
- 4) If the production of narcotic substances listed Table III with two or more types results in their total pure quantity equal to the level of pure quantity of the narcotic substances as determined in point 3 above.

A person guilty of committing this offence under any of the following circumstances shall be punished by imprisonment for a period of 10 (ten) years to a maximum of 20 (twenty) years, and liable to pay a fine ranging from 20,000,000 (twenty million) Riels to 40,000,000 (forty million) Riels:

- 1) If the production of the narcotic substances listed in Table III results in a pure quantity of 300 (three hundreds) grams or more,
- 2) If the production of the narcotic substances listed in Table III from two or more types results in the total pure quantity equal to the level of pure quantity of the narcotic substances as determined in point 1 of this paragraph.

Article 48: Act of illegal keeping, transporting, or trafficking of narcotic substances

Possessing, concealing, storing, or any other similar illegal actions relating to narcotic drugs constitutes illegal keeping of narcotic substances.

The dispatching of narcotic substances in any form involving moving from one location to another, from one person to another, or from one country to another, in an illegal way such as through sending, trafficking, importing, or exporting, constitutes an act of illegal transportation of narcotic substances.

Offering for sale, buying for sale or exchanging or exchanging narcotic drugs in an illegal way, constitutes illegal trafficking of narcotic substances.

A person guilty of illegal keeping, transporting, and trafficking of narcotic substances as listed in Table III shall be punished by imprisonment for a period of 2 (two) years to a maximum of 5 (five) years. In addition to imprisonment, the offender may be liable to pay a fine ranging from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

A person guilty of committing this offence under any of the following circumstances shall be punished by imprisonment for a period of 5 (five) years to a maximum of 10 (ten) years, and liable to pay a fine ranging from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) Riels:

- 1) If the offence has been committed repeatedly,
- 2) The offence is committed within his/her position or in the course of performing his/her professional duties,
- 3) If the production of the narcotic substances listed in Table III results in a pure quantity of 100 (one hundred) grams to less than 300 (three hundreds) grams,
- 4) If the production of the narcotic substances listed in Table III from two or more types results in the total pure quantity equal to the level of pure quantity of the narcotic substances as determined in point 3 above.

A person guilty of committing the offence under any of the following circumstances shall be punished by imprisonment for a period of 10 (ten) years to a maximum of 20 (twenty) years, and liable to pay a fine ranging from 20,000,000 (twenty million) Riels to 40,000,000 (forty million) Riels:

- 1) If the production of the narcotic substances listed in Table III results in a pure quantity of 300 (three hundred) grams or more,
- 2) If the production of the narcotic substances listed in Table III from two or more types results in a total pure quantity equal to the level of pure quantity of the narcotic substances as determined in point 1 of this paragraph.

Article 49: Act of acquisition of narcotic substances

An intentional act of exchanging narcotic substances under the possession of one person, to place under one's own possession, constitutes acquisition of narcotic substances.

A person guilty of acquisition of narcotic substances listed in Table III shall be punished by imprisonment for a period of 2 (two) years to a maximum of 5 (five) years. In addition to imprisonment, the offender may be liable to pay a fine ranging from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

A person guilty of committing this offence within of his/her position or in the course of performing his/her professional duties shall be punished by imprisonment for a period of 5 (five) years to a maximum of 10 (ten) years, and liable to pay a fine ranging from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) Riels.

A person guilty of the acquisition of narcotic drugs shall be subject to the punishment applicable to another offence if the acquisition of narcotic substances constitutes that offence, and if the maximum term of punishment under the other offence is more severe than the maximum term of punishment under acquisition of narcotic substances.

Article 50: Act of administration of illicit use/consumption of narcotic substances

The act of assisting another person to consume narcotic substances in any form and the act of leading, dividing, ordering or distributing the substances for administering into another person's body shall constitute administration of illicit use/consumption of narcotic substances.

The acts of of administration of illicit use/consumption of narcotic substances listed in Table III shall be punished by imprisonment for a period from 2 (two) years to 5 (five) years. In addition to the imprisonment, the offender may be liable to pay a fine ranging from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

Punishment by imprisonment for a period from 5 (five) years to 10 (ten) years shall be meted out and a fine ranging from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) Riels shall be imposed if the offense is committed in the following circumstances:

- 1) If the offence has been committed repeatedly,
- 2) On many persons,
- 3) On a minor aged 15 years or over,

- 4) On a pregnant woman of whose pregnancy the offender is aware,
- 5) Causing a harmful disease to another person
- 6) Causing serious damages to the health of another person,
- 7) On a person who is undergoing treatment.

Punishment by imprisonment for a period from 10 (ten) years to 20 (twenty) years shall be meted out and a fine ranging from 20,000,000 (twenty million) Riels to 40,000,000 (forty million) Riels shall be imposed if the offense is committed in the following circumstances:

- 1) Causing serious damages to the health of many persons,
- 2) Causing a harmful disease to many persons,
- 3) On a minor aged below 15 years,
- 4) Causing the death of another person.

Punishment by imprisonment for a period from 20 (twenty) years to 30 (thirty) years or by life imprisonment shall be meted out a fine ranging from 40,000,000 (forty million) Riels to 100,000,000 (one hundred million) Riels shall be imposed if the offense committed results in the many deaths.

Article 51: Act of coercing, seducing another person to illicit use/consumption illicitly use narcotic substances

An act of violence, threat to use violence or any other action, which causes another person to fear and by doing so induce that person to enter into illicit use/consumption of narcotic substances constitutes coercing another person to enter into illicit use/consumption of narcotic substances.

An act of persuading, consoling, inciting or any other tactics, which cause another person to agree to enter into illicit use/consumption of narcotic substances, shall constitute seducing another person to enter into illicit use/consumption of narcotic substances.

The act of coercing or seducing another person to enter into illicit use/consumption of narcotic substances listed in Table III shall be punished from 2 (two) years to 5 (five) years I prison. In addition to imprisonment, the offender may be liable to pay a fine ranging from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

Shall be punished from 5 (five) years to 10 (ten) years in prison, and liable to pay a fine ranging from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) Riels if the offense is committed in one of the following circumstances:

- 1) Repeated ,
- 2) With the intention of revenge or malice,
- 3) On many persons,
- 4) On a minor aged over 15 years.
- 5) On a pregnant woman whose pregnancy the offender is aware of,
- 6) Causing a harmful disease to another person,
- 7) Causing serious damages to the health of another person
- 8) On another person who is undergoing treatment.

Shall be punished from 10 (ten) years to 20 (twenty) years in prison and liable to pay a fine ranging from 20,000,000 (twenty million) Riels to 40,000,000 (forty million) Riels if the offense is committed in one of the following circumstances:

- 1) Causing serious damages to the health of many persons,
- 2) Causing harmful diseases to many persons,
- 3) On a minor aged below 15 years,
- 4) Causing the death of another person.

Shall be punished from 20 (twenty) years to 30 (thirty) years in prison or by life imprisonment and liable to pay a fine ranging from 40,000,000 (forty million) Riels to 100,000,000 (one hundred million) Riels if the offense committed results in many deaths.

Article 52: Act of facilitation for illicit use/consumption of narcotic substances

An act of renting a location, providing a location or any other acts that facilitate for illicit use/consumption of narcotic substances listed in Table III shall constitute facilitation of use/consumption of a narcotic substance. Such an offence shall be punished from 1 (one) year to 5 (five) years in prison. In addition to imprisonment, the offender may be liable to pay a fine ranging from 2,000,000 million (two million) Riels to 10,000,000 (ten million) Riels.

Shall be punished from 5 (five) years to 10 (ten) years in prison and liable to pay a fine ranging from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) Riels if the offense is committed in any of the following circumstances:

- 1) The offence is committed within his/her position or in the course of performing his/her duties;
- 2) The offence has been committed repeatedly;
- 3) On a minor;
- 4) On many persons;
- 5) On a pregnant woman, whose pregnancy the offender is aware of.

Article 53: Act of illicit use/illicit use/consumption of narcotic substances

Any person who illegally consumes narcotic substances listed in Table III in any form and has been forced to undertake treatment shall be punished from 1 (one) month to 6 (six) months in prison, and may be liable to pay a fine ranging from 100,000 (one hundred thousand) Riels to 1,000,000 (one million) Riels.

In the case of recidivism, the offender shall face imprisonment from 6 (six) months to 1 (one) year and may be liable to pay a fine ranging from 1,000,000 (one million) Riels to 2,000,000 (two million) Riels.

An attempt to commit the misdemeanor as provided for in paragraph 1 and paragraph 2 above shall face the same punishment as the misdemeanor above.

If the offence committed in connection with narcotic substances listed in Table III involves a small quantity and is part of customary consumption, the Prosecutor may relinquish the offender from prosecution. If the matter has reached Court, the Court may decide to acquit the perpetrator from punishment or to reprimand the person. Consumption is deemed 'customary consumption' if it does not trigger drug addiction and if the consumer carries out the consumption as part of his/her ancestral customs that have been practised over a long period of time.

SECTION IV

OFFENCES RELATED TO CHEMICAL PRECURSORS IN TABLE IV

Article 54: Act of illicit production, keeping, transportation or trafficking of chemical precursors

Any person who produces, keeps, transports or trafficks chemical precursors listed in Table IV, aiming to illegally manufacture illicit narcotic substances or having the knowledge that the chemical precursors will be used for illicit production of narcotic substances, shall face imprisonment from 2

(two) years to 5 (five) years, and may be additionally liable to pay a fine ranging from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

Any person who produces, keeps, transports or trafficks schemical precursors listed in Table IV, aiming to illegally produce narcotic substances or having the knowledge that the chemical precursors will be used for illegal production of narcotic substances, shall face:

- 1) Imprisonment from 5 (five) years to 10 (ten) years and a fine ranging from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) Riels, if the offence is carried out in one of the following circumstances:
 - Repeated offence,
 - Carrying the characteristics of a business,
 - If the offence is committed within his/her position or in the course of performing his/her duties,
 - The chemical precursor is of a pure quantity from 1 (one) kilogram to less than 5 (five) kilograms.
- 2) Imprisonment from 10 (ten) years to 20 (twenty) years and an additional fine ranging from 20,000,000 (twenty million) Riels to 40,000,000 (forty million) Riels if the pure quantity of chemical precursors range from 5 (five) kilograms to less than 10 (ten) kilograms.
- 3) Imprisonment from 20 (twenty) years to 30 (thirty) years or life imprisonment, and an additional fine ranging from 40,000,000 (forty million) Riels to 100,000,000 (one hundred million) Riels if the pure quantity of the chemical precursor(s) is over 10 (ten) kilograms.

Article 55: Act of offering a minor to inhale chemical precursors

Any person, who provides a minor with chemical precursors or any psychotropic substances, with the knowledge that the minor will sniff and inhale the substance, shall face imprisonment from 1 (one) year to 5 (five) years and an additional fine ranging from 2,000,000 (two million) Riels to 10,000,000 (ten million) Riels.

Shall be punished from 5 (five) years to 10 (ten) years in prison and liable to pay a fine ranging from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) Riels if the offense is committed in one of the following circumstances:

- 1) Repeated offence;

- 2) On many victims;
- 3) Causing harmful diseases.

SECTION V

OFFENCES INVOLVING EQUIPMENT OR MATERIALS

Article 56: Act of production, keeping, transporting or trafficking of equipment or materials used for illicit production or consumption of narcotic substances

Any person, who produces, keeps, transports or trafficks equipment or materials, aiming to illegally produce or consume narcotic substances or having the knowledge that the equipment and materials will be used for illegal production and consumption of narcotic substances, shall face imprisonment from 1 (one) year to 5 (five) years, and an additional fine ranging from 2,000,000 (two million) Riels to 10,000,000 (ten million) Riels.

Shall be punished from 5 (five) years to 10 (ten) years in prison and liable to pay a fine ranging from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) Riels if the offense is committed in one of the following circumstances:

1. Repeated offence,
2. Carrying the characteristic of a business,
3. If the offence has been committed within his/her position or in the course of performing his/her duties.

It shall not be deemed an offense in the case where the production, keeping, transporting or trafficking of equipment and materials for illicit use of narcotic substances is aimed to provide health care services or harm reduction services for drug users and is authorised by a competent authority.

SECTION VI

OFFENCES RELATED TO INCITEMENT

Article 57: Act of incitement to commit an offense

Direct or indirect incitement by all means of someone to commit any offense as stipulated from Section 2 to Section 5 of this Chapter shall face imprisonment from 6 (six) months to 2 (two) years and an additional fine ranging from 100,000 (one hundred thousand) Riels to 4,000,000 (four million) Riels if such incitement is not successful.

Shall be punished from 2 (two) years to 5 (five) years in prison and liable to pay a fine ranging from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels if the incitement is acted upon minors.

SECTION VII OTHER OFFENCES

Article 58: Act of benefiting from an offense

An act of gaining benefits from an offence shall include receipt, concealment, storage or dispatch of any object with the knowledge that it has resulted from an act of felony or misdemeanour of this Law.

It shall be deemed an act of benefiting from an offence as well if:

1. Intermediaries dispatch an object with knowledge that it is proceeds derived from the commission of the felony or misdemeanor.
2. The act of benefiting from an act of felony or misdemeanor is done with the knowledge of the event.

The act of benefiting from an offence shall be punished from 2 (two) years to 5 (five) years in prison, and may be additionally liable to pay a fine ranging from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

Shall be punished from 5 (five) years to 10 (ten) years in prison and liable to pay a fine ranging from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) Riels if the offense is committed in one of the following circumstances:

1. Repeated offence,
2. By abusing the authority under his/her the professional duties.

Article 59: Act of joining a criminal syndicate

A criminal syndicate is a group of 3 (three) or more people that is established with an organised structure, either formal or informal, to commit offences under this Law.

Joining a criminal syndicate shall face imprisonment from 2 (two) years to 5 (five) years and a fine ranging from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

Article 60: Punishment for leadership of a criminal syndicate

If a criminal syndicate has committed offences provided for in Article 38 (illicit cultivation of narcotic plants) through to Article 42 (administration of illicit use/consumption of narcotic substances) and from Article 47 (illegal production of narcotic substances) through to Article 50 (administration of illicit use/consumption of narcotic substances), Article 56 (illegal production, storing, transportation or trafficking of equipment or materials used in illegal production or consumption of narcotic substances) and Article 71 (money laundering) of this Law, the leader of the criminal syndicate shall be punished as follows:

1. If the maximum term of imprisonment for this offence is less than or equal to 10 (ten) years, the maximum term of imprisonment and fine shall be doubled.
2. If the maximum term of imprisonment for this offence is over 10 (ten) years, the maximum punishment is life imprisonment. In addition to imprisonment, the offender shall be liable to a fine ranging from 100,000,000 (one hundred million) Riels to 500,000,000 (five hundred million) Riels.

Article 61: Act involving searches of a physical body

An act involving searches of physical body as provided for in Article 76 (searches of physical body by using medical detection technique) shall face imprisonment from 1 (one) month to 1 (one) year or a fine ranging from 100,000 (one hundred thousand) Riels to 2,000,000 (two million) Riels.

Article 62: Act of violating legal provisions or regulations on the management of use of medicines with narcotic substances, narcotics substances or chemical precursors

Any person, with the responsibility for management, examination, inspection, exportation, importation, transportation, purchase/sale, storing, allocation, distribution, or use of medicines with narcotic substances, narcotic substances or chemical precursors, who violates legal provisions or regulations on the management and use of those medicines and substances in the course of any legal activity performed for medical, pharmaceutical or scientific police benefits shall face imprisonment from 1 (one) month to 1 (one) year, and may be additionally liable to pay a fine ranging from 100,000 (one hundred thousand) Riels to 2,000,000 (two million) Riels.

act under any of the following circumstances shall be punished from 1 (one) year to 5 (five) years in prison, and may be liable to pay a fine ranging from 2,000,000 (two million) Riels to 10,000,000 (ten million) Riels if the offense is committed in one of the following circumstances:

1. Repeated offence,
2. The offence has caused serious harms.

Article 63: Act of driving under the influence of narcotic substances

Any person, who drives a vehicle on land, waterway or airway under the influence of narcotic drugs which he/she consumes illegally, despite absence of apparent sign of consumption of drug, shall face imprisonment from 1 (one) month to a maximum of 1 (one) year and may be liable to pay a fine ranging from 100,000 (one hundred thousand) Riels to 1,000,000 (one million) Riels, if the influence of this drug affects the person's ability to drive safely.

In case driving above causes injury to other persons and results in their inability to work for over 8 (eight) days, the offender shall face imprisonment from 1 (one) year to 2 (two) years, and may be additionally liable to pay a fine ranging from 2,000,000 (two million) Riels to 4,000,000 (four million) Riels.

In case driving above causes injury to other persons and results in permanent disability or death of the latter, the offender shall face imprisonment from 2 (two) years to 5 (five) years, and may be liable to pay a fine ranging from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

Article 64: Act of violation of confidentiality of surveillance measures

Any person, who knows through his/her professional practice about any measure as provided for in paragraph 1 of Article 85 (surveillance) of this Law and has intentionally informed any person subject to that measure, shall be punished by imprisonment from 1 (one) year to 5 (five) years, and may be liable to pay a fine ranging from 2,000,000 (two million) Riels to 10,000,000 (ten million) Riels.

Any person, who provides competent authority documents or letters stated in item 4, paragraph 1 of Article 85 (surveillance) of this Law he or she knows that the entire document or segments of the document has been falsified, partly removed or mistaken, but does not inform the relevant authorities, shall be subject to the same punishment as the one stated in paragraph 1 above.

Article 65: Act of obstruction against inspection

Any person, who obstructs the performance of duties on pharmaceutical inspection, by any means, shall face imprisonment from 1 (one) month to 6 (six) months, and may be liable to pay a fine ranging from 100,000 (one hundred thousand) Riels to 1,000,000 (one million) Riels.

Article 66: Act of violation of interim measures for ensuring confiscation

An act of destroying, concealing, or embezzling an object or property, which has been frozen or withheld shall face imprisonment from 1 (one) year to 5 (five) years and may be liable to a fine ranging from 2,000,000 (two million) Riels to 10,000,000 (ten million) Riels.

Article 67: Act of breaching measures for seizure

An act of destroying, concealing or embezzling confiscated items or property shall face imprisonment from 1 (one) year to 5 (five) years, and may be liable to pay a fine ranging from 2,000,000 (two million) Riels to 10,000,000 (ten million) Riels.

Article 68: Act of evading compulsory treatment

Any person, who evades compulsory treatment measures as provided for in Section IV (compulsory treatment and rehabilitation) of Chapter VI (treatment and rehabilitation measures) of this Law, shall be punished by imprisonment from 1 (one) month to 1 (one) year, and maybe liable to pay a fine ranging from 100,000 (one hundred thousand) Riels to 2,000,000 (two million) Riels.

SECTION VIII

PROVISIONS ON MONEY LAUNDERING RELATED TO DRUG OFFENCES

Article 69: General provisions

Legal provisions of the Law on Anti-money Laundering and Combating of Financing of Terrorism shall apply to anti-money laundering measures against offences under this Law.

Article 70: Definition of money laundering

Transformation, transfer, acquisition, possession or usage of property, concealing, and forging its true nature, sources, location, disposal rights, movement, ownership, and other rights to property, with knowledge that the property is proceeds of offences as prescribed in Article 39 (illegal production of narcotic substances) through Article 42 (arrangement for illicit use/consumption of narcotic substances), from Article 47 (illegal production of narcotic substances) to Article 50 (administration of illicit use/consumption of narcotic substances), Article 54 (Act of illicit production, keeping, transporting or trafficking of chemical precursors) and Article 56 (Act of production, storing, transporting or trafficking of equipment or materials used in the illegal production or consumption of narcotic substance) of this Law, for the purpose of illegally concealing

or forging the original source of those property, or abetting any person involving in the offence to evade legal consequences resulting from his/her actions, is considered ‘money laundering’.

Any act that assists the transaction of investment, concealment or direct or indirect exchange of proceeds of the offences as provided for in paragraph 1 above is also considered ‘money laundering’.

Article 71: Act of money laundering

Money laundering shall face imprisonment from 2 (two) years to 5 (five) years and may be liable to pay a fine ranging from 4,000,000 (four million) Riels up to the equivalent value of the fund or proceeds, which is the subject of the money laundering.

If the offence relating to a source of proceeds or funds which is the subject of money laundering an imprisonment punishment that is more grievous than the imprisonment provided for in paragraph 1 above shall be administered. Money laundering shall be punished by the same imprisonment as the offense committed with the knowledge of the perpetrator, and if the offence is subject to aggravating circumstances of punishment, the offender shall only be punished according to the aggravating circumstances of punishment corresponding to his knowledge.

Article 72: Aggravating Circumstances

Money laundering shall face imprisonment from 5 (five) years to 10 (ten) years, and an additional fine ranging from 10,000,000 (ten million) Riels up to the equivalent value of the fund or proceeds derived from the money laundering in case the offense is committed in one of the following circumstances:

1. Repeated offense has been committed repeatedly,
2. By abusing the authority bestowed by his/her professional position.

CHAPTER V

PROVISIONS OF CRIMINAL PROCEDURES

SECTION I

GENERAL PROVISIONS

Article 73: Applicability of the Code of Criminal Procedures

Unless otherwise stipulated in this Chapter, the provisions of the Code of Criminal Procedures shall apply.

Article 74: Participation in the procedures

In the investigation and trial procedures, the Court shall summon and hear the testimony of judicial police officers or agents, who have participated in the investigation or inquiry in their capacity as witnesses.

The National Authority for Combating Drugs or its authorized representative may request a Prosecutor to file an appeal against the decision of the investigating judge or the Court.

The National Authority for Combating Drugs or its authorized representative may also request the General Prosecutor of the Appeal Court or the Minister of Justice to exercise their authority provided for in the Code of Criminal Procedures to issue an injunction order or file an appeal against the decision of the investigating judge or the Court.

SECTION II

INVESTIGATION AND INQUIRY MEASURES

Article 75: Searches on the borders

Judicial Police officers legally qualified to examine and record offences provided for in this Law shall be authorised to conduct physical searches of individuals, vehicles, equipments, etc., on the borders, when there is suspicion that the individuals, vehicles, equipments/materials carry narcotic substances.

Body searches performed on individuals shall be conducted by a person of the same sex according to regulations in force.

Article 76: Searches of a physical body by using medical detecting techniques

When there is a clue suggesting that a person crossing the border carries substances hidden in his/her body, a qualified judicial police officer may place that person under examination by a doctor or medical physician by using medical detecting techniques after having obtained a written consent from the person in question.

In case the person does not consent, the judicial police officer shall request for, by all means, authorisation from a Prosecutor.

In this case, the judicial police officer shall first obtain the authorisation, even though it is in verbal form. The Prosecutor will appoint a doctor or a medical physician to conduct the examination immediately. The results of the medical examination, which will include the physicians' notes stating

the identity of the person involved and the process of the medical examination, shall be recorded in the minutes to be sent to the Prosecutor.

Article 77: Control in the postal service

Judicial police officers legally qualified to examine and record offences provided for in this Law shall be authorised to watch postal services at all time, both day and night, in order to detect illegal mails of substances.

When there is sufficient evidence to suggest that such illegal mail is taking place, the Prosecutor or investigating judge responsible for this case may issue orders to the post office to open the mail package, even though this order may be made in verbal form.

Article 78: Monitoring in transit

The transit through the territory of the Kingdom of Cambodia of drugs, currencies or instruments affecting currencies as provided for in this Law, which are illegally dispatched/delivered or suspected to be illegal, and known and heard to the authorities, who trace them in order to control and record the offences that are stated from SECTION II (Offenses Related to Narcotic Substances in Tables 1 and 2) to SECTION V (Offenses Related to Equipment and Materials) of CHAPTER IV (Criminal Provisions) of this Law, may be authorized in order to identify the persons involved in such offenses, and bring them to prosecution.

With the same objective as above, the incitement by a public servant of a competent authority, – whether directly or through any person, who acts on the instruction from the public servant, – to conduct an illegal sale of narcotic drugs for the purpose of inspecting and recording the offences is authorized.

The incitement to make an illegal purchase of drugs by a competent civil servant to control and record the offences as provided for in this Law shall be prohibited. On the contrary, he/she shall be charged with an incitement as stipulated in Article 57 (incitement to commit an offense) of this Law, and the investigation thereof shall be nullified even though he or she performed it directly or through any other person.

Procedures and detailed requirements for controlling transits and incitement to perform illegal sale of drugs as stated in paragraphs 1 and 2 above shall be determined by a Prakas of the Minister of Justice.

Article 79: Controlled delivery and incitement to sell drugs

If necessary for the investigation of a drug offence, an authorised official appointed by the Minister of the Ministry of Justice or an official delegated by the Ministry of Justice may decide to authorise to apply the controlled delivery or incitement to sell drugs. The controlled delivery and incitement to sell drugs may be undertaken by the authorised official directly or through any other person, who acts on the instruction given by the official in question.

Decisions on the methods of monitored delivery and incitement to illegally sell drugs shall be made on a case by case basis, and if it is to be performed on a transnational level, it shall be made on the basis of the agreement with other countries of which interests are involved in the matter.

Decisions on the methods of controlled delivery shall be notified immediately to the competent authority in charge of the suspected destination or origin of delivery in territory of the Kingdom of Cambodia. In addition, it shall also be notified immediately to the competent institution of the location assumed as the point of delivery or the point of discharge.

The decision on authorization for the use of the method for incitement to sell drugs shall be notified immediately to the competent court of the location assumed to be the point of sale.

Formats, procedures and requirements for application of the aforesaid methods of controlled delivery and incitement to sell drugs shall be determined by a Prakas of the Ministry of Justice.

Article 80: Supervision of Surveillance Operations

An authority appointed by a Prakas of Minister of Justice or a delegate of the Ministry of Justice directs and supervises the operations in the territory of the Kingdom of Cambodia and orders an intervention when the official deems appropriate.

If there is an agreement amongst other countries of which interests are concerned or in accordance with a financial agreement, authority or official in question may decide to authorise interception and seizure of the illegally dispatched items, which may allow them to be re-dispatched the same as their original forms or re-sent, following the seizure of the currencies, instruments affecting the currency, and drugs, and substitute them with other items.

Article 81: Labelling and Custody of Evidence

In addition to provisions of Article 92 (Sealing of Exhibits), Article 113 (Searches), Article 160 (Sealing of Exhibits), and Article 181 (Search and Seizure Conducted by Judicial Police Officers)

of the Criminal Procedure Code, any exhibits suspected to be illicit substances shall be kept in package, boxes or cases with sealed labels.

The exhibits shall be fully protected from being removed.

Each package, box or case with stamped labels shall be numbered in order. The cover of each package, box or case should also contain written information that lists the type, weight of items suspected to be narcotic substances and the number of package(s) in which those items are enclosed. Apart from the citation to be recorded in the minutes as stipulated in the Code of Criminal Procedures, the minutes shall add the following citation:

- 1) Day, month, year, and place where and when the drug was found,
- 2) Type and weight of the items suspected to be illicit substances,
- 3) Weighing method applied,
- 4) Confirmation of testing and its result, if any.

The minutes and the written records on each package, box or case shall state the identity and signatures of the persons involved in the preparation of all packages, boxes or cases.

Storage, relocation and change of original conditions of the packages, boxes, or cases shall be recorded in the minutes.

Article 82: Seizure of items suspected to be drugs for forensic examination

The competent judge shall immediately apprehend at least 3 (three) packs as samples or the necessary amounts in front of the occupant of the place or those involved in the offence or in front of 2 (two) witnesses if there is no occupant of the place or those involved in the offence to constitute evidence and recognition of the seized objects suspected to be drugs.

Each sample shall be kept in a packet with stamped labels. On the pack and labels, the type and weight of objects inside shall be listed.

After seizing samples, the original package shall be re-stamped and a note shall be prepared to specify the amount of sample, type, and weight of objects suspected to be drugs as well as modification made on the original stamps.

All notes and written confirmation on each sample and the duplicate stamped labels shall record the identity and signatures of persons involved in obtaining the sample.

Article 83: Scientific and Technical Forensic Examination

Scientific and technical forensic examination carried out by experts recognized by the Ministry of Justice to find out the compositions and levels of active elements of the seized drugs shall be undertaken immediately after the sample is taken in order to avoid any possible damage and decrease of physical elements and chemical substances of such objects. The experts shall clarify in their report the sample delivered, type, and weight of the substances of each sample, the number of the sample used for forensic examination and, if any, shall confirm the remaining sample left over from forensic examination and any changes to those samples.

Article 84: Delivery and destruction of the seized substances

Following the seizure and removal of sufficient amount of the samples in order to keep it for procedural process, the substances shall be immediately confiscated and arranged as follows:

1. To deliver the medicines containing narcotic substances, which can be used, to the Ministry of Health,
2. To deliver the narcotic substances that can be used in the pharmaceutical industry or in other sectors to the Ministry of Health or the Ministry of Industry, Mines and Energy based on respective use of the drugs.,
3. Destroy the narcotic substances that are useless.

Complete destruction of the drugs shall be done in a timely manner and by the most appropriate means with the presence of a commission formed under a Prakas of the Minister of Ministry of Justice.

The confiscation for delivery or destruction is under the competence of:

1. The royal prosecutor in the investigation stage,
2. Investigating jurisdiction in the investigation stage,
3. Trial jurisdiction in trial stage.

When an investigation has been completed with a decision to dismiss charges, yet a final decision regarding the confiscation for delivery or destruction has not been issued, the competent royal prosecutor or prosecutor general shall decide on a case-by-case basis.

Article 85: Surveillance

The prosecutor or investigating judge who receives the case, an offence stated in this Law may authorize the competent authorities to:

- Put under surveillance bank accounts or other accounts considered as bank accounts or,
- Enforce inspection and order suspect to provide or copy authentic letters, or private letters, or all banking, financial and commercial documents, or
- Instruct to seize or record all communications via telecommunications means such as faxes, e-mails, etc. or
- Enter to inspect computer systems

If there are adequate signs that those account(s), telecommunications means, and computer systems are under use by those who are suspected to have committed or plan to commit any offences, or if those letters or documents are of relevance to any offences as specified under this Law.

The above measures cannot be considered as breaches of professional confidentiality.

The order to seize and record all communications via telecommunications means can only be permitted for a period of 2 (two) months. The extension of the measure and the duration may only be authorized by the investigating judge responsible for the case.

Article 86: Bank secrecy

Banking professional confidentiality shall not be a justification for refusal to provide evidence concerning any offences specified under this Law.

Article 87: Closure, temporary prohibition of business operations at an establishment

In case charges are brought against any offences as stipulated under
Article 39 (Act of illicit Production of Narcotic Substances),
Article 40 (Act of Keeping, Transportation or Illegal Trafficking of Narcotic Substances),
Article 42 (Act of Administration of Illicit use/consumption of Narcotic Substances) through
Article 44 (Act of Facilitating Illicit use of Narcotic Substances),
Article 47 (Act of Illegal Production of Narcotic Substances),
Article 48 (Act of Illegal Keeping, Transporting or Trafficking of Narcotic Substances),
Article 50 (Act of Administration of Illicit use/consumption of Narcotic Substances) through

Article 52 (Act of Facilitation of Illicit use/consumption of Narcotic Substances),

Article 54 (Act of Illegal Production, Keeping, Transportation, or Trafficking of Chemical precursors) and

Article 56 (Act of Production, Keeping, Transportation or Traffic of equipments or materials for use in Illegal Production or Consumption of Narcotic Substances) of this Law, an investigating judge may prohibit any activity performed within the establishment during which an offence occurs or to prohibit the business operations of the establishment that is open to the public or being used by the public if the owner of the establishment or the establishment's business operators participate in the commission of the offences above.

The closure of an establishment or the temporary prohibition of an establishment's business operations shall be made for a minimum of 6 (six) months.

This decision shall be implemented immediately despite an appeal.

SECTION III

TEMPORARY MEASURES FOR CONFISCATION

Article 88: Urgent measures for confiscation

In case of inquiry, prosecution or investigation of any offences that are stipulated under this Law, the measures to seize or freeze assets owned by a suspect or the accused person, which are suspected to have derived from or have been used or reserved to be used to commit an offence shall comply with the provisions of this section.

Article 89: Assets seizure

A prosecutor shall seize any assets which are proceeds of an offence or are suspected to have been used or reserved to be used to commit an offence and file an urgent request to an investigating judge or a court, depending on the case of charge, to freeze those assets.

Article 90: Asset freezing

An investigating judge or the court can order, at his/her own discretion or at the request of the prosecutor, to freeze any assets if he finds justifiable reasons and suspects the property is the proceeds of an offence or suspected to have been used or reserved to be used use in the commission of an offence.

Article 91: Combined assets

When the asset is the proceeds of the offence or is reasonably suspected to be derived from of an offence or is suspected to have been used or reserved for the commission of an offence, which is combined with other assets, the value of the seized assets stated in Article 89 (Assets Seizure) or Asset Freezing stated in Article 90 (Asset Freezing) shall not exceed the value of the assets, which are derived from the commission of an offence or suspected to have been used or reserved for the commission of an offence.

Article 92: Burden of those opposing the decision

A person who requests to take back the asset(s) that has been ordered to be seized order as stated in Article 89 (Asset Seizure) or frozen as stated in Article 90 (Asset Freezing) of this Law shall have a burden of proof to show the cleanliness of the seized or frozen assets to the judge responsible for the case.

Any person, who objects to an asset-freezing decision by the investigating judge as provided for in Article 90 (Asset Freezing) of this Law, may lodge his/her appeal against that decision to the investigation chamber.

**SECTION IV
CONFISCATION MEASURES**

Article 93: Absolute confiscation

The narcotic substances that are seized , but neither destroyed nor delivered to competent institutions shall be absolutely confiscated even though charges are not brought, dropped or acquitted or not prosecuted.

The provisions on Return of Seized Items stipulated in the Criminal Procedure Code shall be applied based on the stage of proceedings.

Article 94: Confiscation of Items

In case an offence stated in this Law is convicted, the court shall decide to:

1. Confiscate any tools, materials or any other objects that are used in the course of committing the offence or kept for committing the offence
2. Confiscate objects or funds that are the subject of the offence
3. Confiscate proceeds or assets that are derived from the commission of an offence

Apart from the cases specified in the paragraph 1 above, if there is evidence that confirms the guilt of the accused person, who has deceased at the trial stage, that she/he had committed any offence as stipulated from Article 39 (Act of illegal Production of Narcotic Substances) to Article 42 (Act of Administration of Illicit use/consumption of Narcotic Substances) from Article 47 (Act of Illegal Production of Narcotic Substances) to Article 50 (Act of Administration of Illicit use/consumption of Narcotic Substances), Article 54 (Act of Illegal Production, Keeping, Transportation or Trafficking of Chemical Precursors), Article 56 (Act of Production, Keeping, Transportation or Trafficking of equipments or materials for use in Illegal Production or Consumption of Narcotic Substances) Article 71 (Act of Money Laundering) and Article 72 (Aggravating Circumstances) of this Law, the court shall confiscate the inheritance from the accused person even though it has been divided or not divided within a period of 5 (five) years after the day the accused person died if it is certain or if there is reasonable suspicion that the inheritance is involved in the offense.

However, the confiscation cannot be declared if it affects a third person.

Article 95: Burden of those opposing the decision on confiscation

Any third person with interest involved in the decisions as stipulated in the Article 94 (Object Confiscation) above shall have the right to lodge his/her recourse commensurate to the provisions of the Criminal Procedure Code over the confiscation and shall bear the burden to present evidence of the exactness of the confiscated assets.

Article 96: Optional confiscation of Assets

In case a charge cannot be brought due to the death of the offender, the prosecutor may lodge a request to the criminal court to confiscate the equipments, materials, funds, proceeds or assets if there is reasonable suspicion that they are involved with the offence.

In case the charge is dropped due to the death of the charged person or because the identification of the person is unknown, the investigating judge may lodge a request to the criminal court to confiscate the equipments, materials, funds, proceeds or assets if there is reasonable suspicion that they are involved with the offence.

However, the confiscation cannot be made if it affects a third person. The third person whose interest is involved or who claims to be the owner of the confiscated objects shall have the right to participate in all stages of the court proceedings and shall have the right to file their recourse against such a decision in compliance with the provisions of the Code of Criminal Procedure.

Article 97: Sale of the confiscated objects or assets by the State

The Ministry of Economy and Finance shall manage the confiscated objects or assets.

Sale of confiscated objects or assets shall comply with the procedure for selling the state's assets.

The money generated from the sale as specified in the paragraph 1 above together with other confiscated assets in form of cash shall be paid to a National Fund that shall be used to:

- Settle any legitimate debts and expenditures that arose from the exercise of asset confiscation including spending on confiscation, transportation, storage and custody, and
- Compensate victims if any, or
- Deposit into the Account of the Fund of the National Authority for Combating Drugs. This National Authority shall use these funds to provide for the state's organisations or private associations that guarantee their expertise to combat the use of illicit substances or fight against the drug offences.

The conditions for the organisation and functioning of the Fund mentioned above shall be determined by a Sub-Decree.

Article 98: Complaint against the final decision concerning asset confiscation

Any third person with vested interests or who claims he/she is the owner of the confiscated objects shall have the right to file a complaint with the civil court to reclaim the assets confiscated by the powers of the final decision of the criminal court in compliance with the provisions of the Code of Criminal Procedure.

The right to claim as stipulated in paragraph 1 shall expire by virtue of the statute of limitation if a period of 3 (three) years has passed after it comes to the knowledge of the third person or the authorized representative of the person in question.

Regardless of the provision in paragraph 2 above, if a period of 10 (ten) years has passed following the decision of the criminal court becomes absolutely effective the right to claim shall expire.

Article 99: Nullification of attempts to create obstacles to freezing or seizure

The court shall nullify or reject any activities, with or without fees, carried out to divert assets or property from the rules of freezing or seizure.

Any individual, who obtains the assets by virtue of unpaid activities, shall lose his/her right because of this nullification or rejection of these activities. However, any individual, who obtains the assets or property in bona fide, shall have the obligation to pay the amount to the extent of the interest he/she still deserves only.

Nullification or rejection stated in paragraph 1 above shall be done unless the person obtains the assets or property by virtue of these activities is bona fides and pays the fees.

CHAPTER 6
TREATMENT AND REHABILITATION MEASURES
SECTION 1
GENERAL PROVISIONS

Article 100. Obligations of the State for Delivery of Treatment and Rehabilitation Services

The State shall use all mechanisms to support the appropriate delivery of services for medical treatment and rehabilitation of all dependent drug users without discrimination.

The State shall also make sure that services for reduction in harms caused by drug abuses, health services and national policies to mitigate health, social and economy harms of drugs on individuals, community and society shall be in place and available.

All expenses for medical treatment and rehabilitation of drug addicts at public centers shall be covered by the State. A Public center providing treatment and rehabilitation above may receive contributions from various sources to support its operations.

The State shall support and encourage private-owned centers and community to be involved in providing medical treatment and rehabilitation services to drug dependent people. A private center and community shall have appropriate skills recognized by the Ministry of Health for treatment of the drug addicts and by the Ministry of Social Affairs, Veterans, and Youth Rehabilitation for rehabilitation of the drug addicts. The above recognition shall be reported to the National Authority for Combating Drugs. In all cases, admission of a drug dependent person for treatment and rehabilitation at any private center or community shall comply with the conditions as specified under this Law.

Article 101. Principle of Treatment and Rehabilitation

In principle, treatment and rehabilitation cannot proceed unless the consent of the drug addict is obtained. However, in special cases and for the benefit of the drug dependent person and in the

public interest, treatment and rehabilitation can be initiated by force, but it should conform to the conditions and procedures as specified in this Law.

If a drug dependent person is a minor or a person with limited capacity, an approval from his/her representative defined by law shall be required. Other provisions related to minors and persons with limited capacity shall apply for treatment and rehabilitation.

Experts responsible for treatment and rehabilitation of drug addiction shall not be subject to any accusation in fulfilling his/her treatment duties that comply with their medical skills and the effective laws.

Article 102. The Rules for the Management of Treatment and Rehabilitation

Treatment and Rehabilitation of drug addiction shall include appropriate medical and social services on a scientific basis, for example:

1. Treatment and rehabilitation shall be supervised by health and rehabilitation specialists;
2. The treatment and rehabilitation methods must be specific to the needs and symptoms of each individual, and approved by health and rehabilitation specialists in consultation with and consent of that individual;
3. The treatment and rehabilitation shall be undertaken according to national and international standards and best comply with the humanitarian and effective rules for treatment of drug addiction;
4. The treatment and rehabilitation shall be supervised only in the interests of the drug dependent persons to enable them to fully achieve their legal capacity;
5. The drug dependence treatment and rehabilitation at the public treatment and rehabilitation centers lasts from 6 (six) months to 2 (two) years.

Detailed procedures for treatment methodology and management of drug addiction treatment and rehabilitation services shall be determined by a Sub-Decree.

In all cases, no person on treatment or rehabilitation shall be subject to scientific or medical experiment.

Article 103: Confidentiality of treatment and rehabilitation

Confidentiality of all information related to treatment and rehabilitation of drug addicts shall be guaranteed. Recording of identification, diagnosis, development of disease or the result of treatment and rehabilitation of drug addict shall be kept confidential without disclosing to the public or sharing with any other individual or agent, except the public interest is involved or consent has been given by the concerned person.

SECTION 2 VOLUNTARY TREATMENT AND REHABILITATION

Article 104. Voluntary Treatment and Rehabilitation

All persons who are drug addicts can seek medical treatment and rehabilitation services at any centers that are established for the purpose of treatment and rehabilitation . Before making his/her decision to accept medical treatment and rehabilitation, a drug addict shall have the right to receive basic information about the treatment and rehabilitation to be administered, such as:

- The type and duration of treatment and rehabilitation;
- The treatment and rehabilitation methods and the complications of treatment and rehabilitation;
- The expected benefits from the treatment and rehabilitation;
- The eventual impacts as a results the treatment and rehabilitation;
- Other options than treatment and rehabilitation, if available;
- The consequences of not accepting the treatment and rehabilitation.

Before admission for treatment and rehabilitation, the Centre shall make sure that the drug addict voluntarily agrees to undergo treatment and rehabilitation after received the necessary information about it. The drug addict's consent to undergo treatment and rehabilitation shall be made in writing.

A drug addict shall have the right to be involved in the decision to accept the treatment and rehabilitation methods and to end the treatment and rehabilitation. At any time, a drug addict can quit the voluntary treatment.

SECTION 3 CONDITIONS FOR THE PROSECUTION AND EXECUTION OF PENALTY FOR DRUG ADDICTS

Article 105. Conditions for Prosecuting Drug Addicts

Before making a decision to prosecute a person who has committed an offence as stipulated under Article 45 (illicit use/consumption of narcotic substances) and Article 53 (illicit use/consumption of narcotic substances) of this Law, the Prosecutor may provide guidance to the person to accept the treatment and rehabilitation at any Public or Private Centre if he/she is a drug addict properly certified by a medical professional.

If the person refuses to undergo treatment and rehabilitation, the Prosecutor shall use his/her authority related to the options of prosecution in accordance with the Code of Criminal Procedure.

However, if the person agrees to accept treatment and rehabilitation, the Prosecutor shall record in writing the consent of the person and shall immediately notify the Centre of such a decision. In this case, the prosecution shall be put on hold. The prosecuting procedure shall be resumed if the person avoids treatment and rehabilitation through the end as determined by the Centre.

If the person accepts to undergo the measures of treatment and rehabilitation until completion, the Prosecutor shall put the case on hold and not take any further action.

Article 106. Conditions to Execute a Charge against Drug Addicts

If a convicted person is drug dependent properly certified by a medical professional, and voluntarily accepts a treatment and rehabilitation method under Chapter 6 (Treatment and Rehabilitation Measures) of this Law, after the Court's final ruling on the offence as specified under Article 45 (illicit use/consumption of narcotic substances) and Article 53 (illicit use/consumption of narcotic substances) of this Law, the execution of the charge shall be postponed.

If the convicted person accepts to undergo full treatment and rehabilitation until it is complete, he/she is considered as already having served his/her punishment. Alternatively, if he/she refuses to accept the treatment and rehabilitation until completion, the conviction shall be immediately re-executed.

**SECTION 4
FORCED TREATMENT AND REHABILITATION**

Article 107. General Conditions for Forced Treatment and Rehabilitation

No one shall be forced into treatment and rehabilitation of drug addiction. Only when an individual is severely affected by drug addiction and there is an explicit threat to instant and severe danger to him/herself or to others, can treatment and rehabilitation be forced. Treatment will thus be forced if it is regarded as necessary measures to protect the general interests of, and is of benefit to the drug addict.

Forced treatment and rehabilitation can also be used if a drug addict is lacking the capacity to express his/her intention to accept voluntary treatment and rehabilitation.

Article 108. Forced Treatment and Rehabilitation Imposed by the Prosecutor

The Prosecutor can receive a request/complaint directly from a parent, guardian or relative of a drug addict or via other competent authorities. In this case, the drug addict might be immediately referred by the competent authorities or family members of the person to the Prosecutor for action to be taken in accordance the required procedures.

Before making decision, the Prosecutor shall ask if the person has received a medical examination from a doctor and can request the person to give an answer in front of his/her Lawyer, if the drug addict has a legal counselor. The Doctor who is appointed to conduct the medical examination shall provide the results as soon as possible.

The Prosecutor may give an order to keep the person at the location of his/her arrest at a Judicial Police Unit while awaiting for the results of the medical examination.

If the result of the medical examination confirms that the person is drug addict, but fails to comply with the conditions specified in Article 107 (General Conditions of Forced Treatment and Rehabilitation), the Prosecutor shall apply the measures stipulated in Article 105 (Conditions for Prosecuting Drug Addict) of this Law in case the person has committed offenses as stipulated in article 45 (Illicit use/consumption of narcotic substances) and article 53 (illicit use/consumption of narcotic substances).

If the result of the medical examination confirms that the person is under severe drug addiction, or should there be other evidence explicitly showing threats that there will be instant and severe danger to him/herself, or to others, the Prosecutor may decide to go ahead with the decision on the forced treatment and rehabilitation.

The person who is being forced into treatment and rehabilitation shall have the right to lodge a complaint with the Prosecutor-General at the Appeals Court against the decision on forced treatment and rehabilitation of the Prosecutor. Such a complaint shall be made in the form of an ordinary lawsuit to the relevant Prosecution. Thereafter, the case will be sent immediately to the Prosecutor-General at the Appeal Court by a Representative of the Prosecution at the Court of First Instance. The Prosecutor-General at the Appeal Court shall decide not later than 72 (seventy-two) hours upon the date of acknowledging the receipt of the case.

Article 109. Forced Treatment and Rehabilitation at the Stages of Investigation and Trial

Forced treatment and rehablitation can be made at the stages of investigation and trial by the Trial Judge if all conditions specified in Article 107 (General Conditons of Forced Treatment and Rehabilitation) and paragraphs 2 and 5 of Article 108 (Forced Treatment and Rehabilitation Imposed by the Prosecutor) of this Law are met.

An appeal that is in compliance with the provisions of the Code of Criminal Procedure may be lodged against the decision of the Investigating Judge or that of the Trial Judge.

Article 110. Separate Basis for Determining the Punishment

In addition to the provisions of the Criminal Code, the Court shall take into consideration the completion of forced treatment and rehabilitation undergone by the drug addict while determining punishment.

CHAPTER VII

EXTRADITION AND MUTUAL LEGAL ASSISTANCE

SECTION I

EXTRADITION

Article 111: Extradition of a Foreigner in the Territory of the Kingdom of Cambodia

The Kingdom of Cambodia may agree to extradite to a foreign state a foreigner who resides in the territory of the Kingdom of Cambodia and is:

- Subject to judicial prosecution in that foreign state for an offence stated in this Law
- Punished by imprisonment by the foreign court for an offence stated in this Law.

Article 112: Provision on the Management of Extradition for Drug Related Offenses

The extradition of a foreigner in the Kingdom of Cambodia shall be managed by provisions of international treaties and conventions related to extradition ratified by the Kingdom of Cambodia. In absence of such international treaties or conventions ratified by the Kingdom of Cambodia, the conditions and procedures of extradition requested by a foreign country or by the Kingdom of Cambodia to the foreign state shall comply with provisions of the Code of Criminal Procedure.

Article 113: Passage

The passage through the territory of the Kingdom of Cambodia by any person subject to procedure of extradition may be authorized if such an extradition is not related to political offences. The application for such crossing shall be done through relevant diplomatic channels. The application form shall be accompanied with clear letter of evidence.

SECTION II

MUTUAL LEGAL ASSISTANCE

Article 114: Request by a foreign state to Kingdom of Cambodia for assistance in an investigation or court proceeding in the foreign state

This article shall apply if the Royal Government of Cambodia has received any request from any foreign state for assistance related to:

1. An investigation of an offence under the law of a foreign state in commensurate to the provisions of this Law.
2. Judicial proceedings for such an offence.
3. An investigation related to property that are used or reserved for committing an offence, subjects or proceeds derived from the commission of offenses.
4. An action for freezing or seizure of property which are used or reserved for the commission of an offence, subjects or proceeds derived from the commission of offenses in the requesting State.
5. Freezing or seizure of property which are used or reserved for committing an offence, subjects or proceeds derived from the commission of offenses in the Kingdom of Cambodia.

Through the court or other relevant competent authorities, the Royal Government of Cambodia may provide assistance in any of the following ways:

1. Taking records of evidence in written or by asking orally from persons;
2. Assisting those individuals, including those in detention with their consent to provide evidence or assist in investigation.
3. Serving court documents.
4. Executing searches.
5. Assisting in tracing property that have been used or reserved for committing an offence, subjects or proceeds derived from the commission of offenses.
6. Investigating financial trade.

7. Obtaining information or evidence which may help in the recovery of property used or reserved for committing an offense, subjects or proceeds derived from the offense for confiscation.
8. Freezing of property used or reserved for committing an offense, subjects or proceeds derived from the commission of offenses to prevent sale/purchase or transfer or disposal of the property pending decision on confiscation.
9. Seizing property used or reserved for committing an offence, subjects or proceeds derived from the commission of offenses, including documents;
10. Implementing a final decision of the foreign State in confiscating property used or reserved for committing an offense, subject or proceeds derived from the commission of the offense;
11. Technical or scientific examination on evidence and crime scenes.
12. Providing information and exhibits to the foreign state;
13. Providing the original or certified copies of relevant documents or records, including bank, financial, corporate or business records to the foreign State.

Information and exhibits which may be provided to the foreign State in accordance with paragraph 2, item 12 above, include all lawfully obtained information and information obtained through seizure and tape-records, correspondences through telecommunications or by use of wiretap devices.

To implement a request for assistance from a foreign state, procedures and proceedings for investigation, prosecution or investigation of offenses in compliance with legal provisions of the Kingdom of Cambodia may be applied to provide assistance to the foreign State.

Article 115: Conditional assistance

The Royal Government of Cambodia may provide assistance to a foreign State under this section based on conditions requiring the foreign state to pledge in writing that it shall provide assistance in similar matters if the Kingdom of Cambodia makes the same request.

Article 116: Reasons necessary for refusal of a request for assistance

The Royal Government of Cambodia shall not agree to the request for assistance related to offences under the provisions of this section, if it determines that:

1. The request has been made to punish any person based on his or her race, religion, nationality, ethnic origin or political view.
2. The person's situation may be prejudiced based on his or her race, religion, nationality, ethnic origin or political opinion; or
3. The request is related to the punishment of a person for an offence, and:
 - The person has been acquitted or pardoned by a competent tribunal or authority in the foreign State; or
 - The person has served the punishment as provided by the law of that state for such an offence or other offences of which the same punishment was already served.

Article 117: Rules on bank secrecy

A request for assistance under the provisions of this section shall not be refused on the ground of bank secrecy.

Article 118: Requests for exhibits in a Court of a foreign state

This article shall apply if:

1. A trial is related to:
 - An offence under the law of a foreign state that corresponds to an offence under this law; or
 - Freezing or confiscation of property used or reserved for an offence, subjects or proceeds derived from the commission of the offense commenced in a foreign State; and
2. The foreign state requests the person attend the court hearing about the trial process of any person who is in the Kingdom of Cambodia ; and
3. There are reasonable grounds to believe that the person is capable of providing evidence relevant to the trial process; and
4. The person has consented to give evidence in the foreign State.

The foreign state shall give the following pledges:

1. That person shall not:
 - Be detained or punished for any an offence against the law of the foreign state that is alleged to be committed or have been committed before the person's departure from the Kingdom of Cambodia; or
 - Be subject to a civil lawsuit for an act or evasion of the person that is alleged to occur or have occurred before the person's departure from the Kingdom of Cambodia if the person could not be subjected to the civil lawsuit in case of that person were not in the foreign State; or
 - Be required to give evidence in any other trial in the foreign state other than the trial process related to that request. Except that person has left the foreign state or that person has had an opportunity of leaving the foreign state, but has chosen to remain in that state, for the purpose other than providing evidence to trial process related to that request.
2. Any evidence provided by that person in the trial process related to the request may not be admissible or rendered invalid for sentencing the offender who violates the law of the foreign state. This shall not form the offense of perjury in providing evidence;
3. That person shall be returned to the Kingdom of Cambodia under an agreement with the Royal Government of Cambodia;
4. If that person is being held in temporary detention in the Kingdom of Cambodia and the Royal Government of Cambodia requests the foreign state to make arrangements for the custody of that person in temporary detention while the person is in the foreign State:
 - The foreign state shall make appropriate arrangements for that purpose; and
 - The person shall not be released on bail from detention in the foreign state unless the Royal Government of the Kingdom of Cambodia notifies the appropriate authority of the foreign state that the person is entitled to be released according to legal provisions of the Kingdom of Cambodia; and
 - If the person is released in the foreign state as mentioned in paragraph 2, item 4 of this article, the foreign state shall bear costs of accommodation and other associated expenses of the person until the proceedings stated in the request is completed.

Article 119: Request by the Kingdom of Cambodia to a foreign state for assistance in investigations or judicial proceedings

The Royal Government of Cambodia may request a foreign state to provide assistance related to:

1. An investigation of the offence under this law.
2. Judicial proceedings for the offence in this Law.
3. An investigation related to property which is used or reserved for committing an offence, subjects or proceeds derived from the commission of offences.
4. An action for freezing or seizure of property which is used or reserved for committing an offence, subjects or proceeds derived from the commission of offences in the Kingdom of Cambodia.
5. Freezing or seizure of property which is used or reserved for committing an offence, subjects or proceeds of the commission of offences in the requesting state.

A request for assistance may be made in the foreign state for any matter stated in paragraph 2 of Article 114 (The request by foreign state to the Kingdom of Cambodia for assistance in an investigation) or the judicial proceedings of this Law.

Evidence lawfully obtained in the foreign state may be used as evidence in judicial proceedings in the Kingdom of Cambodia.

If a person being held in detention in the foreign State is ordered to give evidence in the Kingdom of Cambodia and the foreign state requests the Royal Government of Cambodia to make arrangements for keeping the person in custody when that person is in the Kingdom of Cambodia, the Royal Government of Cambodia:

1. Shall make appropriate arrangements for that purpose; or
2. Shall not release on bail that person from detention in the Kingdom of Cambodia unless the foreign state notifies an appropriate authority of the Royal Government of Cambodia that the person is entitled to be released under the law of that foreign State
3. If that person is released in the Kingdom of Cambodia as mentioned in point 2 above, the foreign state shall bear the cost of the person's accommodation and associated expenses until the judicial proceedings related to the request is completed.

Any person ordered to provide evidence in the Kingdom of Cambodia by a foreign State, shall be sent back to that foreign state without the extradition proceedings based on agreement with that foreign state.

Article 120: International cooperation

The provisions of this Section do not, by any means, limit or prevent the giving or receiving of information or international cooperation in relation to any offence as provided for in this Law or a similar offence under the law of a foreign state.

**CHAPTER VIII
INTERIM PROVISIONS**

Article 121: Interim provision on the National Authority for Combating Drugs

The National Authority for Combating Drugs established by the Royal Decree no NS/RKT/0509/608, dated 30 May, 2009 shall continue to be an institution that implements the government's policy on combating drugs until it is replaced by a new provision.

Article 122: Interim provision on license and permit

License and permit provided under previous provisions to conduct legal activities related to narcotic drugs shall remain valid until the license and permit becomes invalid.

The provision, renewal or confiscation of licenses and permits after this Law comes into effect shall be carried out based on the provisions of this Law.

Article 123: Interim provision on procedure

Provisions on procedures stated in this Law shall apply to all procedures immediately after this Law comes into force.

Enforcement of this Law's provisions shall not have effects on the validity of procedures performed in accordance with provisions of the previous law.

Article 124: Interim provision on offences

Criminal offences committed during the Law on the Amendment of the Law on DrugsControl promulgated by the Royal Kram No NS/RKM/0505/014, dated on 09 May 2005 shall continue to apply according to the previous law and in accordance with the provisions of Book I (General Provisions) of the Criminal Code, promulgated by the Royal Kram number NSr/RKM/1109/022, dated 30 November 2009.

CHAPTER IX

FINAL PROVISION

Article 125: Abrogation of the provisions and exceptions

The Law on Drugs Control promulgated by the Royal Kram No. NS/RKM/0197/01, dated 24 January 1997 and the Law on the Amendment to the Law on Drugs Control, promulgated by the Royal Kram, dated 09 May 2005, shall be rendered ineffective from the date this Law's entry into force except cases stated in Article 124 (Provisions on Offenses) of this Law.

Legal provisions/standards under laws related to the Law on drugs control shall remain in effect until they are replaced by new regulations, except any provisions contrary to the spirit of this Law.

Made in the Royal Palace, January 2, 2012,

Royal signature and stamp

Norodom Sihamoni

PRL. 1201.001

Having forwarded to the King for his signature

Prime Minister

Signature

Samdech Akeak Mohasena Padei Techo Hun Sen

Having informed Samdech Akeak Mohasena Padei Techo Hun Sen, Prime Minister of the Kingdom of Cambodia,

Deputy Prime Minister and Chairman of the National Authority for Combating Drugs

Signature

Ke Kimyan,

No. 07 C, copying for distribution

Phnom Penh, January 4, 2012

First Deputy Secretary General of the Royal Government.

Signature,

Soy Sokha

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TABLES OF ANNEXES

List of Narcotic drugs, psychotropic substances and substances used for drugs manufacturing

In the annexes, there are:

- The following substances have their international common names or names which are used in the international Conventions in force.
- **Isomère**, in all cases which may be in conformity with the prime chemical formula of those substances, except there is a precise exceptional case.
- **Esthers and éthers**, of those substances, in all cases which there may be.
- **Salts** of all these substances, including the **salts** of the **esthers**, **éthers** and of the **isomères**, in all cases which all these may have.
- Preparation for combining to produce those substances, except there is exceptional case stated by the law.
- Discovery of new substances by the Scientific Technical Teams working on narcotic substances in the Kingdom of Cambodia

