331

ACT

of 23 June 2005

on state administration authorities in matters of drug precursors, and on amendments and additions to some laws

The National Council of the Slovak Republic has ruled as follows:

Article l

§1

Subject matter of the regulation

This Act sets forth the powers of state administration authorities in matters of drug precursors, [1] measures to inspection and monitoring movements and handling of drug precursors, and imposition of administrative sanctions and penalties for the infringement of the responsibilities of the operator.[2]

§2

State administration authorities in matters of drug precursors

In matters of drug precursors, public administration shall be exercised by

a) State Institute for Drug Control (hereinafter referred to as the "Institute"),[3]
b) Ministry of Economy of the Slovak Republic (hereinafter "Ministry of Economy"),
c) Ministry of Interior of the Slovak Republic (hereinafter "Ministry of Interior"),
d) Customs Directorate of the Slovak Republic (hereinafter "Customs Directorate"), customs offices, and Customs Criminal Authority.[4]

§3

Powers of the Institute

(1) The Institute shall

a) inspect and assess the adequacy of material equipment and staffing for the required type and scope of activities, and administrative and technical measures to prevent diversion of scheduled substances to the illicit manufacture of narcotic drugs and psychotropic substances, at operators applying for licence for handling of scheduled substances,[5] which they intend to market,[6] export,[7] import,[8] or in respect of which they intend to carry out intermediary activities[9] upon their export or import,
b) issue licences, special licences, registration or special registration pursuant to separate regulations[10] based on operator's application and results of the inspection mentioned in a),

---

[1] Council Regulation (EC) No . 111/2005 of 22 December 2004 laying down rules for the monitoring of trade between the Community and third countries in drug precursors (OJ EU L 022, 26.1.2005) and Regulation of the European Parliament and of the Council (EC) No. 273/2004 of 11 February on drug precursors (OJ EU L 047, 18.2.2004).

[2] Art. 2 letter f) of Council Regulation (EC) No . 111/2005 and art. 2 letter d) of Regulation of the European Parliament and the Council (EC) No. 273/2004.

[3] §58 par. 1 letter c) and par. 2 of Act No. 140/1998 Coll.LL. on medicinal drugs and medical devices and on amendment to Act No. 455/1991 Coll. on small trade business (Small Trade Act), as amended from time to time, and on amendments and additions to Act of the National Council of the Slovak Republic No. 220/1996 Coll.LL. on advertising, as amended by Act No. 9/2004 Coll.LL.

[4] §§ 8, 9 and 11 of Act No . 652/2004 Coll.LL. on state administration authorities in customs administration, and on amendments
and additions to some laws.

[5] Art. 2 letter a) of Council Regulation (EC) No. 111/2005 and art. 2 letter a) of Regulation of the European Parliament and of the Council (EC) No. 273/ 2004.

[6] Art. 2 letter c) Regulation of the European Parliament and of the Council (EC) No. 273/ 2004.

[7] Art. 2 letter d) of Council regulation (EC) No. 111/2005.

[8] Art. 2 letter c) of Council Regulation (EC) No . 111/2005.

[9] Art. 2 letter e) of Council Regulation (EC) No . 111/2005.

[10] Art 3 of Regulation of the European Parliament and of the Council (EC) No. 273/ 2004.and art. 6 to 8 of Council Regulation (EC) No. 111/2005.

c) make changes in the data indicated in the licence, special licence, registration or special registration, temporarily suspend activities of operators, revoke licences and make decisions on extinction of licences,
d) keep records of licence holders and registration holders,
e) check compliance with this Act and with the separate regulations[1] within the framework of its competencies,
f) notify to Ministry of Economy deficiencies identified by inspections together with suggestions for fines under §9,
g) promptly provide the Joint Unit of Ministry of Interior and Customs Directorate (hereinafter" Joint Unit") established under §5 par.2 with the required information connected with the meeting of the responsibilities under this Act.

(2) In respect of the activities under paragraph 1 letters b) and c), the Institute shall follow the separate regulation.[11]

3) Upon issuing special licences to operators who are providers of pharmacy care, the Institute shall take account of the documentation provided by the former as part of the application for licensing under separate regulations.[12]

(4) Along with the delivery of the original decision to the operator on the granting of a licence, special licence or notification of registration or special registration of the operator under paragraph 1 letter b) or of the original decision or notification of the making of a change under paragraph 1 letter c), the Institute shall deliver a copy of the decision or notification to the Joint Unit.

§4

Powers of the Ministry of Economy

(1) The Ministry of Economy shall

a) issue, temporarily suspend and revoke authorisations for export of scheduled substances (hereinafter "Export Authorisation") and make pre-export notifications under separate regulations,[13]
b) issue, temporarily suspend and revoke authorisations for import of scheduled substances (hereinafter "Import Authorisation") under separate regulations, [14]
c) inspect the compliance with this Act and the separate regulations[1] under its powers,
d) impose fines under §9 based on its own findings as mentioned in letter c), and act in matters of the imposition of fines based on notification under §3 par.1 letter f) and §5 par. 1 letter e),
e) keep records and evaluate reports from operators [15] for the drafting of summary reports under letter g), and informs state administration authorities about the evaluation results under §§3 and 5 in matters of scheduled substances; it shall announce to the Institute operators who repeatedly fail to report, suggesting to revoke their licence,
f) keep records of
    1. exports and exporters of scheduled substances to third countries and to European Union Member States (hereinafter "Member States") and of imports and importers of scheduled substances from third countries and from Member States,
    2. operators who handle category 1 or 2 scheduled substances or who export category 3 scheduled substances, based on copies of decisions on licence or registration issued by the Institute, within the scope of data shown in the licence or the notification of registration,

---

[11] Art. 3 and art 14 letter a) of Regulation of the European Parliament and of the Council (EC) No. 273/2004.
[12] §§ 3 to 8 and. §§ 34 to 38 of Act No. 140/1998 Coll.LL., as amended from time to time.
§§ 4 to 10 of Act No. 139/1998 Coll.LL. on narcotic substances, psychotropic substances and products, as amended from time to time.
[13] Art. 11 to 19 of Council Regulation (EC) No. 111/2005.
[14] Art. 20 to 25 of Council Regulation (EC) No. 111/2005.
[15] Art. 8 of Regulation of the European Parliament and of the Council (EC) No. 273/2004 and art. 9 of Council Regulation (EC) No. 111/2005.

g) draft summary reports on international trade in scheduled substances and on the marketing of scheduled substances, and provides them to the European Commission (hereinafter the "Commission"), together with additional data required under separate regulations,[16]
h) collect technical information on scheduled substances and provide them to the competent state administration authorities,
i) provide the Joint Unit with the required information regarding the meeting of the responsibilities under this Act,
j) inform the Commission and the Member States about the powers of the state administration authorities in accordance with separate regulations.[17]

(2) Where the Ministry of Economy identifies that an exporter under the separate regulation[18] exceeded the limit set for the export of category 3 scheduled substances, it shall inform about this fact the Institute and the Joint Unit.

(3) For purposes of the drafting of summary reports under paragraph 1 letter g) for the needs of the Commission, the Statistical Office of the Slovak Republic shall provide the Ministry of Economy at the request of the latter and within 10 days after the delivery of such request data on[19]
a) exports, country of destination, trade between Member States, Member State of dispatch or Member State of arrival,[20] imports and country of origin of any scheduled substance, and
b) every operator who accomplished such imports, exports or trade between Member States.

(4) The scope, form and dates of the reporting under paragraph 1letter e) shall be regulated by a generally binding legal regulation to be issued by the Ministry of Economy.

§5

Powers of the Ministry of Interior, Customs Directorate, customs offices and the Customs Criminal Authority

(1) Ministry of Interior and Customs Directorate shall
a) collect and evaluate all information about operators and other entities who/which handle scheduled substances based on or without authorisation, and about all facts connected with scheduled substances,
b) check and document activities of operators which violate this Act and the separate regulation,[21]
c) check communications concerning facts connected with scheduled substances and non-scheduled substances[22] received from operators, state administration authorities mentioned in §2 and obtained from other sources,
d) inspect compliance with the provisions of this Act and separate regulations,[1]
e) communicate to the Ministry of Economy any deficiencies identified by inspections, together with suggestions to impose fines under §9,
f) collect and evaluate information received from operators under separate regulations,[23]
g) inform operators with whom they made agreements on voluntary cooperation about the guidelines developed by the Commission under separate regulations,[24]

---

[16] Art. 13 par. 1 of Regulation of the European Parliament and of the Council (EC) No..273/2004 and art. 32 of Council Regulation (EC) No. 111/2005.
[17] Art 11 par. 1 of Regulation of the European Parliament and of the Council (EC) No. 111/2005.
[18] Art. 7 par. 2 of Council Regulation (EC) No. 111/2005.
[19] §30 par. 3 and §31 par. 1 letter d) of Act No. 540/2001 Coll.LL. on government statistics, as amended by Act No. 215/ 2004 Coll.LL.
[20] Regulation of the European Parliament and of the Council (EC) No. 638/2004 of 31 March 2004 on Community statistics which relates to trade between Member States and which repeals Council Regulation (EEC) No. 3330/91 (OJ EU L 102, 7.4.2004).
[21] Penal Code.
[22] Art. 2 letter b) of Council Regulation (EC) No. 111/2005 and art. 2 letter b) of Regulation of the European Parliament and of the Council (EC) No. 273/ 2004.
[23] Art. 9 par. 1 of Council Regulation (EC) No. 111/2005 and art. 8 par. 1 of Regulation of the European Parliament and of the Council (EC) No. 273/2004.

h) communicate to the Commission data on scheduled substances, which were seized or foreclosed for the benefit of the state or whose marketing was suspended in accordance with the requirements of the separate regulation.[25]

(2) The responsibility for the coordination and care for the meeting of the responsibilities mentioned in paragraph 1 shall be with the Joint Unit for Monitoring of Drug Precursors established by Ministry of Interior and Customs Directorate upon mutual agreement.

(3) Customs offices and Customs Criminal Authority shall be authorised to

a) inspect the handling of scheduled substances under the separate regulation,[26] both
   1. during their transport from the territory of the Slovak Republic to the territory of a Member State,[27] with the end-user of the scheduled substance carried being an operator authorised to acquire the scheduled substance under the legal regulations of the Member State to the territory of which the scheduled substance is being carried, and during the transport of the scheduled substance from the territory of a Member State to the territory of the Slovak Republic, with the end-user being an operator authorised under this Act,
   2. and at operators who, while handling category 1 scheduled substances are not liable to be holders of a licence under the separate regulation[28], and at operators who, while handling category 2 scheduled substances are not liable to register under the separate regulation,[29]

b) inspect the compliance with the separate regulation[30] and this Act in respect of exports and imports of scheduled substances; for these purposes, they may request persons who handle scheduled substances to provide them with information; where infringement is identified of the separate regulation[31] and this Act, they shall propose to the Ministry of Economy to impose a fine under §9,

c) stop further transport of the scheduled substance where the transport documentation for the scheduled substance is incomplete[31] and suspend any further activities of the operators who, while handling category 1 scheduled substances, are not liable to hold a licence under the separate regulation[28] and operators who, while handling category 2 scheduled substances, are not liable to register under the separate regulation.[29]

(4) Customs offices and Customs Criminal Authority shall propose the Ministry of Economy to impose a fine under §9, where the documentation determined by the customs office or Customs Criminal Authority under the separate regulation[32] is not completed.

---

[24] Art. 10 of Council Regulation (EC) No. 111/2005 and art. 9 of Regulation of the European Parliament and of the Council (EC) No. 273/2004.

[25] Art 14 letter f) of Regulation of the European Parliament and of the Council (EC) No. 273/2004 and art. 28 of Council Regulation (EC) No. 111/2005.

[26] Art. 26 par. 4 of Council Regulation (EC) No. 111/2005.

[27] §2 letter b) of Act No. 199/2004 Coll.LL., Customs Act and on amendments and additions to some laws.

[28] Art. 6 par. 1 of Council Regulation (EC) No. 111/2005.

[29] Art. 7 par. 1 of Council Regulation (EC) No. 111/2005.

[30] Council Regulation (EC) No. 111/2005.

[31] Act of the National Council of the Slovak Republic No. 168/1996 Coll.LL. on road traffic, as amended from time to time.
Decree of the Minister of Foreign Affairs 64/1987 Coll. on European agreement concerning the international carriage of dangerous goods by road (ADR).
Act of the National Council of the Slovak Republic No. 315/1996 Coll.LL. on the traffic on land roads, as amended from time to time.
Act of the National Council of the Slovak Republic No. 164/1996 Coll.LL. on railroads and on amendment to Act No. 455/1991 Coll. on small trade business (Small Trade Act), as amended from time to time.
Decree of the Minister of Foreign affairs of the Czechoslovak socialist Republic No. 8/1985 Coll. on Convention on International Rail Transport (COTIF), as amended from time to time.
Act No. 143/1998 Coll.LL. on civil aviation (Aviation Act) and on amendments and additions to some laws, as amended from time to time.
Act No. 338/2000 Coll.LL. on inland navigation and on amendments and additions to some laws.

[32] Act No. 71/1967 Coll. on administrative proceedings (Rules of Administration), as amended from time to time.

(5) Customs offices

a) shall release scheduled substances into the customs procedure export,[33] provided that
   1. the declarant or his representative presents, along with the customs declaration, the original of the Export Authorisation issued to the trade name of the declarant or, in case of indirect representation, to the name of the person represented, valid on the date of the delivery of the customs declaration,
   2. the quantity of the scheduled substance does not exceed the quantity shown in the Export Authorisation,

b) shall insert the data as required by the separate regulation[34] or data necessary for the release of the scheduled substance into the customs procedure export as required by the separate regulation,[35] as appropriate,

c) may prohibit the release of scheduled substances into the suggested customs procedure export under the separate regulation,[35]

d) where the scheduled substance has been seized, they shall communicate this fact to the Joint Unit.

§6

Cooperation of state administration authorities

(1) The state administration authorities mentioned in §§3 to 5, including the state administration authorities mentioned in paragraph 3, shall provide each other with all information about facts connected with the infringement of the provisions of this Act and shall take care of the protection of the data acquired from their misuse.

(2) The state administration authorities mentioned in §§3 to 5 shall cooperate with the Commission and the state administration authorities under the separate regulation.[36]

(3) Where the Ministry of Labour, Social Affairs and Family of the Slovak Republic, and other state administration authorities in the area of labour inspection under the separate regulation,[37] Ministry of Defence of the Slovak Republic (hereinafter "Ministry of Defence), Ministry of Justice of the Slovak Republic, Prison and Justice Guards Corps,[38] Ministry of Transport, Posts and Telecommunications of the Slovak Republic,[32] Ministry of Agriculture of the Slovak Republic or the Fire and Rescue Corps, while meeting their responsibilities under the separate regulation,[39] identify deficiencies in respect of the handling of scheduled substances, they shall communicate them without any delay to Ministry of Economy, the Institute and the Joint Unit. This shall remain without prejudice to the authorisations of the control bodies mentioned in §7.

(4) Where, in the framework of their activities carried out under this Act, the state administration authorities mentioned in paragraph 3 and §2 find out that scheduled substances have been misused or where they suspect that scheduled substances have been diverted for the illicit manufacture of narcotic substances and psychotropic substances, they shall mail a copy of the communication sent to criminal authorities to also the Joint Unit.

§7

Inspection activities

---

[33] Art. 161 and 162 of Council Regulation (EEC) No. 2913/1992 of 12 October 1992, laying down the Customs Code of the Community (OJ EC L 302, 19. 10.1992), as amended from time to time.

[34] Art. 14 par.1 of Council Regulation (EC) No. 111/2005.

[35] Art. 26 par. 1 of Council Regulation (EC) No. 111/2005.

[36] Art. 11 and art. 16 of Regulation of the European Parliament and of the Council (EC) No. 273/2004 and art. 27 of Council Regulation (EC) No. 111/2005.

[37] Act No. 95/2000 Coll.LL. on labor inspection and on amendments and additions to some laws, as amended from time to time.

[38] §18 of Act No. 4/2001 Coll.LL. on Prison and Justice Guards Corps, as amended by Act No. 537/2004 Coll.LL.

[39] §7 of Act No. 315/2001 Coll.LL. on Fire and Rescue Corps, as amended by Act No. 180/2004 Coll.LL.

(1) In the framework of their powers, the state administration authorities mentioned in §2 shall inspect the compliance with this Act and with the responsibilities of the operators under separate regulations,[1] as well as compliance with the decisions and measures issued by them, and they shall issue under their competence binding measures to eliminate deficiencies identified.

(2) The authorities which exercise inspections of activities shall follow in their activities the separate regulation,[40] unless provided for differently by this Act.

(3) In carrying out inspection activities, the staff of the authorities which exercise inspection activities shall be authorised to

a) use technical means that enable documenting of the entities subject to inspection,
b) take, at operator's costs, samples for the purpose of the analysis of scheduled substances or products containing scheduled substances so that
   1. the first portion of samples which cannot be divided without jeopardizing the purpose for which it was taken, shall be taken by the employee of the authority which exercises inspection activities,
   2. another portion of the same kind as the sample taken shall be left with the operator, who shall be liable to secure it against degradation, and
   3. the third portion which shall serve as a sample for the decision in the case of a dispute shall be secured against degradation by the employee of the state administration authority which exercises inspection activities together with the operator present, so as to serve as means of proof upon court review under §10 par. 2; the samples of scheduled substances taken shall be analysed by a specialised institution of the Ministry of Interior.

(4) The employees of the authorities which exercise inspection activities shall be liable to issue a written confirmation on the sampling, indicating the reason for the taking of the sample and its quantity.

(5) In cases listed by separate regulations,[41] the authorities which exercise inspection activities may file with the Institute suggestions for suspension of activities shown in the licence.

(6) Employees of the authorities which exercise inspection activities may enter premises of the Ministry of Interior, Ministry of Defence, Slovak Intelligence and premises used for the service of custody and imprisonment only with the prior consent of their statutory body.

§8

Sale of scheduled substances seized or forfeited, and their disposal

(1) Scheduled substances which have been seized or forfeited for the benefit of the state[42] may be sold to an operator or disposed of under the supervision of customs offices at the costs of the operator or the person whom the scheduled substance was seized and who held or owned it in contradiction to this Act or the separate regulations.[1]

(2) Customs offices shall be authorised to sell category 1 scheduled substances to an operator only who is holder of a licence,[10] and category 2 scheduled substances to an operator only who is holder of a registration.[10]

(3) Category 1 scheduled substances may only be disposed of by an operator – holder of a licence.

---

[40] Act of the National Council of the Slovak Republic No. 10/1996 Coll.LL. on inspection in state administration, as amended from time to time.

[41] Art. 3 par. 4 of Regulation of the European Parliament and of the Council (EC) No. 273/2004 and art. 6 par. 2 of Council Regulation (EC) No. 111/2005.

[42] §§70 to 84 of Act No. 199/2004 Coll.LL., as amended by Act No. 652/2004 Coll.LL.

(4) Category 2 scheduled substances in quantities exceeding the threshold quantities under the separate regulation[43] may only be disposed of by an operator – holder of a registration.

(5) Scheduled substances shall be disposed of as wastes under the separate regulation.[44]

§9
Fines

(1) The Ministry of Economy shall fine operators

a) up to Sk 500,000.00 for infringement of the responsibilities in respect of the keeping of records under separate regulations,[45]
b) up to Sk 2,000,000.00 for infringement of the liability to report under separate regulations,[46]
c) up to Sk 5,000.000.00 for infringement of the responsibilities in respect of the labelling of scheduled substances and of the reporting of the summary annual quantities of scheduled substances under separate regulations,[47]
d) up to Sk 10,000,000.00 for repeated infringement of the responsibilities mentioned in letters a) to c).

(2) Based on the notification received from the authorities which exercise inspection activities under §7 as well as based on own findings, the Ministry of Economy shall impose upon operators fines for failing to eliminate deficiencies identified by the authorities which exercise inspection activities; the amount of such fine imposed shall represent 1.5 times that which could be imposed under paragraph 1 letters a) to c).

(3) In imposing the fine under paragraphs 1 and 2, the Ministry of Economy shall take into account the severity of the infringement of the responsibilities as well as of the extent of its harmful consequences.

(4) Fines may be imposed within one year after the date when the Ministry of Economy acquired knowledge of the infringement of the responsibilities, but not later than three years after the infringement occurred.

(5) Yields of the fines shall represent revenues of the State Budget.

§10
Procedure

Unless provided for differently by this Act, the matters regulated by this Act shall be subject to the general regulations on administrative proceedings.[32]

.

§11
Final provision

Where, in connection with narcotic substances and psychotropic substances, reference is made in the generally binding legal regulations [48] to drug precursors, the term shall be understood as meaning drug precursors under separate regulations.[1]

---

[43] Annex II to Regulation of the European Parliament and the Council (EC) No. 273/2004.
[44] Act No. 223/2001 Coll.LL. on wastes and on amendments and additions to some laws, as amended from time to time.
[45] Art. 4 and 5 of Regulation of the European Parliament and the Council (EC) No. 273/2004 and art 3 and 4 of Council Regulation (EC) No. 111/2005.
[46] Art. 8 par.1 of Regulation of the European Parliament and the Council (EC) No. 273/2004 and art. 9 par. 1 of Council Regulation (EC) No. 111/2005.
[47] Art. 7 and art. 8par. 2 of Regulation of the European Parliament and the Council (EC) No. 273/2004 and art. 5 and art. 9 par. 2 of Council Regulation (EC) No. 111/2005.
[48] E.g., Penal Code, Rules of Criminal proceedings and Act No. 455/1991 on small trade business (Small Trade Act), as amended from time to time.

§12

Repealing provisions

The following shall be repealed:

1. Act No . 219/2003 Coll.LL. on handling of chemicals which may be misused for the illicit manufacture of narcotic substances and psychotropic substances, and on amendment to Act No. 455/1991 Coll. on small trade business (Small Trade Act), as amended from time to time,
2. Decree of Ministry of Economy of the Slovak Republic No. 349/2003 Coll.LL. to implement some provisions of Act No. 219/2003 Coll.LL. on handling of chemicals which may be misused for the illicit manufacture of narcotic substances and psychotropic substances, and on amendment to Act No. 455/1991 Coll.LL. on small trade business (Small Trade Act), as amended from time to time, as amended by the Decree of Ministry of Economy of the Slovak Republic No. 101/2004 Coll.LL.

Art. II

Act No. 652/2004 Coll.LL. on state administration authorities in customs administration, and on amendments and additions to some laws, shall be supplemented as follows:

In §3 par. 1 letter a), the words "and in the internal market, if provided so by separate regulations[4a]" shall be inserted after the words "with third countries".

The footnote to reference 4a shall read as follows:

„4a) E.g., Act No.331/2005 Coll.LL. on state administration authorities in matters of drug precursors, and on amendments and additions to some laws; Council Regulation (EC) No. 111/2005, which lays down the rules of monitoring of trade between the Community and third countries in drug precursors, of 22 December, 2004 (OJ EU L 022 of 26.1.2005) and Regulation of the European Parliament and of the Council (EC) No. 273/2004 of 11 February, 2004 on drug precursors (OJ EU L 047 of 18.2.2004).".

Art. III

Act of the National Council of the Slovak Republic No. 168/1996 Coll.LL. on road traffic, as amended by Act of the National Council of the Slovak Republic No. 386/1996 Coll.LL., Act No. 58/1997 Coll.LL., Act No. 340/2000 Coll.LL., Act No. 416/2001 Coll.LL., Act No . 506/2002 Coll.LL., Act No. 534/2003 Coll.LL., and Act No. 114/2004 Coll.LL., shall be amended as follows:

In §31, par. 3 shall read as follows:

„(3) The customs authorities in the territory of the Slovak Republic shall be authorised to inspect whether vehicles are equipped with documents as required by this Act. Where deficiencies are identified, they shall not allow further transport of the goods by the vehicles until such deficiencies are eliminated."

Art. IV

Act of the National Council of the Slovak Republic No.145/1995 Coll.LL. on administrative fees, as amended by Act of the National Council of the Slovak Republic No. 123/1996 Coll.LL., Act of the National Council of the Slovak Republic No. 224/1996 Coll.LL., Act No. 70/1997 Coll.LL., Act No. 1/1998 Coll.LL., Act No. 232/1999 Coll.LL., Act No. 3/2000 Coll.LL., Act No. 142/2000 Coll.LL., Act No. 211/2000 Coll.LL., Act No. 468/2000 Coll.LL., Act No. 553/2001 Coll.LL., Act No. 96/2002 Coll.LL., Act No. 118/2002 Coll.LL., Act No.215/2002 Coll.LL., Act No. 237/2002 Coll.LL., Act No. 418/2002 Coll.LL., Act No. 457/2002 Coll.LL., Act No. 465/2002 Coll.LL., Act No. 477/2002 Coll.LL., Act No. 480/2002 Coll.LL., Act No. 190/2003 Coll.LL., Act No. 217/2003 Coll.LL., Act No. 245/2003 Coll.LL., Act No. 450/2003 Coll.LL., Act No. 469/2003 Coll.LL., Act No. 583/2003 Coll.LL., Act No. 5/2004 Coll.LL., Act No. 199/2004 Coll.LL., Act No. 204/2004 Coll.LL., Act No. 434/2004 Coll.LL., Act No. 533/2004 Coll.LL., Act No.541/2004 Coll.LL., Act No. 572/204 Coll.LL., Act No. 578/2004 Coll.LL., Act No. 581/2004 Coll.LL., Act No. 633/2004 Coll.LL., Act No. 653/2004 Coll.LL., Act No. 656/2004 Coll.LL., Act No. 725/2004 Coll.LL., Act No. 5/2005 Coll.LL., Act No. 8/2005 Coll.LL., Act No. 15/2005 Coll.LL., Act No. 93/2005 Coll.LL., Act No. 171/2005 Coll.LL., and Act No. 308/2005 Coll.LL. shall be amended as follows:

1. In the annex to the Tariff Book of Administrative Fees, part VIII –Financial administration of commercial activities, position 151 letters a) and b), shall read as follows:

„a) Granting of licence for the handling of narcotic substances and psychotropic substances and category 1 scheduled substances, and registration of operators who handle category 2 and 3 scheduled substances .....Sk 1,000.00

b) Change of a licence or registration issued under letter a).....Sk 500.00

2. In the annex to the Tariff Book of Administrative Fees, part VIII –Financial administration of commercial activities, position 154 letter g) shall read as follows:

„g) Granting of authorisation for export of scheduled substances or import authorisation for scheduled substances .....Sk 1,000.00

Art. V

Act No. 455/1991 Coll. on small trade business (Small Trade Act), as amended by Act No. 231/1992 Coll.LL., Act No. 600/1992 Coll., Act of the National Council of the Slovak Republic No. 132/1994 Coll.LL., Act of the National Council of the Slovak Republic No. 200/1995 Coll.LL., Act of the National Council of the Slovak Republic No. 216/1995 Coll.LL., Act of the National Council of the Slovak Republic No.233/1995 Coll.LL., Act of the National Council of the Slovak Republic No. 123/1996 Coll.LL., Act of the National Council of the Slovak Republic No. 164/1996 Coll.LL., Act of the National Council of the Slovak Republic No. 222/1996 Coll.LL., Act of the National Council of the Slovak Republic No. 289/1996 Coll.LL., Act of the National Council of the Slovak Republic No. 290/1996 Coll.LL., Act No. 288/1997 Coll.LL., Act No. 379/1997 Coll.LL., Act No. 70/1998 Coll.LL., Act No. 76/1998 Coll.LL., Act No. 126/1998 Coll.LL., Act No. 129/1998 Coll.LL., Act No. 140/1998 Coll.LL., Act No. 143/1998 Coll.LL., Act No. 144/1998 Coll.LL., Act No. 161/1998 Coll.LL., Act No. 178/1998 Coll.LL., Act No. 179/1998 Coll.LL., Act No. 194/1998 Coll.LL., Act No. 263/1999 Coll.LL., Act No. 264/1999 Coll.LL., Act No. 119/2000 Coll.LL., Act No. 142/2000 Coll.LL., Act No. 236/2000 Coll.LL., Act No. 238/2000 Coll.LL., Act No. 268/2000 Coll.LL., Act No. 338/2000 Coll.LL., Act No. 223/2001 Coll.LL., Act No. 279/2001 Coll.LL., Act No. 488/2001 Coll.LL., Act No. 554/2001 Coll.LL., Act No. 261/2002 Coll.LL., Act No. 284/2002 Coll.LL., Act No. 506/2002 Coll.LL., Act No. 190/2003 Coll.LL., Act No. 219/2003 Coll.LL., Act No. 245/2003 Coll.LL., Act No. 423/2003 Coll.LL., Act No. 515/2003 Coll.LL., Act No. 586/2003 Coll.LL., Act No. 602/2003 Coll.LL., Act No. 347/2004 Coll.LL, Act No. 350/2004 Coll.LL., Act No. 365/2004 Coll.LL., Act No. 420/2004 Coll.LL., Act No. 533/2004 Coll.LL., Act No. 544/2004 Coll.LL., Act No. 624/2004 Coll.LL., Act No. 650/2004 Coll.LL., Act No. 656/2004 Coll.LL., Act No. 725/2004 Coll.LL.. Act No. 8/2005 Coll.LL, and Act No. 93/2005 Coll. LL. shall be amended as follows:

In §3 par. 2 letter j), the words “group I scheduled substances, group II scheduled substances, and group III scheduled substances[22a]” shall be replaced by the words “category 1 scheduled substances, category 2 scheduled substances, and category 3 scheduled substances.[22a]”.

The footnote to reference 22a shall read as follows:

„[22a)] Act No. 331/2005 Coll.LL. on state administration authorities in matters of drug precursors, and on amendments and additions to some laws.”

Art. VI

Act No. 140/1998 Coll.LL. on medicinal products and medical devices, and on amendment to Act No. 455/1991 Coll. on small trade business (Small Trade Act), as amended from time to time, and on amendment and addition to Act of the National Council of the Slovak Republic No. 220/1996 Coll.LL. on advertising, as amended from time to time, in the wording of Act No. 104/1999 Coll.LL., Act No. 264/1999 Coll.LL., Act No. 370/1999 Coll.LL., Act No. 119/2000 Coll.LL., Act No. 147/2001 Coll.LL., Act No. 416/2001 Coll.LL., Act No. 488/2001 Coll.LL., Act No. 553/2001 Coll.LL., Act No. 216/2002 Coll.LL., Act No. 457/2002 Coll.LL., Act No. 256/2003 Coll.LL., Act No. 9/2004 Coll.LL., Act No. 434/2004 Coll.LL., Act No. 578/2004 Coll.LL., and Act No. 633/2004 Coll.LL. shall be supplemented as follows:

1. In §58 par.2, the words “and drug precursors[19aa]” shall be inserted after the word “pharmacy”.

The footnote to reference 19aa shall read as follows:

„[19aa)] Act No. 331/2005 Coll.LL. on state administration authorities in matters of drug precursors, and on amendments and additions to some laws.”

2. In §64 par. 1 letter a), the words “and drug precursors” shall be inserted after the word “pharmacy”.

Art. VII

This Act shall take effect on 18 August, 2005.

Ivan Gašparovič, s.m..
Pavol Hrušovský, s.m.
Mikuláš Dzurinda s.m.