

ACT

amending and supplementing the Law on Control of Narcotic Substances and Precursors

(promulgated in State Gazette (SG) issue No 30 of 1999; amended with SG issue No 63 of 2000, SG issues Nos 74, 75 and 120 of 2002, SG issue No 56 of 2003, SG issues Nos 76, 79 and 103 of 2005, SG issues Nos 30, 75 and 82 of 2006, SG issues Nos 31 and 55 of 2007, SG issues Nos 36, 43 and 69 of 2008, SG issues Nos 41, 74, 82 and 93 of 2009, SG issue No 22 of 2010; amended, SG issue No 23 of 2010; amended in SG issues Nos 29, 59 and 98 of 2010, SG issues Nos 8, 12, 60, and 61 of 2011, SG issues Nos 83 and 102 of 2012, SG issues Nos 52, 68 and 109 of 2013, SG issue No 53 of 2014, SG issue No 14 of 2015, SG issues Nos 42 and 58 of 2016, SG issues Nos 58, 63, 92, and 103 of 2017, SG issues Nos 1, 17, 84, and 102 of 2018, SG issue No 24 of 2019 and SG issues Nos 60 and 105 of 2020 and SG issue No 102 of 2022)

§ 1. Article 29 shall be amended and supplemented, as follows:

1. Subparagraph 1 shall be amended, as follows:

“(1) Cultivation of hemp plants (cannabis) intended for the production of products without psychoactive effects containing less than 1 (one) percent by weight of tetrahydrocannabinol shall be subject to authorisation by the Minister for Agriculture. The terms and conditions for granting and withdrawing authorisation and for marketing and control shall be laid down by ordinance of the Minister for Agriculture.”

2. New paragraphs 2 and 3 shall be inserted:

‘(2) The processing of hemp plants (cannabis) intended for the production of non-psychoactive products containing less than 1 (one) percent by weight of tetrahydrocannabinol, including melting, crushing, grinding, heat treatment, drying, extraction, pressing and other processes or a combination of these processes, shall be subject to authorisation by the Minister for Agriculture. The terms and conditions for granting and withdrawing authorisation, marketing and control, shall be laid down in the ordinance referred to in paragraph 1.

(3) For the purposes of this Act the tetrahydrocannabinol content of plants of the genus hemp (cannabis) shall be determined in the foliage, flower and fruit tips of the plants.’

3. The former paragraph 2 shall become paragraph 4.

4. The former paragraph 3 shall become paragraph 5 and the words

‘paragraph 2’ therein shall be replaced by ‘paragraph 4’.

5. The former paragraphs 4 and 5 shall become paragraphs 6 and 7 respectively.

§ 2. The words ‘with the exception of plants and products derived from their processing under Article 29’ shall be inserted at the end of the sentence in Article 30.

§ 3. In the Supplementary provisions, § 1 shall be amended and supplemented, as follows:

1. At the end of item 2, the phrase ‘with a content exceeding 1 (one) percent by weight of tetrahydrocannabinol’ shall be inserted.

2. Subparagraph 3 shall be amended, as follows:

‘3. ““Hashish” means the mechanically separated resin of the hemp plant or the hemp plant itself containing more than 1 (one) percent by weight of tetrahydrocannabinol, subjected to mechanical treatment, as a result of which its individual parts cannot be distinguished.”’

Final provisions

§ 4. By 31 December 2023, the Minister for Agriculture shall bring the ordinance referred to in Article 29(1) into compliance with this Act and with the procedure for determining the tetrahydrocannabinol content pursuant to Commission Delegated Regulation (EU) 2022/126 of 7 December 2021 supplementing Regulation (EU) 2021/2115 of the European Parliament and of the Council with additional requirements for certain types of intervention specified by Member States in their CAP Strategic Plans for the period 2023 to 2027 under that Regulation as well as rules on the ratio for the good agricultural and environmental condition (GAEC) standard 1 (OJ L 020, 31.1.2022, p. 52).