

## LAW ON DRUGS

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*For the regulation related to this Law, see the numerical index of the "Collection of Regulations" outlined according to the law.*

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### *General principles concerning opium and drugs*

**Article 1** - Purchase, sales, production, import and export of incised or unincised poppy pods, opium alkaloids, salts, esters, ethers with raw opium, medicinal-quality poppy and morphine; coca leaf and its alkaloids, salts, esters and ethers, and other drugs determined by the Ministry of Public Health and Welfare, are governed by the principles to be determined by the Council of Ministers.

The domestic cultivation and study of the plants from which the mentioned substances are obtained are subject to permissions.

Other natural and synthetic substances identified to be harmful for use, and leading "Toxicomanie", by the Ministry of Public Health and Social Welfare, may also be covered by this Law upon a resolution of the Council of Ministers proposed by this Ministry.

### *Determination of locations for the cultivation of poppies, obligation to obtain a permit*

**Article 2** - The Council of Ministers determines the sites for the cultivation of poppies and the production of opium and bulbs every year, depending on the agricultural and economic situation of the country, domestic need, export opportunities and the current stock status. The Council of Ministers publishes the decree no later than July 1. Unless the Council of Ministers makes a new decision on this matter, the provisions of the previous decree continue to apply.

The provision of the first paragraph on cultivation for scientific research by public institutions and organizations does not apply.

Those who cultivate poppy in the location determined and announced are obliged to obtain a permit from the relevant authority. Permits are valid for one year of production and cannot be transferred to another person.

The planted poppy fields of producers whose permits are revoked for any reason are collected or destroyed on behalf of the relevant authority. The producer covers any costs, and the authority is free from any charges.

Those who have been convicted according to the provisions of Article 4 or any smuggling crimes or to the relevant articles of the Turkish Penal Code, cannot be issued a permit, even if their convictions are annulled by an amnesty; If issued, it is revoked.

The permits of those convicted of one of the crimes mentioned in the above paragraph after a permit has been issued will be revoked at the point at which they are subject to a final conviction.

### *Regulation*

**Article 3** - Poppy cultivation, control, collection, appraisal, destruction, purchase or sale, and any other matters related to the implementation of this Law, are regulated by a regulation.

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### *Penal provisions*

#### **Article 4 - (Amended: 23/1/2008-5728/457 art.)**

In the implementation of the Turkish Penal Code, raw opium, prepared opium, medical opium and

drug products are all considered narcotic drugs.

Anyone who cultivates poppy without permission is punished with imprisonment of one to five years, and a judicial fine. In this article, cultivating refers to the processes from sowing the seed to harvesting the product.

A person who deliberately cultivates poppy in excess of the area specified in the permit, or in a location other than the one detailed on the permit, is punished with imprisonment from six months to three years, and a judicial fine.

Those who produce raw opium without permission are subject to punishment according to the provisions of the Turkish Penal Code.

For producers who deliver raw opium or bulbs in amounts below those determined in the permit, the local civil authority is to impose an administrative fine of twice the head purchase price at the time of delivery of the incompletely delivered amounts, unless the act constitutes a crime.

Headmen and law enforcement officers who fail to carry out their duties of control and supervision are to be punished in accordance with the provisions of the Turkish Penal Code.

If the crimes described in this article are committed in the cultivation area, the provisions of Article 23 of the Anti-Smuggling Law, dated March 21, 2007 and numbered 5607, shall not apply.

*Repealed provisions*

**Article 5** - The Law on Sale Association of Turkish Opium Farmers dated July 3, 1932 and numbered 2061 has been repealed.

**Article 6** - This Law enters into force on the date of its publication.

**Article 7** - The provisions of this Law shall be enforced by the Council of Ministers.

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**LIST SHOWING THE DATE OF ENTRY INTO FORCE OF LEGISLATION MAKING ADDITIONS AND AMENDMENTS TO LAW NO. 3298**

<b>Amending Law</b>	<b>Amended articles of Law No. 3298</b>	<b>Effective date</b>
5728	4	8/2/2008

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