

The Government of the Union of Myanmar
Ministry of Home Affairs
Rules relating to the Supervision of Controlled Precursor
Chemicals

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Notification No. 3 / 2004

The Full moon day of First Waso, 1366 ME
(1July, 2004)

In exercise of the powers conferred under section 30, Sub- Section(a) of the narcotic Durgs and Psychotropic Substances Law, the Ministry of the Home Affairs issues the following Rules with the approval of the Government.

Chapter I

Title and Definition

1. These Rules shall be called the Rules relating to the Supervision of Controlled Precursor Chemicals.
2. The Expressions contained in these Rules shall have the same meanings as are assigned to them in the Narcotic Drugs and Psychotropic Substances Law. In addition the following expressions shall have the meanings given here under –
 - (a) Law means the Narcotic Drugs and Psychotropic Substances Law.
 - (b) Controlled Precursor Chemical means a chemical which the Ministry of Health has by notification prescribed to be a chemical used in the production of narcotic drugs or psychotropic substance under section 16, sub- section (b) and section 30, sub- section (b) of the Narcotic Drugs and Psychotropic Substances Law.
 - (c) Central Committee for Narcotics means the central committee for Drug Abuse Control formed under section 4 and section 5 of the Narcotic Drugs and Psychotropic Substances Law.
 - (d) supervisory Committee for Controlled Precursor Chemical means the Supervisory Committee formed under the law for controlled precursor

Chemical, which may be used in the production of narcotic drugs and psychotropic substance.

- (e) Inspection Committee means the Committee formed and assigned duty by the Supervisory Committee for Controlled Precursor Chemical under these Rules for inspection as to whether or not the controlled precursor chemical is diverted to an illegal channel and used whether or not there is misuse in the production of narcotic drugs and psychotropic substances.

Chapter II

Duties and Powers of the Supervisory Committee for Controlled Precursor Chemical and the State, Divisional, District, Township Committees for Drug Abuse Control

3. The Supervisory Committee for Controlled Precursor Chemical may after scrutiny issue recommendation or refuse to issue recommendation for the following operations –

- (a) production of controlled precursor chemical;
- (b) production of goods (commodities) by using controlled precursor chemical;
- (c) importation and exportation of controlled precursor chemical,
- (d) transportation locally (within the country) of controlled precursor chemical produced locally or imported from abroad;
- (e) transportation of controlled precursor chemical from one foreign country to another passing through Myanmar,
- (f) conducting research in respect of controlled precursor chemical.

4. The state Divisional committees for Drug Abuse Control may, in respect of the controlled precursor chemical after scrutiny grant a permit or refuse to grant a permit for the following operations :-

- (a) transportation from one State Division to another.
- (b) storage and custody;
- (c) wholesale distribution and sale after storage,

5. The District Committee for the prevention of Drug Abuse Control may, after scrutiny grant a permit or refuse to grant a permit for retain distribution and sale after storage, and for possession and use of controlled precursor chemical.

6. The State Divisional and District Committee for Drug Abuse Control

- (a) may form and determine the function of a Scrutiny Committee comprising a minimum of 3 to 5 suitable persons from amongst their members to grant a permit and to exercise the power mentioned in Rules 4 and 5.
- (b) Shall compile a record in respect of the activities (measures) under Rules 4 and5. And submit to the Supervisory Committee for Controlled precursor chemical

7. The Supervisory Committee for Controlled Precursor Chemical may in supervising and managing the production of controlled precursor chemical, production of goods by using controlled precursor chemical importation and exportation, storage , retail and wholesale distribution and sale after storage , transportation and possession co-ordinate with the relevant Government department and organization if necessary .

8. If there is suspicion that a controlled precursor chemical is misused in the production of narcotic drugs and psychotropic substances, the State Divisional, District and Township Committee for drug Abuse Control shall inform the Supervisory Committee for Controlled Precursor Chemical as soon as possible, and the Supervisory Committee for Controlled Precursor Chemical shall, inform the Central Committee for Narcotics as soon as possible.

Chapter III

Carrying Out Production

9. A person desirous of carrying out controlled precursor chemical production or production of goods using controlled precursor chemical shall first apply to the Supervisory Committee for Controlled Precursor Chemical in Form (i) to obtain a recommendation.

10. The Supervisory Committee for Controlled Precursor Chemical shall scrutinize the application under Rule 9, and if permitted, shall issue a recommendation in form (2) stipulating terms and conduction for the controlled precursor chemical production work or for production of goods using controlled precursor chemical.

11. A person who has obtained the recommendation issued under Rule 10 shall carry out production only after he has obtained the license to carry out an industry (industrial license) registration certificate or permit from the relevant Government department and organization, in accordance with the existing laws.

12. A person who has obtained permission to carry out controlled precursor chemical production or production of goods using controlled precursor chemical shall-

- (a) submit to the Supervisory Committee for Controlled Precursor chemical (3) months prior to the expiry of the calendar year in Form (3) requirement for the next (following) one year, stating type, shape, quality and weight of the controlled chemical raw materials, other chemical raw materials and natural raw materials required for the production.
- (b) compile in form (4) monthly records in respect of the production.
- (c) collect the monthly records once in (3) months and submit to the Supervisory committee for Controlled Precursor Chemical form (5) and send the copy to the state Divisional, District, Township, Committees for Drug Abuse Control.

- (d) keep in custody for at least (2) year Forms (3),(4),(5) and other necessary documents, supporting evidence, lists and schedules.
- (e) abide by the terms and conditions stipulate in respect of the production.
- (f) take special care in order that the controlled precursor chemical may not be diverted to an illegal channel and used in the production of narcotic drugs and psychotropic substances. If there is suspicion that it is so diverted, the Supervisory Committee for the Controlled Precursory Chemical shall be informed as soon as possible.
- (g) deliver the lists and schedules requested by the Inspection Committee which have been assigned duty and sent by the Supervisory Committee for Controlled Precursor Chemical and shall also submit to the inspection in respect of the production.
- (h) in carrying out production. if for any reason (cause) there is damage, loss or undue shortage it shall be reported immediately to the Supervisory Committee for Controlled Precursor Chemical, and the relevant State, Divisional, District and Township Committee for Drug Abuse Control.
- (i) if it is desired to terminate the production work shall inform the Supervisory Committee for Controlled Precursor Chemical in advance and the Controlled Precursor Chemical shall be disposed of under the supervision of the said committee.

13. If a person who has obtained permission to carry out controlled precursor chemical production work or production of goods using controlled precursor chemical desires to continue the work after the expire of the tenure of the license to carry out industry (industrial license) registration or permit of the relevant Government department and organization for extension of the tenure, he shall apply to the Supervisory Committee for Controlled Precursor Chemical at least (60) days in advance before the expiry of the tenure for recommendation submitting the following documents:-

- (a) recommendation in Form(2) issued by the Supervisory Committee for Controlled Precursor Chemical and a copy;
- (b) copy of the Industrial license (License to carry out an industry) or permit of the relevant Government department and organization.

14. The Supervisory Committee for Controlled Precursor Chemical shall Scrutinize the application under Rule 13, and if permitted, shall issue a recommendation stipulating terms and conditions to extend the tenure for the controlled precursor chemical production work or for production of goods using controlled precursor chemical.

15. If a person desirous of carrying out controlled precursor chemical production work or production of goods using controlled precursor chemical wishes to transport controlled precursor chemical, he shall do so after obtaining permission under the provisions of Chapter V of these Rules, and if he wishes to make a retail and wholesale distribution and sale after storage, he shall do so after obtaining permission under the provisions of Chapter VI of these Rule.

Chapter IV

Importation and Exportation

16. A person desirous of importing controlled precursor chemical from abroad shall, whenever he wishes to do so first apply in Form (6) to the Supervisory Committee for Controlled precursor Chemical to obtain a recommendation. If he is desirous of exporting controlled precursor chemical to abroad, he shall, whenever he wishes to do so first apply in Form (7) to the Supervisory Committee for Controlled precursor Chemical to obtain a recommendation.

17. The Supervisory Committee for Controlled precursor Chemical shall scrutinize the application under Rule 16, and if permitted, shall issue a recommendation in Form (8), stipulation terms and conditions for importation from abroad and for exportation to abroad.

18. A person who has obtained a recommendation issued under Rule 17 to carry out the work of importing and exporting controlled precursor chemical shall import and export only after obtaining Import license, Export license or permit of the Ministry of Commerce in accordance with the existing Laws.

19. A person who has obtained Import Permit and Export Permit shall, in importing and exporting controlled precursor chemical apply in advance to the Supervisory Committee for Controlled precursor Chemical as soon as possible before carrying out import and export, mentioning the following facts together with the indent, manifest, invoice, bill of lading and copies of other necessary supporting documents;-

- (a) name and address of importer and exporter and country from which import is made and country to which export is made;
- (b) if person making the indent can be mentioned, name and address of person making the indent;
- (c) type, brand, weight, amount, and quantity of controlled precursor chemical imported or exported ;
- (d) manner of packing the goods, number of packages;
- (e) date of export (consignment), date of arrival, Customs Port, Customs Aerodrome, Border point of entry / Exit, terminal and destination of goods;
- (f) name of foreign country through which import is to be made and through which export is to be made, country of transit, date, port, airport and border point of entry / exit;
- (g) date and number of recommendation, license and permit issued under Rules 17 and 18;
- (h) Vessel, motor vehicle aircraft and train (railway) which will transport the controlled precursor chemicals;
- (i) Frequency (number of times) of import and export;

20. A person who has obtained and Import permit and Export permit for controlled precursor chemical shall-

- (a) When importing and exporting controlled precursor chemical,
 - (1) Pack the controlled precursor chemicals securely and affix the trademark
 - (2) Send together with the controlled precursor chemicals a copy each of the recommendation, license or permit issued under Rules 17 and 18.
 - (3) Submit to the inspection of an authorized person or a responsible person from within and outside the country.
 - (4) Submit as soon as possible to the Supervisory Committee for Controlled precursor Chemical when alteration is to be made in any facts contained in Rule 19.
 - (5) Report immediately to the Supervisory Committee for Controlled precursor Chemical, if there should occur damage, loss or undue shortage during the journey (en route) . due to any cause.
- (b) The statements of facts and supporting documents contained in Rule 17 shall be preserved (kept in custody) for at least (2) years.

21. A person importing controlled precursor chemical from abroad;-

- (a) Shall submit together with the following documents to open Imports (Imported Good) Declaration (Return) to the Customs Department;-
 - (1) Recommendation of the Supervisory Committee for Controlled precursor Chemical and the pre-shipment Inspection certificate and Marketing (Sale and Purchase) Contract /Agreement submitted to the said Committee.
 - (2) Import License / permit;
 - (3) Laboratory analysis of the relevant department and organization;
 - (4) Bill of Lading (B / L);
 - (5) Packing List (P / L)

- (6) Supporting evidence of the payment of the value of the goods;
 - (7) List of value of goods;
 - (8) Certificate of Country of Origin;
- (b) Before importing from abroad the supporting documents required in accordance with Rule 19 shall be submitted to the Supervisory Committee for Controlled precursor Chemical as soon as possible.
- (c) The controlled precursor chemical imported from abroad shall have obtained permission from the Supervisory Committee for Controlled precursor Chemical, and only when the Inspection Committee has inspected and permitted the same there is the right to transport it locally (within the country).
22. A person exporting controlled precursor chemical to abroad;-
- (a) shall submit together with the following documents to open Exports (Exported Goods) Declaration (Return) to the Customs Department;-
- (1) recommendation of the Supervisory Committee for Controlled precursor Chemical;
 - (2) Export License/Permit;
 - (3) Laboratory analysis of the relevant department and organization;
 - (4) Marketing (Sale and Purchase) Contract/Agreement;
 - (5) Supporting evidence of the payment of the value of the goods;
 - (6) Pre-shipment Inspection Certification recognized internationally;
 - (7) Shipping Instruction (only for maritime consignment of goods);
 - (8) List of value of goods;
 - (9) Packing List (P / L)
 - (10) Booking Notes;
 - (11) Certificate of Country of origin.
- (b) Before exporting to abroad, the supporting document required in accordance with Rule 19 shall be submitted to the Supervisory Committee for Controlled precursor Chemical as soon as possible.

23. A person importing controlled precursor chemical and a person exporting controlled precursor chemical shall obtain the permission required under the provisions of Chapter V for transporting locally, the permission required under the provisions of Chapter VI for retail and wholesale distribution and sale after storage and the permission required under the provisions of Chapter VII for storage and custody.

Chapter V

Transportation

24. (a) A person desirous of transporting locally for any of the following operations shall apply to the Supervisory Committee for Controlled precursor Chemical in the Form (9) for permission whenever transport is carried out :-
- (1) transporting locally controlled precursor chemical produced locally or imported from abroad;
 - (2) transporting controlled precursor chemical from one foreign country to another passing through Myanmar.
- (b) The Supervisory Committee for Controlled precursor Chemical shall scrutinize the application under Sub- Rule (a) and if permitted issue the permit in Form (10) stipulating terms and condition.
25. (a) A person desirous of transporting controlled precursor chemical from one State, Division to another within Myanmar shall apply to the relevant State Divisional Committee for Drug Abuse Control in Form (11) for permission
- (b) The State Division Committee for Drug Abuse Control shall scrutinize the application under Sub- Rule (a) and if permitted, issue the permission (permit) in Form 12, stipulating terms and conditions.

26. A person who has obtained permission to transport locally shall:-
- (1) have together with him (be accompanied by) the permit under Sub-Rule (b) of Rule 24 or Sub-Rule (b) of Rule 25.
 - (2) if imported from abroad, have together with him (be accompanied by) the Import License, Permit and Import Declaration (Return) or if produced by locally, have together with him (be accompanied by) the recommendation of the factory which produce the same and the laboratory analysis.
 - (3) Transport the controlled precursor chemical to the permitted region, in accordance with the terms and conditions of the permit
 - (4) If transport is to be changed (altered) from any permitted region to any other region, re-obtain the permission of the relevant Supervisory Committee for Controlled precursor Chemical which issued the permit or the State, Divisional Committee for Drug Abuse Control .
 - (5) Report immediately to the Supervisory Committee for Controlled precursor Chemical or to the relevant State, Divisional, District and Township Committee for Drug Abuse Control if there should occur damage, loss or undue shortage during the journey (en route), due to any cause.
 - (6) Take special care in order that the controlled precursor chemical may not be diverted to an illegal channel and used in the production of narcotic drugs and psychotropic substances.
 - (7) Abide by the terms and conditions contained in the permit
- (b) Keep in custody for lest (2) years the permit issued under sub- rule (b) of Rule 24 and sub-rule (b) of Rule 25 and supporting documents.

Chapter VI

Keeping in Storage and Retail and Wholesale Distribution and Sale

27. A person desirous of keeping in storage and carrying out retail and wholesale distribution and sale of controlled precursor chemical shall apply to the relevant State, Divisional Committee for Drug Abuse Control.

28. The State Divisional Committee for Drug Abuse Control shall scrutinize the application under Rule 27 and if permitted, issue the permit in Form (14), stipulating terms and conditions.

29. (a) If a person who has obtained a permit to keep in storage and carry out retail and wholesale distribution and sale of controlled precursor chemical desires to continue the work after the expiry of the tenure of the permit, he shall apply in Form (15) to the relevant State, Divisional Committee for Drug Abuse Control lest (60) days in advance before the expiry of the tenure for extension of the tenure of the permit.

(b) The State, Divisional Committee for Drug Abuse Control shall scrutinize the application under Sub-rule (a) and if permitted, extend the tenure of the permit.

30. A person desirous of keeping in storage and carrying out retail and wholesale distribution and sale of controlled precursor chemical shall obtain a recommendation of the relevant Township Committee for Drug Abuse Control and apply to the District committee for Drug Abuse Control in Form (16).

31. The relevant District committee for Drug Abuse Control shall scrutinize the application under Rule 30 and if permitted, issue permission (permit) in Form (17) stipulating terms and conditions.

32. (a) If a person who has obtained a permit to keep in storage and carry out retail and wholesale distribution and sale of controlled precursor chemical desires to continue the work after the expiry of the tenure of the permit, he shall obtain a recommendation of the relevant Township

Committee for Drug Abuse Control at least (30)days in advance before the expiry of the tenure for extension of the tenure of the permit, and apply to the District Committee for Drug Abuse Control in Form (18).

- (b) The relevant District Committee for Drug Abuse Control shall scrutinize the application under Sub-rule (a) and if permitted, extend the tenure of the permit.

33. The tenure of the permit issued under Rules 28 and 31 is one year commencing from the date of issue of the permit.

34. A person who has obtained the right to keep in storage and carry out retail and wholesale distribution and sale of controlled precursor chemical shall:-

- (a) Hang the permit issued under Rule 28 or Rule 31 in the place or shop where controlled precursor chemical is to be sold.
- (b) Compile in Form (19) monthly records in respect of the storage, retail and wholesale distribution and sale.
- (c) Collect the monthly records once in three months and submit in Form (5) to the Supervisory Committee for Controlled Precursor Chemical and send the copy to the State, Divisional, District and Township Committees for Drug Abuse Control.
- (d) Keep in custody for at least (2) years the monthly records, quarterly returns, vouchers, lists and schedules.
- (e) Take special care in order that the controlled precursor chemically may not be diverted to an illegal channel and used in the production of narcotic drugs and psychotropic substances.
- (f) Report immediately to the Supervisory Committee for Controlled Precursor Chemical or to the relevant State, Divisional, District and Township Committee for Drug Abuse Control, if there should occur damage, loss or under shortage while keeping in storage and distributing and selling retail and wholesale, due to any cause.

- (g) Report immediately to the relevant Anti-narcotic Task Forces or to the Police Station if there is suspicion that the Controlled Precursor Chemical is Likely to be diverted to an illegal channel and used.
- (h) Abide by the terms and conditions contained in the permit.

Chapter VII

Storage

35. The Person desirous of doing controlled precursor chemical storage business shall, in order to obtain permission apply to the relevant State/ Divisional Committee on Drug Abuse Control using Form (20).

36. The Sate/Divisional Committee on Drug Abuse Control shall, if granted permission after scrutiny on the application under Rule 35, stipulating conditions, issue permit, using Form (21).

37. The term of permission issued under 36 is one year from the date of issuance of permit.

38. (a) If the person who has obtained permission for storage of controlled precursor chemical is desirous of continuing the storage business after expiry of term of permission shall, at least 60 days in advance before expiry of term of permission, apply for extension of term of permission to the relevant State/ Divisional Committee on Drug Abuse Control using Form (15).

(b) The State/Division Committee on Drug Abuse Control shall, if granted permission after scrutiny on the application under-Sub-Rule (a), extend the term of permission.

39. The person who has obtained permission to do controlled precursor chemical storage business shall:-

(a) hang the permit issued under Rule 36 at the place, building or warehouse where the controlled precursor chemical is stored and kept in custody.

- (b) compile and keep monthly records using Form (22) regarding controlled precursor chemical storage business.
- (c) after collecting the monthly records once every for three months, submit the report to the Controlled Precursor Chemicals Supervisor Committee using Form (5), and copies thereof shall be sent to the State/ Divisional, District and Township Committee on Drug Abuse Control.
- (d) maintain and keep the monthly records, quarterly reports, bills, vouchers and tabular lists for at least two years.
- (e) take special care not to divert the controlled precursor chemical into illegal channel for use in producing narcotic drugs and psychotropic substances.
- (f) report to the Controlled Precursor Chemicals Supervisory Committee and relevant State/Divisional, District and Township Committee on Drug Abuse Control if damage or loss or unusual shortage occurs in storage and custody.
- (g) abide by the conditions stipulated in the permit.

Chapter VIII

Conducting Research

40. The person desirous of doing research on controlled precursor chemical shall apply to the Controlled Precursor Chemicals Supervisory Committee using Form (23) to obtain permission.
41. The Controlled Precursor Chemicals Supervisory Committee shall, if granted permission after scrutiny on the application under Rule 40, stipulating conditions, issue permit using Form (24).
42. The term of permission issued under Rule 41 is one year from the date of issuance of permit.
43. (a) If the person who has obtained permission to conduct research is desirous of continuing research work after expiry of term of permission

shall, at least 60 days in advance before expiry of term of permission, apply for extension of term of permission to the Controlled Precursor Chemicals Supervisory Committee using Form (25).

- (b) The Controlled Precursor Chemicals Supervisory Committee shall, if granted permission after scrutiny on the application under Sub-Rule (a), extend the term of permission.

44. The person who has obtained permission to conduct research on controlled precursor chemical shall:-

- (a) hang the permit issued under Rule 41 at the place where research work is conducted.
- (b) compile monthly records using Form (26) regarding research work.
- (c) after collecting the monthly records one for every three months, submit the report to the Controlled Precursor Chemicals Supervisory Committee using Form (5) and copies thereof shall be sent to the State/Divisional, District and Township Committees on Drug Abuse Control.
- (d) maintain and keep the monthly records, reports and tabular lists for at least two years.
- (e) receive the inspection of Inspecting Committee with regard to conducting research.
- (f) report immediately to the Controlled Precursor Chemicals Supervisory Committee and relevant State/Divisional, District and Township Committees on Drug Abuse Control if damage or loss or unusual shortage occurs with regard to conduction research.
- (g) manage the controlled precursor chemicals obtained through conducting research through conducting research in conformily with the permission of the Controlled Precursor Chemicals Supervisory Committee.
- (h) abide by the conditions stipulated in the permit.

Chapter IX

Possession and Use

45. The person desirous of using controlled precursor chemical keeping in possession not for any purpose contained in Chapter III, IV, V, VI, VII and VIII but for other household use, personal use or business use rather than uses permitted in Rule 62 or laboratory analysis shall, to obtain permission, after obtaining recommendation of the relevant Township Committee on Drug Abuse Control, apply to the relevant District Committee on Drug Abuse Control using Form (27).

46. The relevant District Committee on Drug Abuse Control shall, if granted permission after scrutiny on the application under Rule 45, stipulating conditions, issue permit, using Form (28).

47. The term of permission issued under Rule 46 is one year from the date of issuance of permit.

48. (a) If the person who has obtained permission to use the controlled precursor chemical keeping in possession is desirous of continuing to use after expiry of term of permission shall, at least thirty days in advance before expiry of term of permission, after obtaining recommendation of the relevant Township Committee on Drug Abuse Control, apply for extension of term of permission to the District Committee on Drug Abuse Control using Form (29).

(b) The relevant District Committee on Drug Abuse Control shall, if granted permission after scrutiny on the application under Sub-Rule (a) extend the term of permission.

49. The person who has been granted permission to use the controlled precursor chemical keeping in possession shall:-

(a) hang the permit issued under Rule 46 at the place where the controlled precursor chemical used keeping in possession.

(b) compile and keep monthly records using Form (30) regarding use thereof keeping in possession.

- (c) after collecting the monthly records one for every three months, submit the report to the Controlled Precursor Chemical Supervisory Committee using Form (5), and copies thereof shall be sent to the State/Divisional, District and Township Committees on Drug Abuse Control.
- (d) maintain and keep the monthly records, quarterly reports, bills, vouchers and tabular lists for at least two years.
- (e) take special care not to divert the controlled precursor chemical into illegal channel for use in producing narcotic drugs and psychotropic substances.
- (f) abide by the conditions stipulated in the permit.

Chapter X

Inspection

50. The Controlled Precursor Chemical Supervisory Committee shall, for conducting inspection whether or not the controlled drug has been used diverting into illegal channel or whether or not it is abused in producing narcotic drugs and psychotropic substances, in coordination with the relevant government department and organization, form inspection committees comprising experts and assign duty thereof.

51. The inspection committees shall, with regard to controlled precursor chemical inspect the following matters, and submit the findings to the Controlled Chemical Supervisory Committee:-

- (a) producing controlled precursor chemical;
- (b) producing goods making use of controlled chemical;
- (c) importing and exporting;
- (d) transporting from a foreign country to another foreign country via Union of Myanmar;
- (e) inland transporting;
- (f) storage and selling by retail or wholesale;
- (g) storage and custody;

- (h) conducting research;
- (i) using thereof keeping in possession

52. The inspection committees shall, with regard to controlled precursor chemical, in conducting inspection on matters contained in Rule 51. conduct inspection mainly on the following points whether or not there is reasonable doubt of abuse in the production of narcotic drugs and psychotropic substances:-

- (a) whether or not production is made to produce permitted controlled precursor chemical or goods that is intended to produce making use of controlled precursor chemical;
- (b) whether or not the weight, amount and quantity of controlled precursor chemical obtained by production and goods that is produced be proportionate;
- (c) whether or not importing, exporting, transporting, distributing and selling, conducting research or using thereof keeping in possession of the controlled precursor chemicals that have been obtained recommendation and permission;
- (d) whether or not the quantity, weight and type of goods contained in the import declaration or export declaration be correct;
- (e) whether or not the controlled precursor chemicals that are sold by retail or wholesale and the inventory be correct;
- (f) whether or not the packing and sealing be authentic packing and sealing of the producer;
- (g) whether or not distribution, sale or handing over is made to the person who has not been permitted;
- (h) if the goods are stored and kept in custody, whether or not the storage system be systematic and inventories be correct.
- (i) whether or not monthly report, quarterly report and tabular list be correct.

53. The inspection committees shall, with regard to importing, exporting and transporting via Union of Myanmar customs of controlled precursor chemicals at any place including free trade zone, duty free seaport, airports and border trade stations, make inspection on the points under Rule 52 and also mainly on the following points whether or not there is reasonable doubt they are used diverting into illegal channel:-

- (a) whether or not required license, permit, import declaration, export declaration, manifest, recommendation of Controlled Precursor Chemicals Supervisory Committee permit, etc are complete;
- (b) whether or not name and residential address of person or organization that imports or exports is correct;
- (c) whether or not the name of State, town or city and ports, airports, border trade stations from which import or export is made are correct;
- (d) If there is transit State or State through which import or export is made, whether or not the names of town or city, airports and border trade stations correct;
- (e) whether or not the date of import or export and if there is transit State or State through which import or export made, the date of arrival and departure and re-export correct;
- (f) if there is transit State or State through which import or export is made, whether or not there is re-packaging and transferring;
- (g) whether or not the type and name of the vehicle, the name of the State where the vehicle has been registered and itinerary of journey correct;
- (h) whether or not the form of package and marking correct, and whether or not there is any change;
- (i) whether or not import and export extraordinary, whether or not import and export is usual, and whether or not import and export is made once;
- (j) whether or not import or export is made by the importer or export is made by the importer personally, and by the broker or agent;

- (k) whether or not system of payment for the goods correct;
- (l) whether or not method of import and export correct.

54. The investigation body shall, on finding out that businesses were carried out without permission, or that controlled precursor chemicals were destroyed, lost or of unusual shortage in carrying out with permission, or that those were used diverting channel, in conducting investigation the matters contained in Rule 52, submit the findings to the Controlled Precursor Chemicals Supervisory Committee immediately.

Chapter XI

Investigation, Search, Arrest, Seizure of Exhibits, Attachment and Sealing

55. The investigation body shall, on finding out that one of the offences contained in the law has been committed with regard to controlled precursor chemicals in conducting investigation on matters contained in Rule 51:-

- (a) if it does not contradict with these Rules, carry out investigation in conformity with the provisions of the Code of Criminal Procedure;
- (b) carry out search, arrest, seizure of exhibits, and attachment and sealing in conformity with the provisions contained in Chapter IV of the Rules relating to Narcotic Drugs and Psychotropic Substances.

56. The investigation body shall, with regard to controlled precursor chemicals that were search and seized, submit to the Controlled Precursor Chemicals Supervisory Committee immediately mentioning the following points:-

- (a) the type, marking, form of package, number of packages, amount of one unit weight, and total weight of controlled precursor chemical;
- (b) the original manufacturing country;
- (c) the name of offender whose property has been searched and seized;
- (d) the date on which and place where seizure is made;
- (e) matter of illegal use;

- (f) description if there is method of abuse diverting to illegal channel and of illegal production;
- (g) the name of the State, port, airport, border trade station, importer and exporter if transportation is made in transit of Union of Myanmar or through Union of Myanmar;
- (h) the name, weight and amount of narcotic drugs and psychotropic substances seized together with controlled precursor chemical searched and seized.

Chapter XII

Laboratory Analysis

57. With regard to packaging, sealing, closing with marking, sending for laboratory analysis, laboratory analyzing, replying and submitting as exhibit of controlled precursor chemical seized as exhibit for offence under section 16(b) of the Law, it shall be carried out in conformity with the provisions contained in the Rules relating to the Narcotic Drugs and Psychotropic Substances.

58. (a) If it is required to conduct laboratory analysis of controlled precursor chemical with regard to any matter contained in Rule 51 by the investigation body or relevant government department and organization, for issuance of result of laboratory analysis, the sample of ht controlled precursor chemical that will undergo laboratory analysis in conformity with the instruction issued by the Myanmar Police Force, may by determining cipher and sealing, may be sent to the department of laboratory analysis or internationally-recognized agency for laboratory analysis for conducting laboratory analysis thereof.

(b) the responsible person from the department or organization of laboratory analysis shall, without delay, conduct the laboratory analysis of the sample of controlled precursor chemical that was sent, and the result of laboratory analysis shall be sent to the department and

organization and the businessmen who made the request, and copy shall be sent to the Controlled Precursor Chemical Supervisory Committee.

- (c) The relevant businessman shall bear the expenses for laboratory analysis.

Chapter XIII

Taking Action

59. If the controlled precursor chemical is kept in possession, transported or distributed and sold without permission, action shall be taken under sub-section (b) of section 16 of the Law.

60. Manufacturing, storing, conducting research and using in keeping possession of controlled precursor chemical without permission, or manufacturing goods using controlled precursor chemical without permission shall be presumed to be using without permission under the law, and action shall be taken under sub-section (b) of section 16 of the Law.

61. Importing, exporting and transporting from a foreign country to another through Union of Myanmar of controlled precursor chemical without permission in conformity with these Rules shall be presumed to be transporting without permission under the law, and action shall be taken under sub-section (b) of section 16 of the Law.

Chapter XIV

Miscellaneous

62. With regard to the following controlled precursor chemicals, pharmaceutical products manufactured by the changing and mixing with them and compounds thereof are not required to obtain recommendation or permission under these Rules. However, if they are used in producing narcotic drugs and psychotropic substance, shall action be taken under the Narcotic Drugs and Psychotropic Substance Law:-

- (a) pharmaceutical preparations containing controlled precursor chemicals used in medical treatment that are prescribed by the Ministry of Health issuing notification;
- (b) ether preparations containing controlled precursor chemicals that are compounded in such a way that such chemicals cannot be easily used or recovered by readily applicable means:- e.g. commodities of household use, personal use and business use such as battery acid, lotion, fragrance, perfume, toilet soap, dye, bleaching chemical, paint and chemical fertilizer prepared and produced with a certain kind of controlled precursor chemical;
- (c) controlled precursor chemicals of public household use, personal use and business use that are of the following weight, amount or quantity:-

(1) ACETIC ANHYDRIDE	10 liters
(2) POTASSIUM PERMANGANATE	5 kilograms
(3) ACETONE	10 liters
(4) ETHYL ETHER (OR) DIETHYL ETHER	10 liters
(5) HYDROCHLORIC ACID	50 liters
(6) SULPHURIC ACID	50 liters
(7) TOLUENE	10 liters
- (d) controlled precursor chemicals purchased and used, kept in possession and transported in conformity with the order and directive of the Ministry of Health.

63. The Controlled Precursor Chemicals Supervisory Committee shall, based on the points submitted by the State/ Divisional, District and Township Committee for Drug Abuse Committee, points on search and seizure submitted by investigation bodies, and submissions of persons who have been granted permission and other information obtained by other means, submit the following points as stipulated to the Central Committee for Drug Abuse Control:-

- (a) with respect to search and seizure of the controlled precursor chemical:-

- (1) the type, marking, form of package, number of packages, amount of one unit weight, and total weight of controlled precursor chemical which was searched and seized;
 - (2) the original manufacturing country;
 - (3) the name of offender whose property has been searched and sized;
 - (4) the date on which and place where seizure is made;
 - (5) description if there is method of abuse diverting to illegal channel and of illegal production;
 - (6) the name of the State, port, airport, border trade station, importer and exporter if transportation is made in transit of Union of Myanmar or through Union of Myanmar;
 - (7) the name, weight and amount of narcotic drugs and psychotropic substances seized together with controlled precursor chemical searched and seized.
- (b) with regard to controlled precursor chemical imported, exported or transported through Union of Myanmar subject to recommendation or permission:-
- (1) the type, marking, form of package, number of packages, amount of one unit weight and total weight of controlled precursor chemical imported or exported;
 - (2) the name of the State, port, airport and border trade station imported or exported;
 - (3) the original manufacturing country;
 - (4) the name, designation and address of business, department, company, and organization that carried out import or export;
 - (5) type of vehicle for transport and itinerary;
 - (6) date on which import or export be carried out;
 - (7) if importation, importation through, stoppage or transporting through free economic zone, duty-free ports, airports and border

trade stations of a foreign state, the name of the said zone, port, airport and border trade station of the said foreign state;

(8) if there is the foreign state through which importation is carried out or in which stoppage is made or through which transportation is carried out, the name of the said foreign state, the date of arrival in the said country, port, airport and border trade station, the date of departure from the said foreign state, port, airport and border trade station.

64. (a) The Ministry of Home Affairs shall, for issuing recommendation and permission with regard to controlled precursor chemical under these Rules, determine fees and fees for the extension of the term for permission.

(b) Person who obtained permission or extension of term of permission under these Rules shall pay the fees determined under sub-rule(a).

65. The Central Committee on Drug Abuse Control may with regard to any of the matters contained in Rule 51, determining conditions, exempt any government department and organization to obtain permission by submitting application.

(Sd)

Col Tin Hlaing

Minister

Ministry of Home Affairs