
Thailand is Region's First Country to Legalize Medical Marijuana

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The Narcotics Act (No7) B.E. 2562 (A.D. 2019) permits the use of marijuana in Thailand if under the control of a licensed physician or dentist. The law was published in the Royal Government Gazette on 18 February and became effective the very next day. By this step, Thailand is the Southeast Asia's first country to legalize weed for a particular use.

The new law further allows marijuana and *mitragyna speciose* (a/k/a "kratom"), an indigenous evergreen used as a traditional drug, for study and development for medicinal purposes.

High Time for New Law

Marijuana and kratom can now be produced, imported, or exported as a Category 5 Narcotic under the Narcotics Act B.E. 2522 (A.D. 1979), for medical, agricultural, and scientific research. Producers, importers and exporters must first obtain approval from the Committee on Narcotics Control.

Further, one can carry marijuana and kratom into and out of Thailand for personal use, but only in necessary quantities if accompanied with a prescription issued by a licensed physician or dentist. Approval from the Secretary-General of Food and Drug Administration ("FDA") must also accompany.

In addition, one may possess marijuana and kratom for personal use, but only in necessary quantities, if accompanied with a prescription issued by a licensed physician or dentist. No FDA approval is needed in this case.

Authorities consider possession of more than 10 kilos of marijuana or kratom as distribution, which requires approval from the Secretary-General.

Licensing Process: Carry In/Out

1. Submit the application to the Narcotics Control Division, FDA,
2. Select: Permit Request and click Application to Carry-In or Carry-Out
3. Fill in necessary information to complete request (English language, only).
 - Part 1: Personal Information, e.g. Passport Number, Current Address, and e-Mail.
 - Part 2: Travel information, e.g. Port of Departure, Flight Number, Carrier
 - Part3: Medical Information, brief description of current medical condition and treatment, name of doctor and its license number, doctor's official address, details of medicine, e.g. tradename, quantities, units,

Upon arrival in Thailand, the patient must declare the medicinal marijuana or katom, together with the license and medical certificate, at the Red Channel in the Customs House.

High Crimes

The new Narcotics Act imposes the following penalties for the corresponding activities:

Production, import or export of a Category 5 Narcotic in violation of Section 26/2 carries a maximum fine of Baht 500,000 and a 5-year maximum prison term.

Production, import or export of a Category 5 Narcotic for the purpose of distribution carries a prison term of 1-15 years and a fine of Baht 100,000-1,500,000.

Possession of a Category 5 Narcotic in violation of Section 26/3 carries a maximum fine of Baht 100,000 and a 5-year maximum prison term, both.

Author's Note:



Application for, and the issuance of, the license must accord with rules, procedures and conditions prescribed in Ministerial Regulations. (As of this publication date, government has not announced a relevant Ministerial Regulation.)

The applicant assumes any expenses for the analysis or issuance of technical documents in accordance with rules and procedures prescribed by the Committee on Narcotics Control as may be published in the Royal Government Gazette.

If you desire to obtain the license or should you have any queries about the license, please do not hesitate to contact us.

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