

Abstract

Background: New psychoactive substances are substances that are not controlled by existing legislation and are created to replace already banned addictive substances, from which they are often derived. New substances are created by changing chemical structure of already banned addictive substances, then they are no longer substances on the lists of controlled substances and thus they are not subject to legislative measures. After the change of the structure, their exact mechanism of action and effects on the organism is not known. This can pose a risk to users and therefore to society.

Aim: The aim of this work is to describe the current legislative approaches to new psychoactive substances in the European Union and in the Czech Republic and to suggest possible legislative solutions for the future and appropriate addictological interventions for new psychoactive substances.

Methods: To create this thesis, The analysis of available information on legislative approaches and expert articles was used to create the work. Subsequently, according to the information obtained, the future possible legislative solution of the NSS was proposed.

Results: The analysis of the available information shows that a 3 step approach has been created within the European Union, which enables a relatively quick response to the occurrence of NPS in Europe. The Czech Republic primarily uses Government Regulation 463/2013 Coll., on lists of addictive substances, to which newly banned substances are assigned, for the regulation of NPS.

Conclusion: My proposed solution is to create another annex in the government regulation, which would contain a list of temporarily inspected NPS which would be there for certain period of time, before sufficient information was obtained on the degree of their risk. Based on the information obtained, the substances would be removed from the list of moved to another annex and would be considered a narcotic or psychotropic substances. As addictological interventions I mention mainly the strengthening of prevention, public awareness and harm reduction approach.

Key words: new psychoactive substances, regulation, European Union, law, 3 step approach