

- (4) An offender shall be sentenced to imprisonment for a term of from one to five years if:
- he commits an act under subsections (2) and (3) as a member of an organized group;
 - commits such act to a significant extent; or
 - commits such act at the time of a state defence emergency.

Relating provisions of the Criminal Code:

- sections 39 et seq, 53 to 56

Some relating provisions of other Acts:

- Firearms Act;
- Decree implementing certain provisions of the Firearms Act;
- Act on Mining, Explosives and the State Mining Administration;
- Decree on Explosives

Commentary on section 185

Under the Annex to the Trades Licensing Act ("živnostenský zákon"), development, manufacture, repair, modification, purchase, sale and destruction of weapons, and ammunition for such weapons, require special licences.

Section 186**Unauthorized Production and Possession of Radioactive Material and Other Highly Dangerous Substances**

- (1) A person who produces, imports, transits, exports or keeps for, or obtains for, another person, radioactive material or a highly dangerous substance or objects for its production, shall be punished by imprisonment for a term of from one to five years, prohibition of a specific activity or a pecuniary penalty.
- (2) An offender shall be sentenced to imprisonment for a term of from two to ten years if:
 - by such act he causes serious injury to health;
 - by such act he acquires a substantial benefit.

- (3) An offender shall be sentenced to imprisonment for a term of from eight to fifteen years if:
- by his act under subsection (1) he causes serious injury to two or more persons, or death;
 - by such act he acquires a large-scale benefit; or
 - he commits such act as a member of an organized group.

Relating provisions of the Criminal Code:

- sections 39 et seq, 49, 50, 53, 54, 89(7) and (11)

Some relating provisions of other Acts:

- Nuclear (Power) Act;
- Act on Certain Measures Relating to the Prohibition of Chemical Weapons;
- Decree implementing the Act on Certain Measures Relating to the Prohibition of Chemical Weapons;
- Convention on Prohibiting the Development, Production, Stockpiling and Use of Chemical Weapons and their Destruction

Commentary on section 186:

Under an amendment by Act No. 19/1997 Coll. the scope of section 186 was extended to include highly dangerous substances and objects for their production.

**Unauthorized Production and Possession of Narcotic and Psychotropic Substances and Poisons
Section 187**

- (1) A person who produces, imports, exports, transits, offers, mediates, sells or otherwise obtains, or keeps for another person, narcotic or psychotropic substance, a preparation containing a narcotic or psychotropic substance, a precursor or a poison, shall be sentenced to imprisonment for a term of from one to five years.
- (2) An offender shall be sentenced to imprisonment for a term of from two to ten years if: