

2010 No. 148

DANGEROUS DRUGS

**The Misuse of Drugs (Amendment) Regulations (Northern
Ireland) 2010**

Made - - - - - *12th April 2010*

Coming into operation - - - - - *16th April 2010*

The Department of Health, Social Services and Public Safety makes the following Regulations in exercise of the powers conferred by sections 7, 10, 22 and 31 of the Misuse of Drugs Act 1971(a) as adapted by sections 7(9), 31(4) and 38 of that Act and now vested in it(b).

In accordance with section 31(3) of that Act, it has consulted with the Advisory Council on the Misuse of Drugs.

Citation and commencement

1. These Regulations may be cited as the Misuse of Drugs (Amendment) Regulations (Northern Ireland) 2010 and shall come into operation on 16th April 2010.

Interpretation

2.—(1) In these Regulations, “the 2002 Regulations” means the Misuse of Drugs Regulations (Northern Ireland) 2002(c).

(2) The Interpretation Act (Northern Ireland) 1954(d) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendments to the 2002 Regulations

3. The 2002 Regulations shall be amended as follows.

4. In Schedule 1 (which specifies controlled drugs subject to the requirements of regulations 14, 15, 16, 18, 19, 20, 23, 26 and 27)—

(a) in paragraph 1(a), after “Methcathinone”, insert—

“4–Methylmethcathinone”;

(b) after paragraph 1(1), insert—

(a) 1971 c.38. Section 22 of that Act was amended by section 177(1) of, and paragraph 12 of Schedule 4 to, the Customs and Excise Management Act 1979(c.2)
(b) S.R. & O.(N.I) 1973 No. 504, Article 5(a) and S.I.1999/283 (N.I. 1), Article 3(6)
(c) S.R. 2002 No. 1. Relevant amending Regulations are S.R. 2003 Nos 314, 324 and 420, S.R. 2005 Nos 119, 360 and 564, S.R. 2006 Nos 44, 214, 264 and 334, S.R. 2007 No. 348, S.R. 2009 Nos 389 and 390
(d) 1954 c.33 (N.I)

“(m) Any compound (not being bupropion, diethylpropion, pyrovalerone or a compound for the time being specified in sub-paragraph (a) above) structurally derived from 2-amino-1-phenyl-1-propanone by modification in any of the following ways, that is to say—

- (i) by substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;
- (ii) by substitution at the 3-position with an alkyl substituent;
- (iii) by substitution at the nitrogen atom with alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure”.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on
12th April 2010

(L.S.)

Norman Morrow

A senior officer of the Department of Health, Social Services and Public Safety

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations insert 4-Methylmethcathinone (commonly referred to as Mephedrone) and other cathinone derivatives into Schedule 1 to the Misuse of Drugs Regulations (Northern Ireland) 2002 (“the 2002 Regulations”). The schedule in which a controlled drug is placed primarily affects the extent to which the drug can be lawfully imported, exported, produced, supplied or possessed and dictates the record keeping, labelling and destruction requirements in relation to that drug.

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£4.00

Dd. N4400. C1. 4/10. Gp. 130. 14567.