

**EXPLANATORY MEMORANDUM TO THE MISUSE OF DRUGS (DESIGNATION)
(AMENDMENT) ORDER (NORTHERN IRELAND) 2013**

2013 No. 77

1. Introduction

1.1 This explanatory memorandum has been prepared by the Department of Health, Social Services and Public Safety.

2. Purpose of the Order

2.1 The purpose of the Order is to enable and regulate the use of Sativex, a cannabis-based medicine licensed for use in the UK in 2010 by the Medicines and Healthcare products Regulatory Agency, for the treatment of spasticity caused by multiple sclerosis.

2.2 The Order is subject to negative resolution procedure before the Assembly.

3. Legislative Background

3.1 The Order amends the Misuse of Drugs (Designation) Order (Northern Ireland) 2001.

4. Extent

4.1 The Order applies to Northern Ireland.

5. European Convention on Human Rights

5.1 As the Order is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

6. Policy Background

6.1 Section 7(3) of the Misuse of Drugs Act 1971 requires regulations to be made to allow the use for medical purposes of the drugs that are subject to control under that Act. Section 7(3) does not apply to any drug designated by order under section 7(4) as a drug to which section 7(4) is to apply. Cannabis is designated in paragraph 1(a) of Part I of the Schedule to the Misuse of Drugs (Designation) Order (Northern Ireland) 2001 as a drug to which section 7(4) applies, and this Order specifically excludes Sativex from such designation.

7. Contact

Seamus Camplisson at the Department of Health, Social Services and Public Safety
Telephone 028 9052 2219, or email: seamus.camplisson@dhsspsni.gov.uk, can answer any queries regarding the Statutory Rule.