

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

2013 No. 78

1. Introduction

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

2. Purpose of the Regulations

2.1 The purposes of these Regulations is to regulate the possession and destruction 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 Regulations are subject to negative resolution procedure before the Assembly.

3. Legislative Background

3.1 These Regulations amend the Misuse of Drugs Regulations (Northern Ireland) 2002

4. Extent

4.1 These Regulations apply to Northern Ireland.

5. European Convention on Human Rights

5.1 As the Regulations are subject to negative resolution procedure and do not amend primary legislation, no statement is required.

6. Policy Background

6.1 These Regulations provide for Sativex to be placed in Part I of Schedule 4 to the Misuse of Drugs Regulations (Northern Ireland) 2002. Regulation 3 inserts new paragraph (5) into regulation 22 which provides that a person, other than those persons specified in new paragraph (6), who is authorised to possess or to destroy, or cause to be destroyed, Sativex shall make a record of the quantity possessed or destroyed, and regulation 4 excepts a person who makes such a record under new regulation 22(5) from the requirements relating to the destruction of controlled drugs contained in regulation 27(1) or (3) of the Misuse of Drugs Regulations (Northern Ireland) 2002.

7. Contact

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answer any queries regarding the Statutory Rule.