



Misuse of Drugs Act 1971

1971 CHAPTER 38

Miscellaneous offences involving controlled drugs etc.

8 Occupiers etc. of premises to be punishable for permitting certain activities to take place there.

A person commits an offence if, being the occupier or concerned in the management of any premises, he knowingly permits or suffers any of the following activities to take place on those premises, that is to say—

- (a) producing or attempting to produce a controlled drug in contravention of section 4(1) of this Act;
- (b) supplying or attempting to supply a controlled drug to another in contravention of section 4(1) of this Act, or offering to supply a controlled drug to another in contravention of section 4(1);
- (c) preparing opium for smoking;
- (d) smoking cannabis, cannabis resin or prepared opium.

Modifications etc. (not altering text)

- C1** S. 8 saved by (E.W.) [Criminal Law Act 1977 \(c. 45\)](#), [Sch. 5 para. 1\(2\)\(b\)\(iv\)](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), [Sch. 7B para. 1\(2\)\(b\)\(iv\)](#)
- C2** S. 8 excluded by [S.I. 1985/2066](#), [art. 13](#) and [S.R. 1986/52](#), [art. 13](#)
- C3** S. 8 restricted (1.2.2002) by [S.I. 2001/3998](#), [reg. 13](#) (with [reg. 2\(3\)](#))

9 Prohibition of certain activities etc. relating to opium.

Subject to section 28 of this Act, it is an offence for a person—

- (a) to smoke or otherwise use prepared opium; or
- (b) to frequent a place used for the purpose of opium smoking; or
- (c) to have in his possession—
 - (i) any pipes or other utensils made or adapted for use in connection with the smoking of opium, being pipes or utensils which have been used

Changes to legislation: There are currently no known outstanding effects for the Misuse of Drugs Act 1971, Cross Heading: Miscellaneous offences involving controlled drugs etc.. (See end of Document for details)

- by him or with his knowledge and permission in that connection or which he intends to use or permit others to use in that connection; or
- (ii) any utensils which have been used by him or with his knowledge and permission in connection with the preparation of opium for smoking.

[^{F1}9A Prohibition of supply etc. of articles for administering or preparing controlled drugs.

- (1) A person who supplies or offers to supply any article which may be used or adapted to be used (whether by itself or in combination with another article or other articles) in the administration by any person of a controlled drug to himself or another, believing that the article (or the article as adapted) is to be so used in circumstances where the administration is unlawful, is guilty of an offence.
- (2) It is not an offence under subsection (1) above to supply or offer to supply a hypodermic syringe, or any part of one.
- (3) A person who supplies or offers to supply any article which may be used to prepare a controlled drug for administration by any person to himself or another believing that the article is to be so used in circumstances where the administration is unlawful is guilty of an offence.
- (4) For the purposes of this section, any administration of a controlled drug is unlawful except—
- (a) the administration by any person of a controlled drug to another in circumstances where the administration of the drug is not unlawful under section 4(1) of this Act, ^{F2}...
 - (b) the administration by any person of a controlled drug [^{F3}, other than a temporary class drug,] to himself in circumstances where having the controlled drug in his possession is not unlawful under section 5(1) of this Act.
- ^{F4}, or
- (c) the administration by any person of a temporary class drug to himself in circumstances where having the drug in his possession is to be treated as excepted possession for the purposes of this Act (see section 7A(2)(c)).]
- (5) In this section, references to administration by any person of a controlled drug to himself include a reference to his administering it to himself with the assistance of another]

Textual Amendments

- F1** S. 9A inserted by [Drug Trafficking Offences Act 1986 \(c. 32, SIF 39:1\)](#), s. 34(1)
- F2** Word in s. 9A(4)(a) omitted (15.11.2011) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 17 para. 9\(a\)](#); S.I. 2011/2515, art. 3(g)
- F3** Words in s. 9A(4)(b) inserted (15.11.2011) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 17 para. 9\(b\)](#); S.I. 2011/2515, art. 3(g)
- F4** S. 9A(4)(c) and words inserted (15.11.2011) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 17 para. 9\(c\)](#); S.I. 2011/2515, art. 3(g)

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Modifications etc. (not altering text)

- C4** S. 9A(1)(3) excluded by S.I. 2001/3998, reg. 6A(3) (as inserted (E.W.S.) (5.9.2014) by [The Misuse of Drugs \(Amendment No. 2\) \(England, Wales and Scotland\) Regulations 2014](#) (S.I. 2014/2081), regs. 1(1), 3)

Changes to legislation:

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