STATUTORY RULES OF NORTHERN IRELAND

1999 No. 251

DANGEROUS DRUGS

Misuse of Drugs (Amendment) Regulations (Northern Ireland) 1999

Made - - - -	*3rd June 1999*
Coming into operation	*1st July 1999*

The Department of Health and Social Services for Northern Ireland in exercise of the powers conferred by sections 7, 10 and 31 of the Misuse of Drugs Act 1971(**1**) as adapted by section 38 of that Act and now vested in it(**2**) and of every other power enabling it in that behalf and after consultation in accordance with section 31(3) of that Act with the Advisory Council on the Misuse of Drugs, hereby makes the following regulations:—

Citation and commencement

1. These Regulations may be cited as the Misuse of Drugs (Amendment) Regulations (Northern Ireland) 1999 and shall come into operation on 1st July 1999.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the Misuse of Drugs (Northern Ireland) Regulations 1986

3.—(1) The Misuse of Drugs (Northern Ireland) Regulations 1986(**4**) shall be amended as follows.

(2) In regulation 2(1), after the definition of "document", there shall be inserted the following definition—

> ""exempt product" means a preparation or other product consisting of one or more component parts, any of which contains a controlled drug, where—
>
> (a) the preparation or other product is not designed for administration of the controlled drug to a human being or animal;

(**1**) 1971 c. 38
(**2**) *See* S.R. & O. (N.I.) 1973 No. 504 Art. 5(a)
(**3**) 1954 c. 33 (N.I.)
(**4**) S.R. 1986 No. 52; relevant amending instruments are S.R. 1998 No. 206 and S.R. 1996 No. 353

(b) the controlled drug in any component part is packaged in such a form, or in combination with other active or inert substances in such a manner, that it cannot be recovered by readily applicable means or in a yield which constitutes a risk to health; and

(c) no one component part of the product or preparation contains more than one milligram of the controlled drug or one microgram in the case of lysergide or any other N-alkyl derivative of lysergamide;".

(3) In regulation 4, at the end there shall be added the following paragraph—

"(4) Sections 3(1), 4(1) and 5(1) of the Act shall not have effect in relation to any exempt product.".

(4) In regulation 14(7), at the end there shall be added the following sub-paragraph—

"(c) any exempt product".

(5) In regulation 18(2), after sub-paragraph (aa), there shall be inserted the following sub-paragraph—

"(ab) any exempt product;".

(6) After regulation 24, there shall be inserted the following regulation—

"**Exempt products**

24A. Nothing in regulations 19 to 24 shall have effect in relation to any exempt product.".

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on

L.S.

W. B. Smith
Assistant Secretary

3rd June 1999.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Misuse of Drugs (Northern Ireland) Regulations 1986 ("the principal regulations") by exempting certain products, described in regulation 2(1) of the principal regulations, from sections 3(1), 4(1) and 5(1) of the Misuse of Drugs Act 1971 (which relate to the importation, exportation, production, supply and possession of controlled drugs). These Regulations also exempt such products from regulations 14 and 18 to 24 of the principal Regulations (which relate to documentation, labelling and record keeping). These Regulations exempt products used for scientific or diagnostic purposes which contain an extremely small amount and proportion of controlled drugs.