

2005 No. 359

DANGEROUS DRUGS

**The Misuse of Drugs (Designation) (Amendment) Order
(Northern Ireland) 2005**

Made - - - - - *2nd August 2005*

Coming into operation *8th August 2005*

The Department of Health, Social Services and Public Safety, in exercise of the powers conferred upon it by section 7(4) and (5) of the Misuse of Drugs Act 1971(a), as adapted by section 7(9) of the Act and now vested in it(b) and of all other powers enabling it in that behalf and on the recommendation of the Advisory Council on the Misuse of Drugs in accordance with section 7(7) of that Act, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Misuse of Drugs (Designation) (Amendment) Order (Northern Ireland) 2005 and shall come into force on 8th August 2005.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(c) shall apply to this Order as it applies to an Act of the Northern Ireland Assembly.

Amendment of the Misuse of Drugs (Designation) Order (Northern Ireland) 2001

3. In Part 1 of the Schedule to the Misuse of Drugs (Designation) Order (Northern Ireland) 2001(d), after “Etryptamine” insert “Fungus (of any kind) which contains psilocin or an ester of psilocin”.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 2nd August 2005.

(L.S.)

Deirdre Kenny

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

(a) 1971 c. 38
(b) See S.R. & O. (N.I.) 1973 No. 504 Article 5(a) and S.I. 1999/283 (N.I. 1); Article 3(6)
(c) 1954 c. 33 (N.I.)
(d) S.R. 2001 No. 431

EXPLANATORY NOTE

(This note is not part of the Order)

Section 7(3) of the Misuse of Drugs Act 1971 (“the 1971 Act”) requires regulations to be made to allow the use for medical purposes of the drugs which are subject to control under the 1971 Act. Section 7(3) does not apply to any drug which is designated by order under section 7(4) as a drug to which section 7(4) is to apply. This Order amends the Misuse of Drugs (Designation) Order (Northern Ireland) 2001, which was made under section 7(4) and (5) of the 1971 Act, by inserting into Part 1 of the Schedule to that Order a fungus of any kind which contains psilocin or an ester of psilocin (commonly known as magic mushrooms) and thereby designates such a fungus for the purposes of section 7(4) of the 1971 Act.

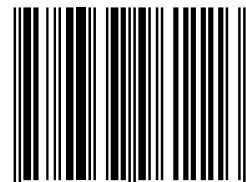
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