STATUTORY RULES OF NORTHERN IRELAND

2018 No. 3

DANGEROUS DRUGS

The Misuse of Drugs (Designation) (Amendment) Order (Northern Ireland) 2018

Made - - - -	*10th January 2018*
Coming into operation -	*31st January 2018*

The Department of Health(**a**) makes the following Order in exercise of the powers conferred by section 7(4) of the Misuse of Drugs Act 1971(**b**), as adapted by section 7(9) of that Act and now vested in it(**c**) and after consultation with the Advisory Council on the Misuse of Drugs in accordance with section 7(7) of that Act.

Citation, commencement and extent

1.—(1) This Order may be cited as the Misuse of Drugs (Designation) (Amendment) Order (Northern Ireland) 2018 and come into operation on 31st January 2018.

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

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

2.—(1) The Misuse of Drugs (Designation) Order (Northern Ireland) 2001(**e**) is amended as follows.

(2) In paragraph 1(a) of Part 1 of the Schedule—

(a) Before "Bufotenine" insert—

"Adinazolam (1-(8-Chloro-6-phenyl-4H-[1,2,4]triazolo[4,3a][1,4]benzodiazepine-1-yl)-N,N-dimethylmethanamine)

N-Benzyl-ethylphenidate

Bromazolam (8-bromo-1-methyl-6-phenyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine)";

(b) after "Cathinone" insert—

"4'-Chlorodiazepam (7-Chloro-5-(4-chlorophenyl)-1-methyl-1,3-dihydro-2H-1,4-benzodiazepin-2-one)

Clonazolam (6-(2-Chlorophenyl)-1-methyl-8-nitro-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine)";

(**a**) The Department of Health, Social Services and Public Safety was renamed the Department of Health by section 1(5) of the Departments Act (Northern Ireland) 2016 (c. 5) (N.I.)
(**b**) 1971 c.38, as amended by section 151 of, and Schedule 17 to, the Police Reform and Social Responsibility Act 2011 (c. 13)
(**c**) S.R.&O. (N.I.) 1973 No. 504, Article 5(a) and S.I. 1999/283 (N.I.), Article 3(6)
(**d**) 1954 c.33 (N.I.)
(**e**) S.R. 2001 No. 431, relevant amending Orders are S.R. 2015 Nos. 228 and 54, S.R. 2014 Nos. 262, 159 and 20, S.R. 2013 No. 77, S.R. 2012 No. 212, S.R. 2011 No. 154, S.R. 2010 Nos 246 and 149, S.R. 2009 no. 389 and S.R. 2005 No. 359

(c) after "Concentrate of poppy-straw" insert—

"Deschloroetizolam (2-Ethyl-9-methyl-4-phenyl-6H-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine)

3,4-Dichloroethylphenidate

3,4-Dichloroethylphenidate (3,4-DCMP)

Dichlazepam (7-Chloro-5-(2-chlorophenyl)-1-methyl-1.3-dihydro-2H-1,4-benzodiazepin-2-one)

Ethylnaphthidate

Ethylphenidate";

(d) after "Eticyclidine" insert—

"Etizolam";

(e) after "Etryptamine" insert—

"Flubromazepam (7-Bromo-5-(2-fluorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one)

Flubromazolam (8-Bromo-6-(2-fluorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine)

4-Fluoroethylphenidate

4-Fluorometylphenidate

Fonazepam (5-(2-Fluorophenyl)-7-nitro-1,3-dihydro-2H-1,4-benzodiazepin-2-one)";

(f) after "Gamma-butyrolactone" insert—

"3-Hydroxyphenazepam (7-Bromo-5-(2-chlorophenyl)-3-hydroxy-1,3-dihydro-2H-1,4-benzodiazepin-2-one)

Isopropylphenidate (IPP or IPPD)";

(g) after "Lysergide and other N-alkyl derivatives of lysergamide" insert—

"Meclonazepam (5-(2-Chlorophenyl)-3-methyl-7-nitro-1,3-dihydro-2H-1,4-benzodiazepin-2-one)";

(h) after "Methcathinone" insert—

"4-Methylmethylphenidate

Methylmorphenate

Methylnaphthidate (HDMP-28)*N*-methyl-1-(thiophen-2-yl)propan-2-amine(methiopropamine or MPA)

Metizolam (4-(2-Chlorophenyl)-2-ethyl-6H-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine)

Nifoxipam (5-(2-Fluorophenyl)-3-hydroxy-7-nitro-1,3-dihydro-2H-1,4-benzodiazepin-2-one)

Nitrazolam (1-Methyl-8-nitro-6-phenyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine)

Propylphenidate";

(i) after "Psilocin" insert—

"Pyrazolam (8-Bromo-1-methyl-6-(2-pyridinyl)-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine)";

(j) after "3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921)" insert—

"3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-menthylbenzamide (U-47,700)".

(3) For paragraph 1(pa)-(v) of Part 1 of the Schedule substitute—

"(q) Any compound structurally derived from 3-benzolindole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (*N*-methylpiperidin-2-yl) methyl

or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent;

(r) Any compound structurally derived from 3-(1-adamantoyl)indole or 3-(2-adamantoyl)indole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxalkyl, cycloalkylmethyl, cycloalkylethyl, (*N*-methylpiperidin-2-yl) methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the adamantly ring to any extent;

(s) Any compound structurally derived from 3-(2,2,3,3-tetramethylcyclopropylcarbonyl)indole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl (*N*-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent;

(sa) any compound (not being clonitazene, etonitazene, acemetacin, atorvastatin, bazedoxifene, indomethacin, losartan, olmesartan, proglumetacin, telmisartan, viminol, zafirlukast or a compound for the time being specified in sub-paragraphs (h) to (s) above) structurally related to 1-penyl-3-(1-naphthoyl)indole (JWH-018), in that the four sub-structures, that is to say the indole ring, the pentyl substituent, the methanone linking group and the naphthyl ring, are linked together in a similar manner, whether or not any of the sub-structures have been modified, and whether or not substituted in any of the linked sub-structures with one or more univalent substituents and, where any of the sub-structures have been modified, the modifications of the sub-structures are limited to any of the following, that is to say—

(i) replacement of the indole ring with indane, indene, indazole, pyrrole, pyrazole, imidazole, benzimidazole, pyrrolo[2,3-b]pyridine, pyrrolo[3,2-c]pyridine or pyrazolo[3,4-b]pyridine;

(ii) replacement of the pentyl substituent with alkyl, alkenyl, benzyl, cycloalkylmenthyl, cycloalkylethyl, (*N*-methylpiperidin-2-yl)methyl,2-(4-morpholinyl)ethyl or(tetrahydropyran-4-yl)methyl;

(iii) replacement of the methanone linking group with an ethanone, carboxamide, carboxylate, methylene bridge or methane group;

(iv) replacement of the 1-naphthyl ring with 2-naphthyl, phenyl, benzyl, adamantly, cycloalkyl, cycloalkylmethyl, cycloalkylethyl, bicyclo[2.2.1]heptanyl, 1,2,3,4-tetrahydronaphythyl, quinolinyl, isoquinolinyl, 1-amino-1-oxopropan-2-yl, 1-hydroxy-1-oxopropan-2-yl, piperidinyl, morpholinyl, pyrrolidinyl, tetrahydropyranyl or piperazinyl;

(t) Any compound (not being bupropion, diethylpropion, pyrovalerone or a compound for the time being specified in sub-paragraph (a) above) structurally derived from 2-amino-1-phenyl-1-propanone by modification in any of the following ways, that is to say—

(i) by substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylenedioxy, haloalkyl of halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;

(ii) by substitution at the 3-position with an alkyl substituent;

(iii) by substitution at the nitrogen atom with alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure;

(u) Any compound structurally derived from 2-aminopropan-1-one by substitution at the 1-position with any monocyclic, or fused-polycyclic ring system (not being a phenyl ring or alkylenedioxyphenyl ring system), whether or not the compound is further modified in any of the following ways, that is to say—

(i) by substitution in the ring system to any extent with alkyl, alkoxy, haloalkyl or halide substituents, whether or not further substituted in the ring system by one or more other univarient substituents;

(ii) by substitution at the 3-position with an alkyl substituent;

(iii) by substitution at the 2-amino nitrogen atom with alkyl or dialkyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic structure.

(v) Any compound (not being pipradrol) structurally derived from piperidine, pyrrolidine, azepane, morpholine or pyridine by substitution at a ring carbon atom with a diphenylmethyl group, whether or not the compound is further modified in any of the following ways, that is to say—

(i) by substitution in any of the phenyl rings to any extent with alkyl, alkoxy, haloalkyl or halide groups;

(ii) by substitution at the methyl carbon atom with an alkyl, hydroxyalkyl or hydroxyl group;

(iii) by substitution at the ring nitrogen atom with an alkyl, alkenyl, haloalkyl or hydroxyalkyl group.

(w) 1-Phenylcyclohexylamine or any compound (not being eticyclidine, ketamine, phencyclidine, rolicyclidine, tenocyclidine tiletamine) structurally derived from 1-phenylcyclothexylamine or 2-amino-2-phenylcyclohexanone by modification in any of the following ways, that is to say—

(i) by substitution at the nitrogen atom to any extent by alkyl, alkenyl or hydroxyalkyl groups, or replacement of the amino group with a 1-piperidyl, 1-pyrrolidyl or 1-azepyl group, whether or not the nitrogen containing ring is further substituted by one or more alkyl groups;

(ii) by substitution in the phenyl ring to any extent by amino, alkyl, hydroxyl, alkoxy or halide substituents, whether or not further substituted in the phenyl ring to any extent;

(iii) by substitution in the cyclohexyl or cyclohexanone ring by one or more alkyl substituents;

(iv) by replacement of the phenyl ring with a thienyl ring.

(x) Any compound (not being benzyl(α-methyl-3,4-methylenedioxyphenethyl)amine) structurally derived from mescaline, 4-bromo-2,5-dimethoxy-α-methylphenethylamine, 2,5-dimethoxy-α,4-dimethylphenethylamine, *N*-hydroxytenamphetamine, or a compound specified in sub-paragraph (c) or (d) above, by substitution at the nitrogen atom of the amino group with a benzyl substituent, whether or not substituted in the phenyl ring of the benzyl group to any extent;

(y) Any compound (not being a compound for the time being specified in sub-paragraph (c) above) structurally derived from 1-benzofuran,2,3-dihydro-1-benzofuran, 1H-indole, indoline, 1H-indene, or indane by substitution in the 6-membered ring with a 2-ethylamino substituent whether or not further substituted into the ring system to any extent with alkyl, alkoxy, halide or haloalkyl substituents and whether or not substituted in the ethylamino side-chain with one or more alkyl substituents.".

Sealed with the Official Seal of the Department of Health on 10th January 2018

L.S.

Mark Timoney
A senior officer of the

Department of Health

EXPLANATORY NOTE

(This note is not part of the Order)

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 which 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. This Order amends the Misuse of Drugs (Designation) Order (Northern Ireland) 2001 by inserting a synthetic opioid (U-47,700), several methylphenidate related materials and a number of designer benzodiazepines and the drug known as methiopropamine or MPA, into Part 1 of the Schedule to that Order; it also inserts a range of synthetic cannabinoids into Part 1 of the Schedule to that Order (which specifies the list of controlled drugs to which section 7(4) of the 1971 Act applies), excluding those synthetic cannabinoids which are already specified at sub-paragraphs (h) to (s), two other compounds which are not required to be designated (clonitazene and etonitazene), and several other compounds that have legitimate medical uses (acemetacin, atorvastatin, bazedoxifene, indomethacin, losartan, olmesartan, proglumetacin, telmisartan,viminol and zafirlukast).

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