STATUTORY RULES OF NORTHERN IRELAND

2018 No. 4

DANGEROUS DRUGS

The Misuse of Drugs (Amendment) Regulations (Northern Ireland) 2018

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

The Department of Health(**a**) makes the following Regulations in exercise of the powers conferred by sections 7, 10, 22 and 31 of the Misuse of Drugs Act 1971(**b**) as adapted by sections 7(9), 31(4) and 38 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 31(3) of that Act.

Citation, commencement and extent

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

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

(3) These Regulations extend to Northern Ireland.

Amendment of the Misuse of Drugs Regulations (Northern Ireland) 2002

2.—(1) The Misuse of Drugs Regulations (Northern Ireland) 2002(**e**) are amended as follows.

(2) In paragraph 1(a) of Schedule 1 (which specifies controlled drugs subject to the requirements of regulations 14, 15, 16, 18, 19, 20, 23, 26 and 27)—

(a) Before "Bufotenine" insert—

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

N-Benzyl-ethylphenidate

Bromazolam (8-bromo-1-methyl-6-phenyl-4*H*-[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)

(**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. 2002 No. 1

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

(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-Dichloromethylphenidate (3,4-DCMP)

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

(d) after "3-Dimethylheptyl-11-hydroxyhexahydrocannabinol" insert—

"Ethylnaphthidate

Ethylphenidate";

(e) after "Eticyclidine" insert—

"Etizolam";

(f) 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)";

(g) after "9-Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10, 10a-tetrahydrobenzo[c]chromen-1-ol" insert—

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

Isopropylphenidate (IPP or IPPD)";

(h) 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)";

(i) 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-4*H*-[1,2,4] triazolo[4,3-a][1,4]benzodiazepine)

Propylphenidate";

(j) after "Psilocin" insert—

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

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

"3,4-dichloro-*N*-[2-dimethylamino)cyclohexyl]-*N*-methylbenzamide (U-47,700)";

(3) After paragraph 1(c) of Schedule 1, insert —

"(ca) any compound (not being clonitazene, etonitazene, acemetacin, atorvastatin, bazedoxifene, indometacin, losartan, olmesartan, proglumetacin, telmisartan, viminol, zafirlukast or a compound for the time being specified in sub-paragraph (c) above) structurally related to 1-pentyl-3-(1-naphthoyl)indole (JWH-018), in that the four substructures, 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 orpyrazolo[3,4-b]pyridine;

(ii) replacement of the pentyl substituent with alkyl, alkenyl, benzyl,cycloalkylmethyl, 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 methine group;

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

(4) In paragraph 1 of Part 2 of Schedule 4 (which specifies Controlled Drugs Excepted from the Prohibition on Possession; Excluded from the Application of Offences Arising from the Prohibition on Importation and Exportation when Carried Out in Person for Administration to That Person; and Subject to the Requirements of Regulations 22, 23, 26 and 27), after "Desoxymethyltestosterone" insert—

"Dienedione (estra-4, 9-diene-3, 17-dione)".

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

L.S.

Dr Mark Timoney
A senior officer of the
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Misuse of Drugs Regulations (Northern Ireland) 2002 (S.R. 2002 No.1) ("the Regulations"). The Schedule of the Regulations in which a controlled drug is placed affects the extent to which the drug can be lawfully imported, exported, produced, supplied or possessed and dictates the record keeping, labelling and destruction requirements in relation to that drug.

Regulation 3 adds a synthetic opioid (known as U-47,700), several methylphenidate related materials, a number of cannabinoids, methiopropamine or "MPA", and a number of designer benzodiazepines to Schedule 1 to the Regulations. The controlled drugs placed in Schedule 1 to the Regulations are subject to the requirements of regulations 14, 15, 16, 18, 19, 20, 23, 26 and 27.

Regulation 4 adds an anabolic steroid, known as Dienedione (estra-4, 9-diene-3,17-dione), to Part 2 of Schedule 4 to the Regulations Controlled drugs placed in Part 2 of Schedule 4 are exempt from the prohibition on importation exportation and from the prohibition on possession when in the form of a medicinal product.

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of the Controller of Her Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print Acts of the Northern Ireland Assembly.

£4.25

NI201801101001 01/2018 19585

http://www.legislation.gov.uk/id/nisr/2018/4

ISBN 978-0-33-800885-5

9 780338 008855