



Misuse of Drugs Act 1971

CHAPTER 38

MISUSE OF DRUGS ACT 1971

The Advisory Council on the Misuse of Drugs

- 1 The Advisory Council on the Misuse of Drugs.

Controlled drugs and their classification

- 2 Controlled drugs and their classification for purposes of this Act.
- 2A Temporary class drug orders
- 2B Orders under section 2A: role of Advisory Council etc

Restrictions relating to controlled drugs etc.

- 3 Restriction of importation and exportation of controlled drugs.
- 4 Restriction of production and supply of controlled drugs.
- 4A Aggravation of offence of supply of controlled drug
- 5 Restriction of possession of controlled drugs.
- 6 Restriction of cultivation of cannabis plant.
- 7 Authorisation of activities otherwise unlawful under foregoing provisions.
- 7A Temporary class drug orders: power to make further provision

Miscellaneous offences involving controlled drugs etc.

- 8 Occupiers etc. of premises to be punishable for permitting certain activities to take place there.
- 9 Prohibition of certain activities etc. relating to opium.
- 9A Prohibition of supply etc. of articles for administering or preparing controlled drugs.

Changes to legislation: Misuse of Drugs Act 1971 is up to date with all changes known to be in force on or before 11 January 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Powers of Secretary of State for preventing misuse of controlled drugs

- 10 Power to make regulations for preventing misuse of controlled drugs.
- 11 Power to direct special precautions for safe custody of controlled drugs to be taken at certain premises.
- 12 Directions prohibiting prescribing, supply etc. of controlled drugs by practitioners etc. convicted of certain offences.
- 13 Directions prohibiting prescribing, supply etc. of controlled drugs by practitioners in other cases.
- 14 Investigation where grounds for a direction under s. 13 are considered to exist.
- 15 Temporary directions under s. 13(2).
- 16 Provisions supplementary to ss. 14 and 15.
- 17 Power to obtain information from doctors, pharmacists etc. in certain circumstances.

Miscellaneous offences and powers

- 18 Miscellaneous offences.
- 19 Attempts etc. to commit offences.
- 20 Assisting in or inducing commission outside United Kingdom of offence punishable under a corresponding law.
- 21 Offences by corporations.
- 22 Further powers to make regulations.

Law enforcement and punishment of offences

- 23 Powers to search and obtain evidence.
- 23A Temporary class drugs: further power to search, seize and detain
- 24 Power of arrest
- 25 Prosecution and punishment of offences.
- 26 Law enforcement and punishment of offences
- 27 Forfeiture.

Miscellaneous and supplementary provisions

- 28 Proof of lack of knowledge etc. to be a defence in proceedings for certain offences.
- 29 Service of documents.
- 30 Licences and authorities.
- 31 General provisions as to regulations.
- 32 Research.
- 33
- 34
- 35 Financial provisions.
- 36 Meaning of “corresponding law”, and evidence of certain matters by certificate.
- 37 Interpretation.
- 38 Special provisions as to Northern Ireland.
- 39 Savings and transitional provisions, repeals, and power to amend local enactments.
- 40 Short title, extent and commencement.

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SCHEDULES

SCHEDULE 1 — Constitution etc. of Advisory Council on the Misuse of Drugs

- 1 (1) The members of the Advisory Council, of whom there...
- 2 The Advisory Council may appoint committees, which may consist in...
- 3 At meetings of the Advisory Council the quorum shall be...
- 4 The Secretary of State may pay to the members of...
- 5 Any expenses incurred by the Advisory Council with the approval...

SCHEDULE 2 — Controlled Drugs

Part I — CLASS A DRUGS

- 1 The following substances and products, namely:— (a) Acetorphine.
Alfentanil. Allylprodine....
- 2 Any stereoisomeric form of a substance for the time being...
- 3 Any ester or ether of a substance for the time...
- 4 Any salt of a substance for the time being specified...
- 5 Any preparation or other product containing a substance or product...
- 6 Any preparation designed for administration by injection which includes
a...

Part II — CLASS B DRUGS

- 1 The following substances and products, namely:— (a)
Acetyldihydrocodeine. Amphetamine. N...
- 2 Any stereoisomeric form of a substance for the time being...
- 2A Any ester or ether of cannabinol or of a cannabinol...
- 3 Any salt of a substance for the time being specified...
- 4 Any preparation or other product containing a substance or product...

Part III — CLASS C DRUGS

- 1 The following substances, namely:— (a) Adinazolam (1-(8-Chloro-6-phenyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepin-1-yl)-N,N-dimethylmethanamine). Alprazolam. Amineptine Aminorex...
- 2 Any stereoisomeric form of a substance for the time being...
- 3 Any salt of a substance for the time being specified...
- 4 Any preparation or other product containing a substance for the...

Part IV — MEANING OF CERTAIN EXPRESSIONS USED IN THIS SCHEDULE

For the purposes of this Schedule the following expressions (which...

SCHEDULE 3 — Tribunals, Advisory Bodies and Professional Panels

Part I — TRIBUNALS

Membership

- 1 (1) A tribunal shall consist of five persons of whom—...

Procedure

- 2 The quorum of a tribunal shall be the chairman and...
- 3 Proceedings before a tribunal shall be held in private unless...
- 4 (1) Subject to paragraph 5 below, the Lord Chancellor may...
- 5 (1) For the purpose of any proceedings before a tribunal...
- 6 Subject to the foregoing provisions of this Schedule, a tribunal...
- 7 The validity of the proceedings of a tribunal shall not...

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Financial provisions

- 8 The Secretary of State may pay to any member of...
- 9 The Secretary of State may pay to any person who...
- 10 If a tribunal recommends to the Secretary of State that...
- 11 Any expenses incurred by a tribunal with the approval of...

Supplemental

- 12 The Secretary of State shall make available to a tribunal...
- Part II — ADVISORY BODIES

Membership

- 13 (1) An advisory body shall consist of three persons of...

Procedure

- 14 The respondent shall be entitled to appear before and be...
- 15 Subject to the provisions of this Part of this Schedule,...

Application of provisions of Part I

- 16 Paragraphs 3, 7, 8 and 10 to 12 of this...
- Part III — PROFESSIONAL PANELS

Membership

- 17 A professional panel shall consist of a chairman and two...

Procedure

- 18 The respondent shall be entitled to appear before, and be...
- 19 Subject to the provisions of this Part of this Schedule,...

Application of provisions of Part I

- 20 Paragraphs 3, 7 and 8 of this Schedule shall apply...
- Part IV — APPLICATION OF PARTS I TO III TO NORTHERN IRELAND
- 21 In the application of Parts I to III of this...

Schedule 4 — Prosecution and Punishment of Offences

SCHEDULE 5 — Savings and Transitional Provisions

- 1 (1) Any addiction regulations which could have been made under...
- 2 As from the coming into operation of section 3 of...
- 3 (1) The Secretary of State may at any time before...
- 4 Subject to paragraphs 1 to 3 above, and without prejudice...
- 5 For purposes of the enforcement of the enactments repealed by...
- 6 The mention of particular matters in this Schedule shall not...

SCHEDULE 6 — Repeals.

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 7 amended by 1954 c. 61, s. 13I(1)(c) (as inserted) by 1997 c. 19 Sch. para. 2 (This amendment not applied to legislation.gov.uk. Amending Act repealed (30.3.2007) without ever being in force by S.I. 2007/289, art. 1(2)(3), Sch. 1 para. 6; commencing date as notified in The Gazette, published 23.3.2007)
- s. 8(d) substituted by 2001 c. 16 s. 38 (This amendment not applied to legislation.gov.uk. S. 38 repealed (1.9.2005) without ever being in force by 2005 c. 17, Sch. 1 para. 6, Sch. 2; S.I. 2005/2223, art. 2)
- s. 31(2) words inserted by 2005 c. 17 s. 2(3)(a) (This amendment is not applied to legislation.gov.uk. S. 2 repealed (12.1.2010) by Policing and Crime Act 2009 (c. 26), ss. 112, 116(6)(a), Sch. 8 Pt. 13)
- Sch. 2 Pt. 3 para. 1(b) words inserted by S.I. 2018/1356 art. 2(2)(a)
- Sch. 2 Pt. 3 para. 1(b) words inserted by S.I. 2018/1356 art. 2(2)(b)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 5(4A)-(4C) inserted by 2005 c. 17 s. 2(2) (This amendment is not applied to legislation.gov.uk. S. 2 repealed (12.1.2010) by Policing and Crime Act 2009 (c. 26), ss. 112, 116(6)(a), Sch. 8 Pt. 13)
- s. 31(2A) inserted by 2005 c. 17 s. 2(3)(b) (This amendment is not applied to legislation.gov.uk. S. 2 repealed (12.1.2010) by Policing and Crime Act 2009 (c. 26), ss. 112, 116(6)(a), Sch. 8 Pt. 13)
- s. 31(4A) inserted by 2005 c. 17 s. 2(3)(c) (This amendment is not applied to legislation.gov.uk. S. 2 repealed (12.1.2010) by Policing and Crime Act 2009 (c. 26), ss. 112, 116(6)(a), Sch. 8 Pt. 13)
- s. 38(1A) inserted by 2005 c. 17 s. 2(4) (This amendment is not applied to legislation.gov.uk. S. 2 repealed (12.1.2010) by Policing and Crime Act 2009 (c. 26), ss. 112, 116(6)(a), Sch. 8 Pt. 13)