



# Misuse of Drugs Act 1971

## 1971 CHAPTER 38

### *Miscellaneous and supplementary provisions*

#### **31 General provisions as to regulations.**

- (1) Regulations made by the Secretary of State under any provision of this Act—
  - (a) may make different provision in relation to different controlled drugs, different classes of persons, different provisions of this Act or other different cases or circumstances; and
  - (b) may make the opinion, consent or approval of a prescribed authority or of any person authorised in a prescribed manner material for purposes of any provision of the regulations; and
  - (c) may contain such supplementary, incidental and transitional provisions as appear expedient to the Secretary of State.
- (2) Any power of the Secretary of State to make regulations under this Act shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) The Secretary of State shall not make any regulations under this Act except after consultation with the Advisory Council.
- (4) In its application to Northern Ireland this section shall have effect as if for references to the Secretary of State there were substituted references to the Ministry of Home Affairs for Northern Ireland and as if for subsection (2) there were substituted—

“(2) Any regulations made under this Act by the Ministry of Home Affairs for Northern Ireland shall be subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if they were a statutory instrument within the meaning of that Act.”

#### **Subordinate Legislation Made**

**P1** [S. 31](#) power previously exercised by [S.I. 1990/2630](#), 1989/1460, 245, 1988/916,311, 1987/298, 1986/2332, 2330, 416, 1985/2067, 2066, 1984/1146, 1983/1909, 1973/799, 798.

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**Changes to legislation:** There are currently no known outstanding effects for the Misuse of Drugs Act 1971, Section 31. (See end of Document for details)

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**P2** [S. 31](#) (with ss. 30 and 37(1)) power exercised by [S.I.1991/339](#).

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**Modifications etc. (not altering text)**

**C1** Functions of Ministry of Home Affairs for Northern Ireland transferred to Department of Health and Social Services for Northern Ireland by S.R. & O. (N.I.) [1973 No. 504](#), [art. 5](#), [Sch. 2 Pt. I](#)

**Changes to legislation:**

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