

1979 No. 218

DANGEROUS DRUGS

The Misuse of Drugs (Licence Fees) Regulations 1979

Made - - - - 28th February 1979

Laid before Parliament 9th March 1979

Coming into Operation 1st April 1979

In pursuance of sections 30 and 31 of the Misuse of Drugs Act 1971(a), and after consultation with the Advisory Council on the Misuse of Drugs, I hereby make the following Regulations:—

1. These Regulations may be cited as the Misuse of Drugs (Licence Fees) Regulations 1979 and shall come into operation on 1st April 1979.

2. In these Regulations, the expression—
“licence” means a licence issued by the Secretary of State for the purposes of the Misuse of Drugs Act 1971 or of regulations made under that Act; and
“the Regulations of 1973” means the Misuse of Drugs Regulations 1973(b).

3.—(1) Where a licence is, under section 30 of the Misuse of Drugs Act 1971, issued subject to the payment of a fee, the fee payable shall, where the licence is to continue in force (unless sooner revoked) for a period of twelve months, be—

- (a) in the case of a licence authorising any person to produce, to supply, to offer to supply and to have in his possession any drug specified in any of paragraphs 1 to 4 and 6 to 8 of Schedule 2 or any of paragraphs 1 to 4 of Schedule 4 to the Regulations of 1973 or any preparation or other product containing such a drug, £150 in respect of each class of controlled drugs to which the licence applies;
- (b) in the case of a licence, not being a licence specified in sub-paragraph (a) above, authorising any person to produce any preparation or other product containing a drug specified in any of paragraphs 1 to 4 and 6 to 8 of Schedule 2 or any of paragraphs 1 to 4 of Schedule 4 to the Regulations of 1973 and to supply, to offer to supply and to have in his possession any drug specified in either of those Schedules, £100 in respect of each class of controlled drugs to which the licence applies;
- (c) in the case of a licence, not being a licence specified in sub-paragraph (a) or (b) above, authorising any person, for the purposes of research only, to produce and to have in his possession any drug specified in any of paragraphs 1 to 4 and 6 to 8 of Schedule 2 or any of paragraphs 1 to 4 of Schedule 4 to the Regulations of 1973 or any preparation or other product containing such a drug, £50 in respect of each class of controlled drugs to which the licence applies;

(a) 1971 c. 38.

(b) S.I. 1973/797, as amended by S.I. 1974/402; 1975/499, 1623; 1977/1380.

- (d) in the case of a licence, not being a licence specified in sub-paragraph (a) or (b) above, authorising any person to supply, to offer to supply and to have in his possession any drug specified in Schedule 2 or 4 to the Regulations of 1973, £50 in respect of each class of controlled drugs to which the licence applies;
- (e) in the case of a licence, not being a licence specified in any of sub-paragraphs (a) to (d) above, authorising any person to have in his possession any drug specified in Schedule 2 or 4 to the Regulations of 1973, £25 in respect of each class of controlled drugs to which the licence applies.
- (2) Where a licence is to continue in force (unless sooner revoked) for any period other than a period of twelve months, the fee payable shall in the case of a licence specified in any of sub-paragraphs (a) to (e) above be such sum as bears the same proportion to the sum specified in that sub-paragraph as the number of months for which the licence is to continue in force bears to twelve, and for this purpose any part of a month shall be treated as a whole month.
- (3) For the purposes of this Regulation each of the drugs specified in paragraphs 1, 3 and 6 of Schedule 2 and paragraphs 1 and 3 of Schedule 4 to the Regulations of 1973 together with its salts and any preparation or other product containing it or its salts shall be treated as a separate class, so however that any stereoisomeric form of a controlled drug or its salts shall be classed with that drug.
4. The Misuse of Drugs (Licence Fees) Regulations 1974(a) and the Misuse of Drugs (Licence Fees) (Amendment) Regulations 1977(b) are hereby revoked.

Merlyn Rees,
One of Her Majesty's
Principal Secretaries of State.

Home Office.
28th February 1979.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Section 30 of the Misuse of Drugs Act 1971 provides that a licence issued by the Secretary of State for the purposes of that Act or of regulations made under it may be issued subject to the condition of payment of a fee. These Regulations prescribe the fee payable in relation to a licence to produce, supply, offer to supply or possess controlled drugs. They replace the existing Regulations in that behalf, and increase the fees there prescribed.

(a) S.I. 1974/942.

(b) S.I. 1977/587.

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