

1999 No. 1404

DANGEROUS DRUGS

The Misuse of Drugs (Amendment) Regulations 1999

<i>Made - - - -</i>	<i>17th May 1999</i>
<i>Laid before Parliament</i>	<i>26th May 1999</i>
<i>Coming into force</i>	<i>1st July 1999</i>

In pursuance of sections 7, 10 and 31 of the Misuse of Drugs Act 1971(a), after consultation with the Advisory Council on the Misuse of Drugs, the Secretary of State hereby makes the following Regulations:

1. These Regulations may be cited as the Misuse of Drugs (Amendment) Regulations 1999 and shall come into force on 1st July 1999.

2.—(1) The Misuse of Drugs Regulations 1985(b) shall be amended as follows.

(2) In regulation 2(1), after the definition of “document”, there shall be inserted the following definition—

“ “exempt product” means a preparation or other product consisting of one or more components parts, any of which contains a controlled drug, where—

- (a) the preparation or other product is not designed for administration of the controlled drug to a human being or animal;
- (b) the controlled drug in any component part is packaged in such a form, or in combination with other active or inert substances in such a manner, that it cannot be recovered by readily applicable means or in a yield which constitutes a risk to health; and
- (c) no one component part of the product or preparation contains more than one milligram of the controlled drug or one microgram in the case of lysergide or any other N-alkyl derivative of lysergamide;”.

(3) In regulation 4, at the end there shall be added the following paragraph—

“(4) Sections 3(1), 4(1) and 5(1) of the Act shall not have effect in relation to any exempt product.”.

(4) In regulation 14(7), at the end there shall be added the following sub-paragraph—

“(c) any exempt product”.

(5) In regulation 18(2), after sub-paragraph (aa), there shall be inserted the following sub-paragraph—

“(ab) any exempt product;”.

(a) 1971 c. 38.

(b) S.I. 1985/2066, amended by S.I. 1986/2330, 1988/916, 1989/1460, 1990/2630, 1995/2048 and 3244, 1996/1597 and 1998/882.

(6) After regulation 24, there shall be inserted the following regulation–

“Exempt products

24A. Nothing in regulations 19 to 24 shall have effect in relation to any exempt product.”.

Home Office
17th May 1999

George Howarth
Minister of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Misuse of Drugs Regulations 1985 (“the principal Regulations”) by exempting certain products, described in regulation 2(1) of the principal regulations, from sections 3(1), 4(1) and 5(1) of the Misuse of Drugs Act 1971 (which relate to the importation, exportation, production, supply and possession of controlled drugs). These Regulations also exempt such products from regulations 14 and 18 to 24 of the principal Regulations (which relate to documentation, labelling and record-keeping). These Regulations exempt products used for scientific or diagnostic purposes which contain an extremely small amount and proportion of controlled drugs.

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