Order made by the Secretary of State, to be laid before Parliament under section 2A(10) of the Misuse of Drugs Act 1971, for approval by resolution of each House of Parliament within 40 days beginning with the day on which the Order was made, subject to extension for periods of dissolution, prorogation or adjournment of both Houses for more than four days.

STATUTORY INSTRUMENTS

2015 No. 1027

DANGEROUS DRUGS

The Misuse of Drugs Act 1971 (Temporary Class Drug) Order 2015

Made - - - -	*2nd April 2015*
Laid before Parliament	*19th May 2015*
Coming into force - -	*10th April 2015*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 2A(1) and (5), 7A(2), (3) and (6) and 31(1) of the Misuse of Drugs Act 1971(**1**).

None of the substances or products listed in the Schedule to this Order is a Class A drug, a Class B drug or a Class C drug.

The Secretary of State has received a recommendation from the Advisory Council on the Misuse of Drugs under section 2B(1)(b)(**2**) of the Misuse of Drugs Act 1971 that this Order should be made.

Citation and commencement

1. This Order may be cited as the Misuse of Drugs Act 1971 (Temporary Class Drug) Order 2015 and comes into force on 10th April 2015.

Drugs subject to temporary control

2. The substances and products listed in the Schedule to this Order are specified under section 2A(1) of the Misuse of Drugs Act 1971 as drugs subject to temporary control.

(**1**) 1971 c. 38. Sections 2A and 7A were inserted by section 151 of, and paragraphs 3 and 8 of Schedule 17 to, the Police Reform and Social Responsibility Act 2011 (c. 13).

(**2**) Section 2B was inserted by section 151 of, and paragraph 3 of Schedule 17 to, the Police Reform and Social Responsibility Act 2011.

Application of other instruments

3.—(1) The Misuse of Drugs (Safe Custody) Regulations 1973(**3**) and the Misuse of Drugs (Safe Custody) (Northern Ireland) Regulations 1973(**4**) apply to the substances and products listed in the Schedule to this Order.

(2) The Misuse of Drugs Regulations 2001(**5**) apply to the substances and products listed in the Schedule to this Order as if those substances and products were specified in Schedule 1 to those Regulations.

(3) The Misuse of Drugs Regulations (Northern Ireland) 2002(**6**) apply to the substances and products listed in the Schedule to this Order as if those substances and products were specified in Schedule 1 to those Regulations.

Lynne Featherstone
Minister of State

Home Office
2nd April 2015

(**3**) S.I. 1973/798. Relevant amending instruments are S.I. 1974/1449, S.I. 1975/294, S.I. 1986/2332, S.I. 1999/1403, S.I. 2001/1149, S.I. 2007/2154, S.I. 2011/2085 and S.I. 2011/2581.

(**4**) S.R. 1973 No. 179. Relevant amending instruments are S.R. 1987 No. 67, S.R. 1999 No. 252, S.R. 2007 No. 348 and S.R. 2011 No. 86.

(**5**) S.I. 2001/3998. Relevant amending instruments are S.I. 2003/1432, S.I. 2003/1653, S.I. 2003/2429, S.I. 2004/1771, S.I. 2005/271, S.I. 2005/1653, S.I. 2005/2864, S.I. 2005/3372, S.I. 2006/986, S.I. 2006/1450, S.I. 2006/2178, S.I. 2007/2154, S.I. 2009/3136, S.I. 2010/1144, S.I. 2010/1799, S.I. 2011/448, S.I. 2012/277 which was not published and was revoked by S.I. 2012/385, S.I. 2012/973, S.I. 2013/176, S.I. 2013/625, S.I. 2014/1275, S.I. 2014/1377, S.I. 2014/3277 and S.I. 2015/231.

(**6**) S.R. 2002 No.1. Relevant amending instruments are S.R. 2003 Nos. 314, 324 and 420, S.R. 2005 Nos. 119, 360 and 564, S.R. 2006 Nos. 44, 214, 264 and 334, S.R. 2007 No. 348, S.R. 2009 Nos. 390 and 397, S.R. 2010 Nos. 148 and 247, S.R.. 2011 No. 153, S.R. 2012 No. 168, S.R. 2013 No. 78, S.R. 2014 Nos. 21, 158 and 261 and S.R. 2015 No.53.

SCHEDULE

Article 2

1. The following substances, namely—

3,4-Dichloromethylphenidate (3,4-DCMP)

Ethylphenidate

Isopropylphenidate (IPP or IPPD)

Methylnaphthidate (HDMP-28)

Propylphenidate

2. Any stereoisomeric form of a substance specified in paragraph 1.

3. Any preparation or other product containing a substance specified in paragraph 1 or 2.

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order specifies the substances and products listed in the Schedule as drugs subject to temporary control under section 2A(1) of the Misuse of Drugs Act 1971. The substances specified in paragraph 1 of the Schedule are Methylphenidate related materials which are being misused as new psychoactive substances. Paragraphs 2 and 3 of the Schedule specify derivatives of the substances and products specified in paragraph 1.

Article 3 of this Order provides that the Misuse of Drugs (Safe Custody) Regulations 1973 and the Misuse of Drugs (Safe Custody) (Northern Ireland) Regulations 1973 apply to those substances and products, and the Misuse of Drugs Regulations 2001 and the Misuse of Drugs Regulations (Northern Ireland) 2002 apply to those substances and products as if they were specified in Schedule 1 to each of the relevant Regulations.

In accordance with subsection (6) of section 2A of the Misuse of Drugs Act 1971, the specified substances and products will cease to be subject to temporary control after the expiry of one year or, if earlier, upon the coming into force of an Order in Council under section 2(2) of that Act listing the specified substances in Part 1, 2 or 3 of Schedule 2 to that Act.