STATUTORY RULES OF NORTHERN IRELAND

2024 No. 36

DANGEROUS DRUGS

The Misuse of Drugs (Amendment) Regulations (Northern Ireland) 2024

Made - - - -	*6th March 2024*
Coming into operation	*27th March 2024*

The Department of Health, makes the following Regulations in exercise of the powers conferred by sections 7, 10, 22 and 31 of the Misuse of Drugs Act 1971(**1**) as adapted by sections 7(9), 31(4) and 38 of that Act and now vested in it(**2**) and after consultation with the Advisory Council on the Misuse of Drugs in accordance with section 31(3) of that Act.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Misuse of Drugs (Amendment) Regulations (Northern Ireland) 2024 and shall come into operation on 27th March 2024.

(2) The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment of the Misuse of Drugs Regulations (Northern Ireland) 2002

2.—(1) The Misuse of Drugs Regulations (Northern Ireland) 2002(**4**) are amended as follows.

(2) In paragraph 1(a) of Schedule 1 (Controlled Drugs subject to the requirements of Regulations 14, 15, 16, 18, 19, 20, 23, 26 and 27)—

(a) after "Bromazolam (8-bromo-1-methyl-6-phenyl-4*H*-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine)" insert "Brorphine";

(b) after "Bufotenine" insert "Butonitazene";

(c) after "Clonazolam (6-(2-Chlorophenyl)-1-methyl-8-nitro-4*H*-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine)" insert "Clonitazene";

(d) after "Concentrate of poppy-straw" insert "Cumyl-PeGaClone";

(e) after "3-Dimethylheptyl-11-hydroxyhexahydrocannabinol" insert—

(**1**) 1971 c. 38, as amended by the Police Reform and Social Responsibility Act 2011 (c. 13).
(**2**) S.R. & O. (N. I.) No. 1973 No. 504, Article 5(a) and S.I. 1999/283 (N.I. 1), Article 3(6).
(**3**) 1954 c. 33 (N.I.)
(**4**) S.R. 2002 No. 1, amended by SR 2015 No. 227 and 2018 No. 4. There are other amending instruments but none are relevant.

"Diphenidine

Ephenidine

Ethyleneoxynitazene";

(f) after "Etizolam" insert—

"Etodesnitazene (etazene)

Etonitazene";

(g) after "Flubromazolam (8-Bromo-6-(2-fluorophenyl)-1-methyl-4*H*-[1,2,4]triazolo[4,3-a][1,4] benzodiazepine)" insert "Flunitazene";

(h) after "Isopropylphenidate (IPP or IPPD)" insert "Isotonitazene";

(i) after "Methcathinone" insert "Methoxyphenidine";

(j) after "Metizolam (4-(2-Chlorophenyl)-2-ethyl-6*H*-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4] diazepine)" insert—

"Metodesnitazene (metazene)

Metonitazene";

(k) after "Propylphenidate" insert "Protonitazene";

(l) after "1-Cyclohexyl-4-(1,2-diphenylethyl)piperazine (MT-45)" insert—

"N-Desethyl etonitazene

N-Desethylisotonitazene

N-Desethyl protonitazene";

(m) after "4-Methyl-5-(4-methylphenyl)-4,5-dihydrooxazol-2-amine (4,4'-DMAR)" insert—

"N-Piperidinyl-etonitazene (etonitazepipne)

N-Pyrrolidino-etonitazene (etoniazepyne)

N-Pyrrolidino protonitazene".

(3) In paragraph 1 of Schedule 2 (Controlled Drugs subject to the requirements of regulations 14, 15, 16, 16A, 18, 19, 20, 21, 23, 26 and 27) omit "Clonitazene" and "Etonitazene".

(4) In paragraph 1 of Part 1 of Schedule 4 (which specifies controlled drugs subject to the requirements of regulations 22, 23, 26 and 27) after "Pyrovalerone" insert "Remimazolam".

Sealed with the Official Seal of the Department of Health on 6th March 2024.

(L.S.)

Cathy Harrison
A senior officer of the Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Misuse of Drugs Regulations (Northern Ireland) 2002 (S.R. 2002 No. 1) ("the 2002 Regulations").

Regulation 2(2) adds twenty-one substances (including seventeen synthetic opioids, sixteen of which are nitazenes) to Schedule 1 to the 2002 Regulations. Regulation 2(3) removes two synthetic opioids, both of which are nitazenes (clonitazene and etonitazene), from Schedule 2 to the 2002 Regulations, following their insertion into Schedule 1 to the 2002 Regulations by regulations 2(2)(c) and (f). Regulation 2(4) adds remimazolam to Part 1 of Schedule 4 to the 2002 Regulations. The Schedule in which a controlled drug is placed affects the extent to which the drug can be lawfully imported, exported, produced, supplied or possessed and dictates the controls that the drug is subject to, such as the record-keeping, labelling and destruction requirements in relation to that drug. [The controlled drugs placed in Schedule 1 to the 2002 Regulations are those subject to the tightest controls, requiring a licence from the Department of Health in order to access such drugs. The controlled drugs placed in Part 1 of Schedule 4 to the 2002 Regulations are also subject to controls (albeit less strict than those for controlled drugs placed in Schedule 1 to the 2002 Regulations), such as record-keeping, furnishing of information and destruction of drugs.]