

2001 No. 431

DANGEROUS DRUGS

Misuse of Drugs (Designation) Order (Northern Ireland) 2001

Made 17th December 2001

Coming into operation 1st February 2002

The Department of Health, Social Services and Public Safety in exercise of the powers conferred by sections 7(4) and (5) of the Misuse of Drugs Act 1971(a) as adapted by section 7(9) of the Act and now vested in it(b) and of every other power enabling it in that behalf and on the recommendation of the Advisory Council on the Misuse of Drugs, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Misuse of Drugs (Designation) Order (Northern Ireland) 2001 and shall come into operation on 1st February 2002.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(c) shall apply to this Order as it applies to a Measure of the Northern Ireland Assembly.

Designation

3.—(1) The controlled drugs specified in Part I of the Schedule to this Order are designated as drugs to which section 7(4) of the Misuse of Drugs Act 1971 applies.

(2) Part II of the Schedule shall have effect for the purpose of specifying those controlled drugs which are excepted from Part I of that Schedule.

Revocations

4. The Misuse of Drugs (Designation) Order (Northern Ireland) 1987(d), the Misuse of Drugs (Designation) (Variation) Order (Northern Ireland) 1991(e), the Misuse of Drugs (Designation) (Variation) Order (Northern Ireland) 1995(f) and the Misuse of Drugs (Designation) (Variation) Order (Northern Ireland) 1998(g) are revoked.

(a) 1971 c. 38
(b) *see* S.R. & O. (N.I.) 1973 No. 504 Art. 5(a)
(c) 1954 c. 33 (N.I.)
(d) S.R. 1987 No. 66
(e) S.R. 1991 No. 2
(f) S.R. 1995 No. 306
(g) S.R. 1998 No. 129

Sealed with the Official Seal of the Department of Health, Social Services
and Public Safety on 17th December 2001.

(L.S.)

W. B. Smith

A Senior Officer of the Department of
Health, Social Services and Public Safety

PART I

CONTROLLED DRUGS TO WHICH SECTION 7(4) OF THE MISUSE OF DRUGS ACT
1971 APPLIES

1. The following substances and products, namely:—

(a) Bufotenine

Cannabinol

Cannabinol derivatives not being dronabinol or its stereoisomers

Cannabis and cannabis resin

Cathinone

Coca leaf

Concentrate of poppy-straw

Eticyclidine

Etryptamine

Lysergamide

Lysergide and other *N*-alkyl derivatives of lysergamide

Mescaline

Methcathinone

Psilocin

Raw opium

Rolicyclidine

Tenocyclidine

4-Bromo-2,5-dimethoxy- α -methylphenethylamine

N,N-Diethyltryptamine

N,N-Dimethyltryptamine

2,5-Dimethoxy- α ,4-dimethylphenethylamine

N-Hydroxy-tenamphetamine

4-Methyl-aminorex;

(b) any compound (not being a compound for the time being specified in subparagraph (a) above) structurally derived from tryptamine or from a ring-hydroxy tryptamine by substitution at the nitrogen atom of the sidechain with one or more alkyl substituents but no other substituent;

(c) the following phenethylamine derivatives, namely:—

Allyl(α -methyl-3,4-methylenedioxyphenethyl)amine

2-Amino-1-(2,5-dimethoxy-4-methylphenyl)ethanol

2-Amino-1-(3,4-dimethoxyphenyl)ethanol

Benzyl(α -methyl-3,4-methylenedioxyphenethyl)amine

4-Bromo- β ,2,5-trimethoxyphenethylamine

N-(4-*sec*-Butylthio-2,5-dimethoxyphenethyl)hydroxylamine

Cyclopropylmethyl(α -methyl-3,4-methylenedioxyphenethyl)amine

2-(4,7-Dimethoxy-2,3-dihydro-1*H*-indan-5-yl)ethylamine

2-(4,7-Dimethoxy-2,3-dihydro-1*H*-indan-5-yl)-1-methylethylamine
 2-(2,5-Dimethoxy-4-methylphenyl)cyclopropylamine
 2-(1,4-Dimethoxy-2-naphthyl)ethylamine
 2-(1,4-Dimethoxy-2-naphthyl)-1-methylethylamine
N-(2,5-Dimethoxy-4-propylthiophenethyl)hydroxylamine
 2-(1,4-Dimethoxy-5,6,7,8-tetrahydro-2-naphthyl)ethylamine
 2-(1,4-Dimethoxy-5,6,7,8-tetrahydro-2-naphthyl)-1-methylethylamine
 α,α -Dimethyl-3,4-methylenedioxyphenethylamine
 α,α -Dimethyl-3,4-methylenedioxyphenethyl(methyl)amine
 Dimethyl(α -methyl-3,4-methylenedioxyphenethyl)amine
N-(4-Ethylthio-2,5-dimethoxyphenethyl)hydroxylamine
 4-Iodo-2,5-dimethoxy- α -methylphenethyl(dimethyl)amine
 2-(1,4-Methano-5,8-dimethoxy-1,2,3,4-tetrahydro-6-naphthyl)ethylamine
 2-(1,4-Methano-5,8-dimethoxy-1,2,3,4-tetrahydro-6-naphthyl)-1-methylethylamine
 2-(5-Methoxy-2,2-dimethyl-2,3-dihydrobenzo[*b*]furan-6-yl)-1-methylethylamine
 2-Methoxyethyl(α -methyl-3,4-methylenedioxyphenethyl)amine
 2-(5-Methoxy-2-methyl-2,3-dihydrobenzo[*b*]furan-6-yl)-1-methylethylamine
 β -Methoxy-3,4-methylenedioxyphenethylamine
 1-(3,4-Methylenedioxybenzyl)butyl(ethyl)amine
 1-(3,4-Methylenedioxybenzyl)butyl(methyl)amine
 2-(α -Methyl-3,4-methylenedioxyphenethylamino)ethanol
 α -Methyl-3,4-methylenedioxyphenethyl(prop-2-ynyl)amine
N-Methyl-*N*-(α -methyl-3,4-methylenedioxyphenethyl)hydroxylamine
O-Methyl-*N*-(α -methyl-3,4-methylenedioxyphenethyl)hydroxylamine
 α -Methyl-4-(methylthio)phenethylamine
 $\beta,3,4,5$ -Tetramethoxyphenethylamine
 $\beta,2,5$ -Trimethoxy-4-methylphenethylamine;

- (*d*) any compound (not being methoxyphenamine or a compound for the time being specified in sub-paragraph (*a*) above) structurally derived from phenethylamine, an *N*-alkylphenethylamine, α -methylphenethylamine, an *N*-alkyl- α -methylphenethylamine, α -ethylphenethylamine, or an *N*-alkyl- α -ethylphenethylamine by substitution in the ring to any extent with alkyl, alkoxy, alkylendioxy or halide substituents, whether or not further substituted in the ring by one or more other univalent substituents;
- (*e*) any compound (not being a compound for the time being specified in Part II of this Schedule) structurally derived from fentanyl by modification in any of the following ways, that is to say—
- (i) by replacement of the phenyl portion of the phenethyl group by any heteromonocycle whether or not further substituted in the heterocycle;
 - (ii) by substitution in the phenethyl group with alkyl, alkenyl, alkoxy, hydroxy, halogeno, haloalkyl, amino or nitro groups;
 - (iii) by substitution in the piperidine ring with alkyl or alkenyl groups;

- (iv) by substitution in the aniline ring with alkyl, alkoxy, alkylendioxy, halogeno or haloalkyl groups;
 - (v) by substitution at the 4-position of the piperidine ring with any alkoxycarbonyl or alkoxyalkyl or acyloxy group;
 - (vi) by replacement of the N-propionyl group by another acyl group;
 - (f) any compound (not being a compound for the time being specified in Part II of this Schedule) structurally derived from pethidine by modification in any of the following ways, that is to say—
 - (i) by replacement of the 1-methyl group by an acyl, alkyl whether or not unsaturated, benzyl or phenethyl group, whether or not further substituted;
 - (ii) by substitution in the piperidine ring with alkyl or alkenyl groups or with a propano bridge, whether or not further substituted;
 - (iii) by substitution in the 4-phenyl ring with alkyl, alkoxy, aryloxy, halogeno or haloalkyl groups;
 - (iv) by replacement of the 4-ethoxycarbonyl by any other alkoxycarbonyl or any alkoxyalkyl or acyloxy group;
 - (v) by formation of an N-oxide or of a quaternary base.
2. Any stereoisomeric form of a substance specified in paragraph 1 above.
 3. Any ester or ether of a substance specified in paragraph 1 or 2 above.
 4. Any salt of a substance specified in any of paragraphs 1 to 3 above.
 5. Any preparation or other product containing a substance or product specified in any of paragraphs 1 to 4 above.

PART II

CONTROLLED DRUGS EXCEPTED FROM PART I

1. The compounds referred to in paragraph 1(e) of Part I of this Schedule are—
 - Alfentanil
 - Carfentanil
 - Lofentanil
 - Sufentanil
2. The compounds referred to in paragraph 1(f) of Part I of this Schedule are—
 - Allylprodine
 - Alphameprodine
 - Alphaprodine
 - Anileridine
 - Betameprodine
 - Betaprodine
 - Hydroxypethidine
 - Properidine
 - Trimeperidine

EXPLANATORY NOTE

(This note is not part of the Order.)

Section 7(3) of the Misuse of Drugs Act 1971 requires regulations to be made to allow the use for medical purposes of the drugs which are subject to control under the Act. Section 7(3) does not however apply to any drug which is designated by order under section 7(4) as a drug to which section 7(4) is to apply.

This Order, which revokes and replaces the Misuse of Drugs (Designation) (Northern Ireland) Order 1987 (as amended), designates for this purpose the drugs specified in Part I of the Schedule to the Order. It differs from the previous Order by the addition, in paragraph 1(c) of Part I of the Schedule, of thirty-five substances which are all phenethylamine derivatives and which became subject to control under the Act by virtue of the Misuse of Drugs (Modification) Order 2001 (S.I. 2001/3932).

Part II of the Schedule specifies certain compounds which are excepted from paragraph 1(e) and (f) of Part I and are therefore not designated by this Order.

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