STATUTORY RULES OF NORTHERN IRELAND

# 2012 No. 213

# DANGEROUS DRUGS

# The Misuse of Drugs (Amendment No.2) Regulations (Northern Ireland) 2012

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| *Made - - - -* | *22nd May 2012* |
| *Coming into operation -* | *13th June 2012* |

The Department of Health, Social Services and Public Safety makes the following Regulations in exercise of the powers conferred by sections 7.10,22 and 31 of the Misuse of Drugs Act 1971(**a**) as adapted by section 38 of that Act and now vested in it(**b**).

In accordance with section 31(3) of that Act, it has consulted with the Advisory Council on the Misuse of Drugs.

**Citation and commencement**

**1.** These Regulations may be cited as the Misuse of Drugs (Amendment No.2) Regulations (Northern Ireland) 2012 and shall come into operation on 13th June 2012.

**Interpretation**

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

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

**3.** The Misuse of Drugs Regulations (Northern Ireland) 2002(**d**) shall be amended as follows.

**4.** In Schedule 1 (which specifies controlled drugs subject to the requirements of regulations 14, 15, 16, 18, 19, 20, 23, 26 and 27) after paragraph 1(n), insert—

"(o) Any compound (not being pipradrol) structurally derived from piperidine, pyrrolidine, azepane, morpholine or pyridine by substitution at a ring carbon atom with a diphenylmethyl group, whether or not the compound is further modified in any of the following ways, that is to say,

(**a**) 1971 c.38 Section 22 of that Act was amended by section 177(1) of, and paragraph 12 of Schedule 4 to, the Customs and Excise Management Act 1979(c.2) and section 151 of, and paragraphs 1 and 14 of Schedule 18 to, the Police Reform and Social Responsibility Act 2011(c.13)

(**b**) S.R &O.(N.I).1973 No.504, Article 5(a) and S.I. 1999 No.283(N.I.1) Article 3(6)

(**c**) 1954 c.33 (N.I)

(**d**) S.R. 2002 No.1: The relevant amending Regulations 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 and S.R.2012 No.168

(i) by substitution in any of the phenyl rings to any extent with alkyl, alkoxy, haloalkyl or halide groups;

(ii) by substitution at the methyl carbon atom with an alkyl, hydroxyalkyl or hydroxy group;

(iii) by substitution at the ring nitrogen atom with an alkyl, alkenyl, haloalkyl or hydroxyalkyl group.".

**5.** In paragraph 1(a) of Schedule 3 (which specifies controlled drugs subject to the requirements of regulations 14, 15 (except Temazepam), 16, 18, 22, 23, 24, 26 and 27) after "Benzphetamine", insert "7-bromo-5-(2-chlorophenyl)-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one".

**6.** In Schedule 3 for paragraphs 2, 3 and 4, substitute—

"**2.** Any stereoisomeric form of a substance specified in paragraph 1 or 3 not being phenylpropanolamine.

**3.** Any ester or ether of pipradrol.

**4.** Any salt of a substance specified in any of paragraphs 1 to 3.

**5.** Any preparation or other product containing a substance specified in any of paragraphs 1 to 4, not being a preparation specified in Schedule 5.".

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 22nd May 2012

(L.S.)

*Norman Morrow*
A senior officer of the Department of Health, Social Services and Public Safety

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations add, in regulation 3, desoxypipradrol and other pipradrol-related compounds to Schedule 1 to the Misuse of Drugs Regulations (Northern Ireland) 2002 (the "2002 Regulations").Regulation 4 adds 7-bromo-5-(2-chlorophenyl)-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one (commonly known as phenazepam), and regulation 5 adds any ester or ether of pipradrol, or any stereoisomeric form or salt or preparation or other product of such an ester or ether, to Schedule 3 to the 2002 Regulations. The schedule in which a controlled drug is placed primarily affects the extent to which the drug can be lawfully imported, exported, produced, supplied or possessed and dictates the record keeping, labelling and destruction requirements in relation to that drug.

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