**EXPLANATORY MEMORANDUM TO**

**THE MISUSE OF DRUGS (DESIGNATION) (AMENDMENT) ORDER (NORTHERN IRELAND) 2018**

**S.R. No. 3**

## 1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department of Health to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2 The Statutory Rule is made under section 7(4) of the Misuse of Drugs Act 1971 (MDA) as adapted by section 7(9) of that Act, and is subject to the negative resolution procedure.

## 2. Purpose

2.1 The Schedule of the Regulations 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 record keeping, labelling and destruction requirements in relation to that drug.

2.2 The Advisory Council on the Misuse of Drugs (ACMD) provided advice to the UK Government in relation to a number of substances that it recommended for control under the MDA and these are being addressed within the Rule.

2.3 The Misuse of Drugs (Designation) (Amendment) (Northern Ireland) Order 2018 adds methiopropamine, U-47,700, 'designer' benzodiazepines and 'third generation' synthetic cannabinoids to Part 1 of Schedule 1 to the Misuse of Drugs (Designation) Order 2001.

## 3. Background

3.1 The Misuse of Drugs (Designation) (Amendment)Order (Northern Ireland) 2018 inserts MPA, U47-700, Benzodiazepines and a range of synthetic cannabinoids in Schedule 1 of The Misuse of Drugs (Designation) Order (Northern Ireland) 2001. These are substances to which section 7(4) of the 1971 Act applies. This is because they have no recognised medicinal use beyond potential research which may be enabled under a licence

## 4. Consultation

4.1 The Government has consulted its independent experts, the Advisory Council on the Misuse of Drugs. The ACMD has recommended control of the drugs concerned following a review of the evidence of use and harm of those drugs as outlined in section 3 above.

## 5. Equality Impact

The Department has considered potential impacts on section 75 groups, and has concluded that specific impacts are likely to be negligible. A full equality impact assessment was therefore not completed.

## 6. Regulatory Impact

6.1 A Regulatory Impact Assessment was not prepared specifically for this legislation. Costs and benefits associated with its introduction were fully considered in preparation of the equivalent regulations in GB and no specific issues relating to Northern Ireland have been identified.

## 7. Financial Implications

7.1 There are no anticipated financial implications to the Department of Health.

## 8. Section 24 of the Northern Ireland Act 1998

8.1 This legislation is considered to be complaint with section 24 of the Northern Ireland Act 1998.

## 9. EU Implications

Not applicable.

## 10. Parity or Replicatory Measure

10.1
The provisions included in the regulations will bring Northern Ireland into line with measures which are already in place in the rest of the UK.

## 11. Additional Information

Not applicable.