



# Misuse of Drugs Act 1971

## CHAPTER 38

### MISUSE OF DRUGS ACT 1971

#### *The Advisory Council on the Misuse of Drugs*

- 1 The Advisory Council on the Misuse of Drugs.

#### *Controlled drugs and their classification*

- 2 Controlled drugs and their classification for purposes of this Act.
- 2A Temporary class drug orders
- 2B Orders under section 2A: role of Advisory Council etc

#### *Restrictions relating to controlled drugs etc.*

- 3 Restriction of importation and exportation of controlled drugs.
- 4 Restriction of production and supply of controlled drugs.
- 4A Aggravation of offence of supply of controlled drug
- 5 Restriction of possession of controlled drugs.
- 6 Restriction of cultivation of cannabis plant.
- 7 Authorisation of activities otherwise unlawful under foregoing provisions.
- 7A Temporary class drug orders: power to make further provision

#### *Miscellaneous offences involving controlled drugs etc.*

- 8 Occupiers etc. of premises to be punishable for permitting certain activities to take place there.
- 9 Prohibition of certain activities etc. relating to opium.
- 9A Prohibition of supply etc. of articles for administering or preparing controlled drugs.

*Status: Point in time view as at 01/12/2020.*

*Changes to legislation: There are currently no known outstanding effects for the Misuse of Drugs Act 1971. (See end of Document for details)*

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*Powers of Secretary of State for preventing misuse of controlled drugs*

- 10 Power to make regulations for preventing misuse of controlled drugs.
- 11 Power to direct special precautions for safe custody of controlled drugs to be taken at certain premises.
- 12 Directions prohibiting prescribing, supply etc. of controlled drugs by practitioners etc. convicted of certain offences.
- 13 Directions prohibiting prescribing, supply etc. of controlled drugs by practitioners in other cases.
- 14 Investigation where grounds for a direction under s. 13 are considered to exist.
- 15 Temporary directions under s. 13(2).
- 16 Provisions supplementary to ss. 14 and 15.
- 17 Power to obtain information from doctors, pharmacists etc. in certain circumstances.

*Miscellaneous offences and powers*

- 18 Miscellaneous offences.
- 19 Attempts etc. to commit offences.
- 20 Assisting in or inducing commission outside United Kingdom of offence punishable under a corresponding law.
- 21 Offences by corporations.
- 22 Further powers to make regulations.

*Law enforcement and punishment of offences*

- 23 Powers to search and obtain evidence.
- 23A Temporary class drugs: further power to search, seize and detain
- 24 Power of arrest
- 25 Prosecution and punishment of offences.
- 26 Law enforcement and punishment of offences
- 27 Forfeiture.

*Miscellaneous and supplementary provisions*

- 28 Proof of lack of knowledge etc. to be a defence in proceedings for certain offences.
- 29 Service of documents.
- 30 Licences and authorities.
- 31 General provisions as to regulations.
- 32 Research.
- 33 .....
- 34 .....
- 35 Financial provisions.
- 36 Meaning of “corresponding law”, and evidence of certain matters by certificate.
- 37 Interpretation.
- 38 Special provisions as to Northern Ireland.
- 39 Savings and transitional provisions, repeals, and power to amend local enactments.
- 40 Short title, extent and commencement.

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## SCHEDULES

### SCHEDULE 1 — Constitution etc. of Advisory Council on the Misuse of Drugs

- 1 (1) The members of the Advisory Council, of whom there...
- 2 The Advisory Council may appoint committees, which may consist in...
- 3 At meetings of the Advisory Council the quorum shall be...
- 4 The Secretary of State may pay to the members of...
- 5 Any expenses incurred by the Advisory Council with the approval...

### SCHEDULE 2 — Controlled Drugs

#### Part I — CLASS A DRUGS

- 1 The following substances and products, namely:— (a) Acetorphine.  
Alfentanil. Allylprodine....
- 2 Any stereoisomeric form of a substance for the time being...
- 3 Any ester or ether of a substance for the time...
- 4 Any salt of a substance for the time being specified...
- 5 Any preparation or other product containing a substance or product...
- 6 Any preparation designed for administration by injection which includes  
a...

#### Part II — CLASS B DRUGS

- 1 The following substances and products, namely:— (a)  
Acetyldihydrocodeine. Amphetamine. N...
- 2 Any stereoisomeric form of a substance for the time being...
- 2A Any ester or ether of cannabinol or of a cannabinol...
- 3 Any salt of a substance for the time being specified...
- 4 Any preparation or other product containing a substance or product...

#### Part III — CLASS C DRUGS

- 1 The following substances, namely:— (a) Adinazolam (1-(8-Chloro-6-  
phenyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepin-1-yl)-N,N-  
dimethylmethanamine). Alprazolam. Amineptine Aminorex...
- 2 Any stereoisomeric form of a substance for the time being...
- 3 Any salt of a substance for the time being specified...
- 4 Any preparation or other product containing a substance for the...

#### Part IV — MEANING OF CERTAIN EXPRESSIONS USED IN THIS SCHEDULE

For the purposes of this Schedule the following expressions (which...

### SCHEDULE 3 — Tribunals, Advisory Bodies and Professional Panels

#### Part I — TRIBUNALS

##### *Membership*

- 1 (1) A tribunal shall consist of five persons of whom—...

##### *Procedure*

- 2 The quorum of a tribunal shall be the chairman and...
- 3 Proceedings before a tribunal shall be held in private unless...
- 4 (1) Subject to paragraph 5 below, the Lord Chancellor may...
- 5 (1) For the purpose of any proceedings before a tribunal...
- 6 Subject to the foregoing provisions of this Schedule, a tribunal...
- 7 The validity of the proceedings of a tribunal shall not...

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### *Financial provisions*

- 8 The Secretary of State may pay to any member of...
- 9 The Secretary of State may pay to any person who...
- 10 If a tribunal recommends to the Secretary of State that...
- 11 Any expenses incurred by a tribunal with the approval of...

### *Supplemental*

- 12 The Secretary of State shall make available to a tribunal...
- Part II — ADVISORY BODIES

### *Membership*

- 13 (1) An advisory body shall consist of three persons of...

### *Procedure*

- 14 The respondent shall be entitled to appear before and be...
- 15 Subject to the provisions of this Part of this Schedule,...

### *Application of provisions of Part I*

- 16 Paragraphs 3, 7, 8 and 10 to 12 of this...
- Part III — PROFESSIONAL PANELS

### *Membership*

- 17 A professional panel shall consist of a chairman and two...

### *Procedure*

- 18 The respondent shall be entitled to appear before, and be...
- 19 Subject to the provisions of this Part of this Schedule,...

### *Application of provisions of Part I*

- 20 Paragraphs 3, 7 and 8 of this Schedule shall apply...
- Part IV — APPLICATION OF PARTS I TO III TO NORTHERN IRELAND
- 21 In the application of Parts I to III of this...

## Schedule 4 — Prosecution and Punishment of Offences

### SCHEDULE 5 — Savings and Transitional Provisions

- 1 (1) Any addiction regulations which could have been made under...
- 2 As from the coming into operation of section 3 of...
- 3 (1) The Secretary of State may at any time before...
- 4 Subject to paragraphs 1 to 3 above, and without prejudice...
- 5 For purposes of the enforcement of the enactments repealed by...
- 6 The mention of particular matters in this Schedule shall not...

### SCHEDULE 6 — Repeals.

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