
STATUTORY INSTRUMENTS

1995 No. 3244

DANGEROUS DRUGS

The Misuse of Drugs (Amendment) (No. 2) Regulations 1995

Made - - - - *10th December 1995*
Laid before Parliament *18th December 1995*
Coming into force - - *15th January 1996*

In pursuance of sections 7, 10 and 31 of the Misuse of Drugs Act 1971⁽¹⁾, after consultation with the Advisory Council on the Misuse of Drugs, I hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Misuse of Drugs (Amendment) (No. 2) Regulations 1995 and shall come into force on 15th January 1996.

Amendment of Misuse of Drugs Regulations 1985

2.—(1) The Misuse of Drugs Regulations 1985⁽²⁾ shall be amended as follows.

(2) In regulation 15(1), after the words “Schedule 4 or 5”, there shall be inserted the words “or temazepam”.

(3) In Schedule 3—

(a) in the heading, after the number “15”, there shall be inserted “(EXCEPT TEMAZEPAM)”, and

(b) in paragraph 1(a), after “Pipradrol”, there shall be inserted “Temazepam”.

(4) In paragraph 1 of Schedule 4, “Temazepam” shall be omitted.

Transitional provision

3. For the purposes of paragraph 1 of Schedule 1 to the Misuse of Drugs (Safe Custody) Regulations 1973⁽³⁾ temazepam shall continue to be regarded as a drug specified in Schedule 4 to the Misuse of Drugs Regulations 1985 until 18th April 1996.

(1) 1971 c. 38.

(2) S.I. 1985/2066, as amended by S.I. 1986/2330, 1988/916, 1989/1460, 1990/2630, 1995/2048.

(3) S.I. 1973/798, as amended by S.I. 1974/1449, 1975/294, 1984/1146, 1985/2067, 1986/2332.

Home Office
10th December 1995

Michael Howard
One of Her Majesty's Principal Secretaries of
State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which amend the Misuse of Drugs Regulations 1985 (“the principal Regulations”) by transferring temazepam from Schedule 4 to Schedule 3, have the effect of making temazepam subject to the restrictions on import and export of controlled drugs in the Misuse of Drugs Act 1971 (“the 1971 Act”) and of removing the exception, from the restrictions on possession of controlled drugs in the 1971 Act, for possession of temazepam when in the form of a medicinal product. These Regulations also have the effect of applying to temazepam certain provisions of the principal Regulations (other than the provisions relating to the form of prescriptions) governing the supply of controlled drugs and requiring the preservation of records relating to such drugs. An additional effect of these Regulations is to apply to temazepam the requirements of the Misuse of Drugs (Safe Custody) Regulations 1973 (“the 1973 Regulations”). The Regulations come into force on 15th January 1996 but transitional provision is made so that the requirements of the 1973 Regulations do not apply to temazepam until 18th April 1996.

A compliance cost assessment of the effect of these Regulations can be obtained from C5 Division, Home Office, 50 Queen Anne’s Gate, London SW1H 9AT.