

2010 No. 1144

DANGEROUS DRUGS, ENGLAND AND WALES

DANGEROUS DRUGS, SCOTLAND

**The Misuse of Drugs (Amendment) (England, Wales and
Scotland) Regulations 2010**

<i>Made</i> - - - -	<i>31st March 2010</i>
<i>Laid before Parliament</i>	<i>1st April 2010</i>
<i>Coming into force</i> - -	<i>16th April 2010</i>

The Secretary of State 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).

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

Citation, commencement, interpretation and extent

1.—(1) These Regulations may be cited as the Misuse of Drugs (Amendment) (England, Wales and Scotland) Regulations 2010 and shall come into force on 16th April 2010.

(2) In these Regulations “the 2001 Regulations” means the Misuse of Drugs Regulations 2001(b).

(3) These Regulations extend to England, Wales and Scotland.

Amendment to the 2001 Regulations

2. The 2001 Regulations shall be amended as follows.

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

(a) in paragraph 1(a), after “methcathinone”, insert—

“4–methylnmethcathinone”;

(b) after paragraph 1(l), insert—

“(m)Any compound (not being bupropion, diethylpropion, pyrovalerone or a compound for the time being specified in sub–paragraph (a) above) structurally derived from

(a) 1971 c. 38 as modified by the Northern Ireland Act 1998 (c. 47). Section 22 has been amended by section 177(1) of, and paragraph 12 of Schedule 4 to, the Customs and Excise Management Act 1979 (c. 2).

(b) S.I. 2001/3998. Relevant amending instruments are S.I. 2003/1432, S.I. 2003/1653, S.I. 2003/2429, S.I. 2004/1771, S.I. 2005/271, S.I. 2005/1653, S.I. 2005/2864, S.I. 2005/3372, S.I. 2006/986, S.I. 2006/1450, S.I. 2006/2178, S.I. 2007/2154 and S.I. 2009/3136.

2-amino-1-phenyl-1-propanone by modification in any of the following ways, that is to say—

- (i) by substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;
- (ii) by substitution at the 3-position with an alkyl substituent;
- (iii) by substitution at the nitrogen atom with alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure.”.

Home Office
31st March 2010

David Hanson
Minister of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations insert 4-methylmethcathinone (commonly referred to as mephedrone) and other cathinone derivatives into Schedule 1 to the Misuse of Drugs Regulations 2001 (“the 2001 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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