

2014 No. 1275

DANGEROUS DRUGS, ENGLAND AND WALES

DANGEROUS DRUGS, SCOTLAND

**The Misuse of Drugs and Misuse of Drugs (Safe Custody)
(Amendment) (England, Wales and Scotland) Regulations 2014**

<i>Made</i> - - - -	<i>16th May 2014</i>
<i>Laid before Parliament</i>	<i>20th May 2014</i>
<i>Coming into force</i> - -	<i>10th June 2014</i>

The Secretary of State, in exercise of the powers conferred by sections 7, 10, 22 and 31 of the Misuse of Drugs Act 1971(a), makes the following Regulations:

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 and extent

1.—(1) These Regulations may be cited as the Misuse of Drugs and Misuse of Drugs (Safe Custody) (Amendment) (England, Wales and Scotland) Regulations 2014 and come into force on 10th June 2014.

(2) These Regulations extend to England and Wales and Scotland.

Amendments to the Misuse of Drugs Regulations 2001

2. The Misuse of Drugs Regulations 2001(b) are amended as follows.

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

“(q) Any compound (not being benzyl(α -methyl-3,4-methylenedioxyphenethyl)amine) structurally derived from mescaline, 4-bromo-2,5-dimethoxy- α -methylphenethylamine, 2,5-dimethoxy- α ,4-dimethylphenethylamine, *N*-hydroxytenamphetamine, or a compound specified in sub-paragraph (c) or (d) above, by substitution at the nitrogen atom of the amino group with a benzyl substituent, whether or not substituted in the phenyl ring of the benzyl group to any extent;

(a) 1971 c. 38.

(b) S.I. 2001/3998. Relevant amending instruments are S.I. 2003/1432, S.I. 2005/1653, S.I. 2005/3372, S.I. 2006/986, S.I. 2007/2154, S.I. 2009/3136, S.I. 2010/1144, S.I. 2011/448, S.I. 2012/385, S.I. 2012/1311, S.I. 2013/176, and S.I. 2013/625.

- (r) Any compound (not being a compound for the time being specified in sub-paragraph (c) above) structurally derived from 1-benzofuran, 2,3-dihydro-1-benzofuran, 1H-indole, indoline, 1H-indene, or indane by substitution in the 6-membered ring with a 2-ethylamino substituent whether or not further substituted in the ring system to any extent with alkyl, alkoxy, halide or haloalkyl substituents and whether or not substituted in the ethylamino side-chain with one or more alkyl substituents.”.

4. In paragraph 1 of Schedule 2 (controlled drugs subject to the requirements of regulations 14, 15, 16, 18, 19, 20, 21, 23, 26 and 27), after “Levorphanol” insert—

“Lisdexamphetamine”.

5. In paragraph 1(a) of Schedule 3 (controlled drugs subject to the requirements of regulations 14, 15 (except Temazepam) 16, 18, 22, 23, 24, 26 and 27), after “Temazepam” insert—

“Tramadol”.

6. In Part 1 of Schedule 4 (controlled drugs subject to the requirements of regulations 22, 23, 26 and 27), in paragraph 1—

- (a) after “N-Ethylamphetamine”, insert—

“Zaleplon”;

- (b) after “Zolpidem”, insert—

“Zopiclone”.

Amendments to the Misuse of Drugs (Safe Custody) Regulations 1973

7.—(1) The Misuse of Drugs (Safe Custody) Regulations 1973(a) are amended as follows.

(2) In paragraph 3 of Schedule 1 (Exempted Drugs)—

- (a) After sub-paragraph (j), insert—

“(ja)Tramadol.”;

- (b) In sub-paragraph (k), for “(j)” substitute “(ja)”.

Home Office
16th May 2014

Norman Baker
Minister of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Misuse of Drugs Regulations 2001 (the “2001 Regulations”). Regulation 3 adds groups of ‘NBOMe’ compounds and groups of benzofuran compounds to Schedule 1 to the 2001 Regulations. Regulation 4 adds Lisdexamphetamine to Schedule 2 and regulation 5 adds Tramadol to Schedule 3. Regulation 6 adds Zaleplon and Zopiclone to Schedule 4. 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. Regulation 7 amends The Misuse of Drugs (Safe Custody) Regulations 1973 to insert Tramadol into the list of exempted drugs in Schedule 1 to those Regulations.

(a) S.I. 1973/798. Relevant amending instruments are S.I. 1986/2332 and S.I. 2007/2154.

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