STATUTORY INSTRUMENTS

2024 No. 1361

DANGEROUS DRUGS

The Misuse of Drugs Act 1971 (Amendment) (No. 2) Order 2024

Made - - - - *18th December 2024*

Coming into force *15th January 2025*

At the Court at Buckingham Palace, the 18th day of December 2024

Present,

The King's Most Excellent Majesty in Council

In accordance with section 2(5) of the Misuse of Drugs Act 1971(**a**), a draft of this Order has been laid before Parliament on the recommendation of the Advisory Council on the Misuse of Drugs and approved by a resolution of each House of Parliament.

Accordingly, His Majesty, in exercise of the powers conferred on Him by section 2(2) of that Act, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:

Citation, commencement and extent

1.—(1) This Order may be cited as the Misuse of Drugs Act 1971 (Amendment) (No. 2) Order 2024 and comes into force on the twenty-eighth day after the day on which it is made.

(2) This Order extends to England and Wales, Scotland and Northern Ireland.

Amendments to the Misuse of Drugs Act 1971

2.—(1) Schedule 2 to the Misuse of Drugs Act 1971 is amended as follows.

(2) In Part 1 (which specifies the drugs which are subject to control as Class A drugs) in paragraph 1(a)(**b**)—

(a) after "Anileridine." insert—

"AP-237 (1-[4-([2E]-3-phenyl-2-propen-1-yl)-1-piperazinyl]-1-butanone) (bucinnazine).

AP-238 (1-[2,6-dimethyl-4-[2E]-3-phenyl-2-propen-1-yl]-1-piperazinyl-1-propanone).

(**a**) 1971 c. 38.

(**b**) Sub-paragraph (a) of paragraph 1 was designated as such by S.I. 1977/1243. There are other amendments to Part 1 of Schedule 2 which are not relevant to this Order.

Azaprocin (1-[3-[(E)-3-phenyl-2-propen-1-yl]-3,8-diazabicyclo[3.2.1]octan-8-yl]propan-1-one).";

(b) after "Oxymorphone." insert—

"para-methyl-AP-237 (1-[4-[2E]-3-(4-methylphenyl)-2-propen-1-yl]-1-piperazinyl-1-butanone).

para-nitroazaprocin (1-[3-[(E)-3-(4-nitrophenyl)-2-propen-1-yl]-3,8-diazabicyclo[3.2.1]octan-8-yl)propan-1-one).";

(c) after "1-Methyl-4-phenylpiperdine-4-carboxylic acid." insert—

"2-Methyl-AP-237 (1-[2-methyl-4-[2E]-3-phenyl-2-propen-1-yl]-1-piperazinyl-1-butanone).".

(3) In Part 1 after paragraph 1(e)(**a**) insert—

"(ea) any compound (not being a compound for the time being specified in sub-paragraph (a) above) with a maximum molecular mass of 500 atomic mass units and structurally derived from 2-(2-benzyl-benzimidazol-1-yl)ethanamine by modification in any of the following ways, that is to say—

(i) by substitution at the nitrogen of the ethanamine to any extent by alkyl substituents containing up to three carbon atoms or alkenyl substituents containing up to three carbon atoms or by inclusion of the nitrogen atom (and no other atoms of the side chain) in a cyclic structure;

(ii) by substitution in the phenyl ring of the benzyl system to any extent by alkyl or haloalkyl containing up to six carbon atoms, alkoxy or haloalkoxy containing up to five carbon atoms, acetyloxy, hydroxy, cyano, halogen, thioalkyl containing up to five carbon atoms or alkylsulphonyl containing up to five carbon atoms;

(iii) by substitution at the 5- or 6- positions of the benzimidazole system by nitro, acetyl, cyano, methoxy, trifluoromethyl, trifluoromethoxy or halogen substituents;

(iv) by substitution at the benzylic carbon by a methyl group;

(v) by replacement of the benzylic carbon by a nitrogen, oxygen or sulphur atom;

(vi) by substitution in the phenyl ring of the benzyl system by an ethoxy group linked back to the phenyl ring to form a dihydrobenzofuran structure;

(vii) by replacement of the phenyl ring of the benzyl system by methylenedioxyphenyl.".

(4) In Part 2 (which specifies the drugs which are subject to control as Class B drugs)(**b**) in the entry for Methoxyphenidine in paragraph 1(a), at the end (and before the full stop) insert "(1-[1-(2-methoxyphenyl)-2-phenylethyl]piperidine) (methoxphenidine)".

(5) In Part 3 (which specifies the drugs which are subject to control as Class C drugs)(**c**) in paragraph 1(a)—

(a) after "Aminorex." insert—

"Bentazepam (5-phenyl-1,3,6,7,8,9-hexahydro-2*H*-[1]benzothieno[2,3-e][1,4]diazepin-2-one).";

(b) after "Benzphetamine." insert—

(**a**) Sub-paragraph (e) was inserted by S.I. 1986/2230. S.I. 2024/190 brought fourteen nitazenes under control as Class A drugs under the Misuse of Drugs Act 1971 ("the Act").

(**b**) Sub-paragraph (a) of paragraph 1 was designated as such by S.I. 1984/859. S.I. 2024/190 controlled methoxyphenidine as a Class B drug under the Act. There are other amendments to Part 2 of Schedule 2 which are not relevant to this Order.

(**c**) Sub-paragraph (a) of paragraph 1 was designated as such by S.I. 1996/1300. Relevant amending instruments are S.I. 1984/859, 1985/1995, 1986/2230, 1998/750, 2017/634, 2024/190. There are other amendments to Part 3 of Schedule 2 which are not relevant to this Order.

"Bretazenil (*tert*-butyl-8-bromo-11,12,13,13a-tetrahydro-9-oxo-9*H*-imidazo[1,5-a]-pyrrolo[2,1-c][1,4]benzodiazepine-1-carboxylate).";

(c) after "Cathinone." insert—

"4'-Chloro-deschloroalprazolam (6-(4-chlorophenyl)-1-methyl-4*H*-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine).";

(d) after "Clobazam." insert—

"Clobromazolam (8-bromo-6-(2-chlorophenyl)-1-methyl-4*H*-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine).";

(e) after "Clonazolam (6-(2-Chlorophenyl)-1-methyl-8-nitro-4*H*-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine)." insert—

"Cloniprazepam (5-(2-chlorophenyl)-1-(cyclopropylmethyl)-7-nitro-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one).";

(f) after "Delorazepam." insert—

"Desalkylgidazepam (7-bromo-5-phenyl-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one).

Deschloroclotizolam (2-chloro-9-methyl-4-phenyl-6*H*-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine).";

(g) after "Diethylpropion." insert—

"Difludiazepam (7-chloro-5-(2,6-difluorophenyl)-1-methyl-3*H*-1,4-benzodiazepin-2-one).";

(h) after "Flubromazolam (8-Bromo-6-(2-fluorophenyl)-1-methyl-4*H*-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine)." insert—

"Flubrotizolam (2-bromo-4-(2-fluorophenyl)-9-methyl-6*H*-thieno[3,2f][1,2,4]triazolo[4,3a][1,4]diazepine).

Fluclotizolam (2-chloro-4-(2-fluorophenyl)-9-methyl-6*H*-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine).";

(i) after "Fludiazepam." insert—

"Fluetizolam (2-ethyl-4-(2-fluorophenyl)-9-methyl-6*H*-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine).";

(j) after "Fonazepam (5-(2-Fluorophenyl)-7-nitro-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one)." insert—

"Gidazepam (7-bromo-2,3-dihydro-2-oxo-5-phenyl-1*H*-1,4-benzodiazepine-1-acetic acid hydrazide).";

(k) after "Mesocarb." insert—

"Methylclonazepam (5-(2-chlorophenyl)-1-methyl-7-nitro-3*H*-1,4-benzodiazepin-2-one).";

(l) after "Remimazolam." insert—

"Rilmazafone (5-([(2-aminoacetyl)amino]methyl)-1-[4-chloro-2-(2-chlorobenzoyl)phenyl]-*N*,*N*-dimethyl-1*H*-1,2,4-triazole-3-carboxamide).";

(m) after "Tetrazepam." insert—

"Thionordazepam (7-chloro-5-phenyl-1,3-dihydro-2*H*-1,4-benzodiazepin-2-thione).";

(n) after "Triazolam." insert—

"Xylazine.".

Richard Tilbrook
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Schedule 2 to the Misuse of Drugs Act 1971 (c. 38) ("the Act") to specify certain drugs as controlled drugs within the meaning of section 2(1)(a) of the Act.

Article 2(2) of this Order brings four acyl piperazine opioids and two chemically bridged acyl piperazine derivatives under control as Class A drugs under the Act.

Article 2(3) of this Order brings a range of 2-benzyl benzimidazole variants under generic control as Class A drugs under the Act, excluding those which are already controlled under the Act as Class A drugs.

Article 2(4) of this Order adds an additional common name and the full International Union of Pure and Applied Chemistry name to the entry for methoxyphenidine, which is already controlled as a Class B drug under the Act.

Article 2(5) of this Order brings fifteen novel benzodiazepines and related compounds, and xylazine under control as Class C drugs under the Act.

A full impact assessment has not been produced for this instrument as no, or no significant impact on the private sector, voluntary sector or community bodies is foreseen. An economic note is annexed to the Explanatory Memorandum which is available alongside this instrument on www.legislation.gov.uk. Copies may be obtained from the Drug Misuse Unit of the Home Office at 2 Marsham Street, London, SW1P 4DF.

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