EXPLANATORY MEMORANDUM TO

The Misuse of Drugs (Amendment) Regulations (Northern Ireland) 2014

2014 No. 21

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Health, Social Services and Public Safety for Northern Ireland to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under powers conferred by Section 7(3) of the Misuse of Drugs Act 1971. It will amend the Misuse of Drugs Regulations (Northern Ireland) 2002 and is subject to the negative resolution procedure.

2. Purpose

2.1. The Statutory rule will bring forward regulations to make it unlawful to possess, supply, produce, import or export a range of synthetic cannabinoids, Methoxetamine, and O-desmethyltramadol.

3. Background

3.1. The Advisory Council on the Misuse of Drugs (ACMD) advice has been accepted that legislative amendments are made to include additions to the definition of controlled synthetic cannabinoid receptor agonists ('synthetic cannabinoids'), and methoxetamine and other related compounds, as well as O-desmethyltramadol are defined as Class B drugs under Schedule 2 to the Misuse of Drugs Act 1971 (‘the 1971 Act’).

4. Consultation

4.1. In light of the need to protect public health, no public consultation has been carried out in bringing forward these regulations. Before providing its advice the ACMD consulted a range of experts.

5. Equality Impact

5.1. The Department of Health, Social Services and Public Safety has also screened this SR for the purposes of s75 of the Northern Ireland Act 1998 and has concluded that an Equality Impact Assessment is not necessary.

6. Regulatory Impact

6.1. The Regulation does not require a Regulatory Impact Assessment as it will not impose any additional costs on business, charities or voluntary bodies.

7. Financial Implications

7.1. Not applicable

8. Section 24 of the Northern Ireland Act 1998

8.1. The proposed SR is compatible with s24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. The provisions included in the regulations will bring Northern Ireland into line with measures which are already in place in the rest of the UK.

11. Additional Information

11.1. Not applicable