STATUTORY RULES OF NORTHERN IRELAND

2024 No. 223

DANGEROUS DRUGS

The Misuse of Drugs (Designation) (Amendment No. 2) Order (Northern Ireland) 2024

Made - - - -	*19th December 2024*
Coming into operation -	*15th January 2025*

The Department of Health, makes the following Order in exercise of the powers conferred by section 7(4) and (5) of the Misuse of Drugs Act 1971(**a**) as adapted by section 7(9) of that Act and now vested in it(**b**) and after consultation with the Advisory Council on the Misuse of Drugs in accordance with section 7(7) of that Act.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Misuse of Drugs (Designation) (Amendment No. 2) Order (Northern Ireland) 2024 and shall come into operation on 15th January 2025.

(2) The Interpretation Act (Northern Ireland) 1954(**c**) shall apply to this Order as it applies to an Act of the Northern Ireland Assembly.

Amendment of the Misuse of Drugs (Designation) Order (Northern Ireland) 2001

2.—(1) The following amendments are made to Part 1 of Schedule 1 to the Misuse of Drugs (Designation) Order (Northern Ireland) 2001(**d**) (which specifies Controlled Drugs to which section 7(4) of the Misuse of Drugs Act 1971 applies).

(2) In paragraph 1(a), insert in the appropriate places the following—

"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);

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

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

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);

(**a**) 1971 c. 38, as amended by the Police Reform and Social Responsibility Act 2011 (c. 13), Sch 17, para 7.
(**b**) S.R. & O (N.I.) 1973 No. 504, Article 5(a) and S.I. 1999/283 (N.I. 1), Article 3(6).
(**c**) 1954 c. 33 (N.I.).
(**d**) S.R. 2001 No. 431, relevant amending Orders are S.R. 2019 No. 207, S.R. 2018 Nos. 174 and 3, S.R. 2015 Nos. 228 and 54, S.R. 2014 Nos. 262, 159 and 20, S.R. 2013 No. 77, S.R. 2012 No. 212, S.R. 2011 No. 154, S.R. 2010 Nos. 246 and 149, S.R. 2009 No. 389, S.R. 2005 No. 359, S.R. 2021 No. 231 and S.R. 2024 No. 37.

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

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

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);

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

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);

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

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

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

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-diazobicyclo[3.2.1]octan-8-yl)propan-1-one);

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

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

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

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

(3) In the entry for Methoxyphenidine in paragraph 1(a), at the end insert "(1-[1-(2-methoxyphenyl)-2-phenylethyl]piperidine) (methoxphenidine)".

(4) After paragraph 1(y), insert—

"(z) 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.".

Sealed with the Official Seal of the Department of Health on 19th December 2024.

(L.S.)

Michael O'Neill
A senior officer of the Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

This Order amends the Misuse of Drugs (Designation) Order (Northern Ireland) 2001 (S.R. 2001 No. 431) ("the Order").

Regulation 2(2) adds twenty-one substances (four acyl piperazine opioids, two chemically bridged acyl piperazine derivatives, and fifteen novel benzodiazepines and related compounds) to Part 1 of Schedule 1 to the Order.

Regulation 2(3) adds an additional common name and the full International Union of Pure and Applied Chemistry name to the entry for methoxyphenidine, which is already included in Part 1 of Schedule 1 to the Order.

Regulation 2(4) adds a range of 2-benzyl benzimidazole variants to the Order.

Section 7(3) of the Misuse of Drugs Act 1971 (c. 38) requires the Department of Health to make regulations to allow drugs controlled under that Act to be used for medicinal purposes. Section 7(3), however, does not apply to any drug which is designated by order under section 7(4) of that Act. Controlled drugs are designated where the Department of Health is of the opinion that it is in the public interest for production, supply and possession of that drug to be either wholly unlawful or unlawful except for research or other special purposes, or for medicinal use of the drug to be unlawful except under licence. Part 1 of Schedule 1 to the Order specifies the list of controlled drugs to which section 7(4) applies.

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