STATUTORY RULES OF NORTHERN IRELAND

2021 No. 222

DANGEROUS DRUGS

The Misuse of Drugs (Designation) (Amendment) Regulations (Northern Ireland) 2021

Made - - - -	*28th July 2021*
Coming into operation -	*18th August 2021*

The Department of Health(**a**) makes the following Regulations in exercise of the powers conferred by section 7(4) and (5) of the Misuse of Drugs Act 1971 (**b**) as adapted by section 7(9) of that Act and now vested in it(**c**) 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) Order (Northern Ireland) 2021 and shall come into operation on 18th August 2021.

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

Amendment of the Misuse of Drugs Regulations (Northern Ireland) 2002

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

(2) In paragraph 1(a)—

(a) after "Etryptamine" insert "Flualprazolam (8-chloro-6-(2-fluorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine)";

(b) after "Flubromazolam (8-Bromo-6-(2-fluorophenyl)-1-methyl-4H -[1,2,4]triazolo[4,3-a][1,4] benzodiazepine)" insert "Flunitrazolam (6-(2-fluorophenyl)-1-methyl-8-nitro-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine)";

(c) after "Nitrazolam (1-Methyl-8-nitro-6-phenyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine)" insert "Norfludiazepam (7-chloro-5-(2-fluorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one)".

Sealed with the Official Seal of the Department of Health on 28th July 2021

(**a**) Formerly the Department of Health, Social Services and Public Safety; see 2016 c. 5 (N.I.), s. 1(5)
(**b**) 1971 c. 38 as amended by section 151 of, and Schedule 17 to, the Police Reform and Social Responsibility Act 2011 c.13
(**c**) S.R. & O (N.I.) 1973 No. 504, Article 5(a) and S.I. 1999/283 (N.I. 1), Article 3(6)
(**d**) 1954 c. 33 (N.I.)
(**e**) 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 and S.R. 2005 No. 359

(L.S.)

Cathy Harrison
A senior officer of the Department of Health

EXPLANATORY NOTE

(This note is not part of the Order)

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

Section 7(3) of the Misuse of Drugs Act 1971 (c. 38) ("the 1971 Act") requires regulations to be made to allow the use for certain purposes, including medical use, of the drugs which are subject to control under that Act. Section 7(4)(b) of the 1971 Act provides, however, that designated controlled drugs will be exempt from this easement and so cannot lawfully be prescribed, administered, produced, compounded or supplied except under licence or other authority issued by the Department of Health. The designations in question are in the Misuse of Drugs (Designation) Order (Northern Ireland) 2001 ("the Order"). Part 1 of Schedule 1 to the Order is amended by adding flualprazolam, flunitrazolam and norfludiazepam to that Part (which specifies controlled drugs to which section 7(4) of the 1971 Act applies).

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£4.90

http://www.legislation.gov.uk/id/nisr/2021/222

ISBN 978-0-33-801697-3

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