

2012 No. 1311

DANGEROUS DRUGS, ENGLAND AND WALES

DANGEROUS DRUGS, SCOTLAND

The Misuse of Drugs (Amendment No.3) (England, Wales and Scotland) Regulations 2012

<i>Made</i> - - - -	<i>16th May 2012</i>
<i>Laid before Parliament</i>	<i>21st May 2012</i>
<i>Coming into force</i> - -	<i>13th June 2012</i>

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

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 (Amendment No.3) (England, Wales and Scotland) Regulations 2012 and shall come into force on 13th June 2012.

(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) shall be amended as follows.

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

“(o) Any compound (not being pipradrol) structurally derived from piperidine, pyrrolidine, azepane, morpholine or pyridine by substitution at a ring carbon atom with a diphenylmethyl group, whether or not the compound is further modified in any of the following ways, that is to say,

(i) by substitution in any of the phenyl rings to any extent with alkyl, alkoxy, haloalkyl or halide groups;

(a) 1971 c. 38. Section 22 has been amended by section 177(1) of, and paragraph 12 of Schedule 4 to, the Customs and Excise Management Act 1979 (c. 2).

(b) S.I. 2001/3998. Relevant amending instruments are S.I. 2003/1432, S.I. 2003/1653, S.I. 2003/2429, S.I. 2004/1771, S.I. 2005/271, S.I. 2005/1653, S.I. 2005/2864, S.I. 2005/3372, S.I. 2006/986, S.I. 2006/1450, S.I. 2006/2178, S.I. 2007/2154, S.I. 2009/3136, S.I. 2010/1144, S.I. 2010/1799, S.I. 2011/448, S.I. 2012/277 which was not published and was revoked by S.I. 2012/385, and S.I. 2012/973.

- (ii) by substitution at the methyl carbon atom with an alkyl, hydroxyalkyl or hydroxy group;
- (iii) by substitution at the ring nitrogen atom with an alkyl, alkenyl, haloalkyl or hydroxyalkyl group.”.

4. In paragraph 1(a) of Schedule 3 (which specifies controlled drugs subject to the requirements of regulations 14, 15 (except Temazepam), 16, 18, 22, 23, 24, 26 and 27) after “Benzphetamine”, insert “7-bromo-5-(2-chlorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one”.

5. In Schedule 3 for paragraphs 2, 3 and 4, substitute—

“2. Any stereoisomeric form of a substance specified in paragraph 1 or 3 not being phenylpropanolamine.

3. Any ester or ether of pipradrol.

4. Any salt of a substance specified in any of paragraphs 1 to 3.

5. Any preparation or other product containing a substance specified in any of paragraphs 1 to 4, not being a preparation specified in Schedule 5.”.

Home Office
16th May 2012

Lord Henley
Minister of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations add, in regulation 3, desoxy pipradrol and other pipradrol-related compounds to Schedule 1 to the Misuse of Drugs Regulations 2001 (the “2001 Regulations”). Regulation 4 adds 7-bromo-5-(2-chlorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one (commonly known as phenazepam), and regulation 5 adds any ester or ether of pipradrol, or any stereoisomeric form or salt or preparation or other product of such an ester or ether, to Schedule 3 to the 2001 Regulations. 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.

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