1987 No. 68

DANGEROUS DRUGS

The Misuse of Drugs (Amendment) Regulations (Northern Ireland) 1987

Made . . . . . 18th February 1987

Coming into operation . . 1st April 1987

The Department of Health and Social Services for Northern Ireland in exercise of the powers conferred by sections 7, 10 and 31 of the Misuse of Drugs Act 1971(**a**) as adapted by section 38 of that Act and now vested in it(**b**) and of every other power enabling it in that behalf and after consultation in accordance with section 31(3) of that Act with the Advisory Council on the Misuse of Drugs, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Misuse of Drugs (Amendment) Regulations (Northern Ireland) 1987 and shall come into operation on 1st April 1987.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(**c**) shall apply to these regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the Misuse of Drugs (Northern Ireland) Regulations 1986

3.—(1) The Misuse of Drugs (Northern Ireland) Regulations 1986(**d**) shall be amended in accordance with the following provisions.

(2) For regulation 9(3) there shall be substituted the following paragraph:—

"(3) Notwithstanding the provisions of section 4(1)(*b*) of the Act—

(*a*) a person who is authorised as a member of a group, under and in accordance with the terms of his group authority and in compliance with any conditions attached thereto;

(*b*) the person in charge or acting person in charge of a hospital or nursing home;

(*c*) in the case of such a drug supplied to her by a person responsible for the dispensing and supply of medicines at that hospital or nursing home, the sister or acting sister for the time being in charge of a ward, theatre or other department in a hospital or nursing home,

(**a**) 1971 c. 38
(**b**) By S.R. & O. (N.I.) 1973 No. 504 art. 5(*a*)
(**c**) 1954 c. 33 (N.I.)
(**d**) S.R. 1986 No. 52

may, when acting in his capacity as such, supply or offer to supply any drug specified in Schedule 3, or any drug specified in Schedule 4 which is contained in a medicinal product, to any person who may lawfully have that drug in his possession:

Provided that nothing in this paragraph authorises—

(i) the person in charge or acting person in charge of a hospital or nursing home, having a pharmacist responsible for the dispensing and supply of medicines, to supply or offer to supply any drug;

(ii) a sister or acting sister for the time being in charge of a ward, theatre or other department to supply any drug otherwise than for administration to a patient in that ward, theatre or department in accordance with the directions of a doctor or dentist.''.

(3) Paragraph 1 of Schedule 1 shall be amended as follows—

(*a*) in sub-paragraph (*a*), after ''Cannabis and cannabis resin'' there shall be inserted ''Cathinone''; and

(*b*) there shall be added at the end the following sub-paragraphs:—

''(*d*) any compound (not being a compound for the time being specified in Schedule 2) structurally derived from fentanyl by modification in any of the following ways, that is to say,

(i) by replacement of the phenyl portion of the phenethyl group by any heteromonocycle whether or not further substituted in the heterocycle;

(ii) by substitution in the phenethyl group with alkyl, alkenyl, alkoxy, hydroxy, halogeno, haloalkyl, amino or nitro groups;

(iii) by substitution in the piperidine ring with alkyl or alkenyl groups;

(iv) by substitution in the aniline ring with alkyl, alkoxy, alkylenedioxy, halogeno or haloalkyl groups;

(v) by substitution at the 4-position of the piperidine ring with any alkoxycarbonyl or alkoxyalkyl or acyloxy group;

(vi) by replacement of the *N*-propionyl group by another acyl group;

(*e*) any compound (not being a compound for the time being specified in Schedule 2) structurally derived from pethidine by modification in any of the following ways, that is to say,

(i) by replacement of the 1-methyl group by an acyl, alkyl whether or not unsaturated, benzyl or phenethyl group, whether or not further substituted;

(ii) by substitution in the piperidine ring with alkyl or alkenyl groups or with a propano bridge, whether or not further substituted;

(iii) by substitution in the 4-phenyl ring with alkyl, alkoxy, aryloxy, halogeno or haloalkyl groups;