

## Temporary Class Drug Notices



On 4 August, the Government passed amendments to the Misuse of Drugs Act 1975 that give the Minister of Health the ability to issue temporary class drug notices (TCDN). These are effectively temporary bans on substances.

How temporary class drug notices will work:

- The Minister of Health is able to issue a temporary class drug notice on any substance, preparation, mixture, or article that they believe 'poses or may pose a risk of harm to individuals or society'. This can be applied to particular products, or substances that may be in any given product.
- Notices will come into force seven days from the day it is gazetted.
- The notice lasts for 12 months after coming into force, during which time the risk of harm must be assessed by a committee (to be established for that purpose) to determine its appropriate permanent classification, if any, under the Misuse of Drugs Act 1975 (MODA). If more time is needed, the Minister may renew the notice for another year but this can be done only once.
- From the date that a notice comes into force, the import, export, manufacture, supply, and sale of the drug concerned will become illegal and is to be treated 'as if it were' a Class C1 controlled drug, except that personal possession and use will not be a criminal offence. The exception for personal possession does not apply to imports and exports of the drugs.
- The analogue provisions of the MODA do not apply to the drugs listed under a TCDN.

Other changes introduced in the MODA amendment Bill 2010:

- Reclassification of ephedrine and pseudoephedrine to Class B2 drugs. This will take effect from 8 September 2011.

- Changes to enable seizure of identifiable component of a pipe or other utensil. Schedule 1 of the Customs and Excise Act 1996 has been amended to capture this change in wording. This change will not come into effect until a new notice is issued. Further advice will be given when this notice is issued.
- Changes have been made to the existing drug analogue provisions. These changes are technical and should not directly affect Customs officers however they will clarify coverage for ESR in testing new and emerging substances.
- Thalidomide has been removed as a Class A controlled drug. It is now classified as a prescription medicine.

If you have any queries relating to the changes to the Misuse of Drugs Act please contact Customs on 0800 4 CUSTOMS.

### **Temporary class drug notice**

Pursuant to section 4C of the Misuse of Drugs Act 1975, the Associate Minister of Health has named several substances as temporary class drugs. These can be found in the [New Zealand Gazette, issue 122](#)The ECN Group have been making plans to move to a new data centre. The actual data centre move has been scheduled for the end of August 2011 and an extended outage will be required to complete this.

ECN have scheduled an outage on 27 August 2011 that will affect Customs and MAF messaging for an extended amount of time.

### **Scheduled outage notification**

**From:** 7:00pm Saturday, 27 August 2011

**To:** 5:00am Sunday, 28 August 2011

NZ time (the outage will be approximately 10 hours in duration).

### **Systems affected:**

- Customs and MAF messaging for your environment will not be available during this extended maintenance window.
- Customs and MAF messages sent during this outage will be queued in your own internal systems.
- CusWeb Site will not be available during this outage period.

Thorough planning has been completed to ensure a smooth transition during the data centre move.

It is recommended that customers complete any urgent entries before this outage period.

If you have any queries regarding this outage, or if you need assistance during the outage, please contact the ECN Helpdesk on 0800 NZ CUSTOMS (692 878).

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