MISUSE OF DRUGS (MISCELLANEOUS AMENDMENTS) (No. 6) (JERSEY) ORDER 2016

Arrangement

Article

MISUSE OF DRUGS (MISCELLANEOUS AMENDMENTS) (No. 6) (JERSEY) ORDER 2016

Made *17th February 2016*
Coming into force *24th February 2016*

THE MINISTER FOR HEALTH AND SOCIAL SERVICES, in pursuance of Articles 3, 12, 13 and 27 of the Misuse of Drugs (Jersey) Law 1978[1], and on the recommendation of the Advisory Council on the Misuse of Drugs, orders as follows –

1 Misuse of Drugs (Jersey) Law 1978 amended

In the Misuse of Drugs (Jersey) Law 1978[2] –

(a) in Part 1 of Schedule 2 –

(i) in paragraph 1(a) –

(A) before the substance "1-(3,4-Methylenedioxybenzyl)butyl(ethyl)amine" there is inserted the substance "1-Cyclohexyl-4-(1,2diphenylethyl)piperazine (MT-45)",

(B) after the substance "2, 5-Dimethoxy-α, 4-dimethylphenethylamine" there is inserted the substance "2,4-dimethylazetidinyl{(6aR,9R)-7-methyl-4,6,6a,7,8,9-hexahydroindolo[4,3-fg]quinolin-9-yl}methanone (LSZ)",

(C) after the substance "2-Methyl-3-morpholino-l, l-diphenylpropanecar-boxylic acid" there is inserted the substance "3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921)",

(D) after the substance "4-Methyl-aminorex" there is inserted the substance "4-Methyl-5-(4methylphenyl)-4,5-dihydrooxazol-2-amine (4,4'-DMAR)",

(E) after the substance "4-Phenylpiperidine-4-carboxylic acid ethyl ester" there are inserted the following substances –

"(6aR,9R)-4-acetyl-N,N-diethyl-7-methyl-4,6,6a,7,8,9-hexahydroindolo[4,3-fg]quinoline-9-carboxamide (ALD-52)

(6aR,9R)-N,N-diethyl-7-allyl-4,6,6a,7,8,9-hexahydroindolo[4,3-fg]quinoline-9-carboxamide (AL-LAD)

(6aR,9R)-N,N-diethyl-7-ethyl-4,6,6a,7,8,9-hexahydroindolo[4,3-fg]quinoline-9-carboxamide (ETH-LAD)

(6aR,9R)-N,N-diethyl-7-propyl-4,6,6a,7,8,9-hexahydroindolo[4,3-fg]quinoline-9-carboxamide (PRO-LAD)",

(ii) for paragraph 1(b) there is substituted the following sub-paragraph –

"(b) any compound (not being a compound for the time being specified in sub-paragraph (a)) structurally derived from tryptamine or from a ring-hydroxy tryptamine by modification in any of the following ways, that is to say –

(i) by substitution at the nitrogen atom of the sidechain to any extent with alkyl or alkenyl substituents, or by inclusion of the nitrogen atom of the side chain (and no other atoms of the side chain) in a cyclic structure,

(ii) by substitution at the carbon atom adjacent to the nitrogen atom of the side chain with alkyl or alkenyl substituents,

(iii) by substitution in the 6-membered ring to any extent with alkyl, alkoxy, haloalkyl, thioalkyl, alkylenedioxy, or halide substituents,

(iv) by substitution at the 2-position of the tryptamine ring system with an alkyl substituent;";

(b) in Part 2 of Schedule 2 –

(i) in paragraph 1(a) –

(A) after the substance "Codeine" there is inserted the substance "3,4-Dichloromethylphenidate (3,4-DCMP)",

(B) after the substance "(3-ethylmorphine)" there is inserted the substance "Ethylnaphthidate",

(C) after the substance "Glutethimide" there is inserted the substance "Isopropylphenidate (IPP or IPPD)",

(D) after the substance "Lefetamine" there is inserted the substance "Lisdexamphetamine",

(E) after the substance "Methcathinone" there are inserted the following substances –

"4-methylmethylphenidate

Methylnaphthidate (HDMP-28)",

(F) after the substance "N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (AB-FUBINACA)" there is inserted the substance "N-methyl-1-(thiophen-2-yl)propan-2-amine (methiopropamine or MPA)",

(G) after the substance "Propiram" there is inserted the substance "Propylphenidate",

(ii) after paragraph 1(l) there is added the following sub-paragraph –

"(m) any compound (not being clonitazene, etonitazene, nabilone, zafirlukast, or a compound for the time being specified in sub-paragraphs (c) to (gd)) structurally related to 1-pentyl-3-(1-naphthoyl)indole (JWH-018), in that the four sub-structures, that is to say the indole ring, the pentyl substituent, the methanone linking group and the naphthyl ring, are linked together in a similar manner, whether or not any of the sub-structures have been modified, and whether or not substituted in any of the linked sub-structures with one or more univalent substituents and where the modifications of the sub-structures are limited to any the following, that is to say –

(i) replacement of the indole ring with indane, indene, indazole, pyrrole, pyrazole, imidazole, benzimidazole, or pyrazolo(3,4-b)pyridine,

(ii) replacement of the pentyl substituent with alkyl, alkenyl, benzyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, 2-(4-morpholinyl)ethyl, or (tetrahydropyran-4-yl)methyl,

(iii) replacement of the methanone linking group with an ethanone, carboxamide, carboxylate, methylene bridge or methine group,

(iv) replacement of the 1-naphthyl ring with 2-naphthyl, phenyl, benzyl, adamantyl, cycloalkyl, cycloalkylmethyl, cycloalkylethyl, bicyclo[2.2.1]heptanyl, 1,2,3,4-tetrahydronaphthyl, quinolinyl, isoquinolinyl, 1 amino-1-oxopropan-2-yl, 1-hydroxy-1-oxopropan-2-yl, or piperazinyl.".

2 Misuse of Drugs (Designation) (Jersey) Order 1989 amended

In the Schedule to the Misuse of Drugs (Designation) (Jersey) Order 1989[3] –

(a) in Part 1 –

(i) in paragraph 1(a) –

(A) after the substance "1,4-butanediol" there is inserted the substance "1-Cyclohexyl-4-(1,2diphenylethyl)piperazine (MT-45)",

(B) after the word "Cannabis" there are inserted the words "(not being the substance specified in paragraph 4 of Part 2 of this Schedule)",

(C) after the substance "2-(α-Methyl-3,4-methylenedioxyphenethylamino)ethanol" there is inserted the substance "2,4-dimethylazetidinyl{(6aR,9R)-7-methyl-

4,6,6a,7,8,9-hexahydroindolo[4,3-fg]quinolin-9-yl}methanone (LSZ)",

(D) after the substance "2-Methoxyethyl(α-methyl-3,4-methylenedioxyphenethyl)amine" there are inserted the following substances –

"3,4-Dichloromethylphenidate (3,4-DCMP)

3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921)",

(E) after the substance "4-Methyl-aminorex" there are inserted the following substances –

"4-methylmethylphenidate

4-Methyl-5-(4methylphenyl)-4,5-dihydrooxazol-2-amine (4,4-DMAR)

(6aR,9R)-4-acetyl-N,N-diethyl-7-methyl-4,6,6a,7,8,9-hexahydroindolo[4,3-fg]quinoline-9-carboxamide (ALD-52)

(6aR,9R)-N,N-diethyl-7-allyl-4,6,6a,7,8,9-hexahydroindolo[4,3-fg]quinoline-9-carboxamide (AL-LAD)

(6aR,9R)-N,N-diethyl-7-ethyl-4,6,6a,7,8,9-hexahydroindolo[4,3-fg]quinoline-9-carboxamide (ETH-LAD)

(6aR,9R)-N,N-diethyl-7-propyl-4,6,6a,7,8,9-hexahydroindolo[4,3-fg]quinoline-9-carboxamide (PRO-LAD)",

(F) after the substance "Dimethyl(α-methyl-3,4-methylenedioxyphenethyl)amine" there is inserted the substance "Ethylnaphthidate",

(G) after the substance "4-hydroxybutanoic acid (4-hydroxy-n-butyric acid; gamma-hydroxybutyric acid)" there is inserted the substance "Isopropylphenidate (IPP or IPPD)",

(H) after the substance "Methylamphetamine" there is inserted the substance "Methylnaphthidate (HDMP-28)",

(I) after the substance "O-Methyl-N-(α-methyl-3,4-methylenedioxyphenethyl)hydro-xylamine" there is inserted the substance "Propylphenidate",

(ii) for paragraph 1(b) there is substituted the following sub-paragraph –

"(b) any compound (not being a compound for the time being specified in sub-paragraph (a)) structurally derived from tryptamine or from a ring-hydroxy tryptamine by modification in any of the following ways, that is to say –

(i) by substitution at the nitrogen atom of the sidechain to any extent with alkyl or alkenyl substituents, or by inclusion of the nitrogen atom of the side chain (and no other atoms of the side chain) in a cyclic structure,

(ii) by substitution at the carbon atom adjacent to the nitrogen atom of the side chain with alkyl or alkenyl substituents,

(iii) by substitution in the 6-membered ring to any extent with alkyl, alkoxy, haloalkyl, thioalkyl, alkylenedioxy, or halide substituents,

(iv) by substitution at the 2-position of the tryptamine ring system with an alkyl substituent;",

(iii) after paragraph 1(p) there is added the following sub-paragraph –

"(q) any compound (not being clonitazene, etonitazene, nabilone, zafirlukast, or a compound for the time being specified in sub-paragraphs (j) to (nd)) structurally related to 1-pentyl-3-(1-naphthoyl)indole (JWH-018), in that the four sub-structures, that is to say the indole ring, the pentyl substituent, the methanone linking group and the naphthyl ring, are linked together in a similar manner, whether or not any of the sub-structures have been modified, and whether or not substituted in any of the linked sub-structures with one or more univalent substituents and where the modifications of the sub-structures are limited to any the following, that is to say –

(i) replacement of the indole ring with indane, indene, indazole, pyrrole, pyrazole, imidazole, benzimidazole, or pyrazolo(3,4-b)pyridine,

(ii) replacement of the pentyl substituent with alkyl, alkenyl, benzyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, 2-(4-morpholinyl)ethyl, or (tetrahydropyran-4-yl)methyl,

(iii) replacement of the methanone linking group with an ethanone, carboxamide, carboxylate, methylene bridge or methine group,

(iv) replacement of the 1-naphthyl ring with 2-naphthyl, phenyl, benzyl, adamantyl, cycloalkyl, cycloalkylmethyl, cycloalkylethyl, bicyclo[2.2.1]heptanyl, 1,2,3,4-tetrahydronaphthyl, quinolinyl, isoquinolinyl, 1 amino-1-oxopropan-2-yl, 1-hydroxy-1-oxopropan-2-yl, or piperazinyl.";

(b) in Part 2 after paragraph 3 there is added the following paragraph –

"4 A liquid formulation –

(a) containing a botanical extract of cannabis –

(i) with a concentration of not more than 30 milligrams of cannabidiol per millilitre, and not more than 30 milligrams of delta-9-tetrahydrocannabinol per millilitre, and

(ii) where the ratio of cannabidiol to delta-9-tetrahydrocannabinol is between 0.7 and 1.3;

(b) which is dispensed through a metered dose pump as a mucosal mouth spray; and

(c) which was approved for marketing by the Medicines and Healthcare Products Regulatory Agency of the United Kingdom on 16th June 2010.".

3 Misuse of Drugs (General Provisions) (Jersey) Order 2009 amended

In the Misuse of Drugs (General Provisions) (Jersey) Order 2009[4] –

(a) in Schedule 1 –

(i) in paragraph 1(a) –

(A) after the substance "Bufotenine" there is inserted the substance "1-Cyclohexyl-4-(1,2diphenylethyl)piperazine (MT-45)",

(B) after the word "Cannabis" there are inserted the words "(not being the substance specified in paragraph 10 of Schedule 4)",

(C) after the substance "Concentrate of poppy-straw" there are inserted the following substances –

"3,4-Dichloromethylphenidate (3,4-DCMP)

3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921)

Ethylnaphthidate",

(D) after the substance "Etryptamine" there is inserted the substance "Isopropylphenidate (IPP or IPPD)",

(E) after the substance "Methylamphetamine" there is inserted the substance "Methylnaphthidate (HDMP-28)",

(F) after the substance "N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (AB-FUBINACA)" there is inserted the substance "Propylphenidate",

(G) after the substance "2-((Dimethylamino)methyl)-1-(3-hydroxyphenyl)cyclohexanol (also known as O-desmethyltramadol) there is inserted the substance "2,4-dimethylazetidinyl{(6aR,9R)-7-methyl-4,6,6a,7,8,9-hexahydroindolo[4,3-fg]quinolin-9-yl}methanone (LSZ)",

(H) after the substance "4-Methyl-aminorex" there are inserted the following substances –

"4-methylmethylphenidate

4-Methyl-5-(4methylphenyl)-4,5-dihydrooxazol-2-amine (4,4'-DMAR)

(6aR,9R)-4-acetyl-N,N-diethyl-7-methyl-4,6,6a,7,8,9-hexahydroindolo[4,3-fg]quinoline-9-carboxamide (ALD-52)

(6aR,9R)-N,N-diethyl-7-allyl-4,6,6a,7,8,9-hexahydroindolo[4,3-fg]quinoline-9-carboxamide (AL-LAD)

(6aR,9R)-N,N-diethyl-7-ethyl-4,6,6a,7,8,9-hexahydroindolo[4,3-fg]quinoline-9-carboxamide (ETH-LAD)

(6aR,9R)-N,N-diethyl-7-propyl-4,6,6a,7,8,9-hexahydroindolo[4,3-fg]quinoline-9-carboxamide (PRO-LAD)",

(ii) for paragraph 1(b) there is substituted the following sub-paragraph –

"(b) any compound (not being a compound for the time being specified in sub-paragraph (a)) structurally derived from tryptamine or from a ring-hydroxy tryptamine by modification in any of the following ways, that is to say –

(i) by substitution at the nitrogen atom of the sidechain to any extent with alkyl or alkenyl substituents, or by inclusion of the nitrogen atom of the side chain (and no other atoms of the side chain) in a cyclic structure,

(ii) by substitution at the carbon atom adjacent to the nitrogen atom of the side chain with alkyl or alkenyl substituents,

(iii) by substitution in the 6-membered ring to any extent with alkyl, alkoxy, haloalkyl, thioalkyl, alkylenedioxy, or halide substituents,

(iv) by substitution at the 2-position of the tryptamine ring system with an alkyl substituent;",

(iii) after paragraph 1(u) there is added the following sub-paragraph –

"(v) any compound (not being clonitazene, etonitazene, nabilone, zafirlukast, or a compound for the time being specified in sub-paragraphs (l) to (pd)) structurally related to 1-pentyl-3-(1-naphthoyl)indole (JWH-018), in that the four sub-structures, that is to say the indole ring, the pentyl substituent, the methanone linking group and the naphthyl ring, are linked together in a similar manner, whether or not any of the sub-structures have been modified, and whether or not substituted in any of the linked sub-structures with one or more univalent substituents and where the modifications of the sub-structures are limited to any the following, that is to say –

(i) replacement of the indole ring with indane, indene, indazole, pyrrole, pyrazole, imidazole, benzimidazole, or pyrazolo(3,4-b)pyridine,

(ii) replacement of the pentyl substituent with alkyl, alkenyl, benzyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, 2-(4-morpholinyl)ethyl, or (tetrahydropyran-4-yl)methyl,

(iii) replacement of the methanone linking group with an ethanone, carboxamide, carboxylate, methylene bridge or methine group,

(iv) replacement of the 1-naphthyl ring with 2-naphthyl, phenyl, benzyl, adamantyl, cycloalkyl, cycloalkylmethyl, cycloalkylethyl, bicyclo[2.2.1]heptanyl, 1,2,3,4-tetrahydronaphthyl, quinolinyl, isoquinolinyl, 1 amino-1-oxopropan-2-yl, 1-hydroxy-1-oxopropan-2-yl, or piperazinyl.";

(b) in paragraph 1 of Schedule 2 –

(i) after the substance "Levorphanol" there is inserted the substance "Lisdexamphetamine",

(ii) after the substance "Nicomorphine" there is inserted the substance "N-methyl-1-(thiophen-2-yl)propan-2-amine (methiopropamine or MPA)";

(c) in Schedule 4 after paragraph 9 there is added the following paragraph –

"10 A liquid formulation –

(a) containing a botanical extract of cannabis –

(i) with a concentration of not more than 30 milligrams of cannabidiol per millilitre, and not more than 30 milligrams of delta-9-tetrahydrocannabinol per millilitre, and

(ii) where the ratio of cannabidiol to delta-9-tetrahydrocannabinol is between 0.7 and 1.3;

(b) which is dispensed through a metered dose pump as a mucosal mouth spray; and

(c) which was approved for marketing by the Medicines and Healthcare Products Regulatory Agency of the United Kingdom on 16th June 2010.".

4 Citation and commencement

This Order may be cited as the Misuse of Drugs (Miscellaneous Amendments) (No. 6) (Jersey) Order 2016 and shall come into force 7 days after the day it is made.

SENATOR A.K.F. GREEN, M.B.E.

Minister for Health and Social Services

[1] *chapter 08.680*
[2] *chapter 08.680*
[3] *chapter 08.680.40*
[4] *chapter 08.680.60*