



Jersey

MISUSE OF DRUGS (MISCELLANEOUS AMENDMENTS) (NO. 8) (JERSEY) ORDER 2019

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*Made**26th June 2019**Coming into force**in accordance with Article 5*

THE MINISTER FOR HEALTH AND SOCIAL SERVICES makes this Order under Articles 3, 12, 13 and 27 of the Misuse of Drugs (Jersey) Law 1978¹, and on the recommendation of the Advisory Council on the Misuse of Drugs –

1 Misuse of Drugs (Jersey) Law 1978 amended

- (1) The Misuse of Drugs (Jersey) Law 1978² is amended as set out in this Article.
- (2) In paragraph 1(a) of Part 2 of Schedule 2, after the entry for “Ethynaphthidate” there is inserted –
 - “3-Fluorophenmetrazine”.
- (3) In paragraph 2 of Part 3 of Schedule 2 –
 - (a) after the entry for “Furazabol” there is inserted –
 - “Gabapentin (1-(aminomethyl)cyclohexaneacetic acid)”;
 - (b) after the entry for “Prasterone” there is inserted –
 - “Pregabalin ((S)-3-(aminomethyl)-5-methylhexanoic acid)”.

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

- (1) The Misuse of Drugs (General Provisions) (Jersey) Order 2009³ is amended as set out as in this Article.
- (2) After Article 2(4), there is inserted –
 - “(5) The prohibition on importation in Article 4(1) of the Law, as well as Articles 5 and 8(1) of the Law, do not have effect in respect of cannabinol or cannabinol derivatives found in a preparation of cannabidiol, provided that –
 - (a) the combined weight of cannabinol and cannabinol derivatives contained in the preparation is not more than 3% of the weight of cannabidiol contained in the preparation;

- (b) a certificate of analysis, attesting that the preparation meets the criterion set out in sub-paragraph (a), has been issued –
 - (i) by the Official Analyst appointed under Article 2 of the Food Safety (Jersey) Law 1966⁴, or
 - (ii) in compliance with any applicable legislation in the jurisdiction in which the preparation was analysed, if it was not analysed in Jersey;
 - (c) the preparation contains no controlled drug other than cannabinal, cannabinal derivatives or a combination of them;
 - (d) the preparation contains no plant material that is visible, without magnification or other enhancement, to an individual with unimpaired vision; and
 - (e) the preparation’s package or container sets out, in legible form, a complete list of the preparation’s ingredients.”.
- (3) For Article 15(1)(b) there is substituted –
 - “(b) poppy-straw;
 - (ba) cannabinal or cannabinal derivatives falling within Article 2(5); or”.
- (4) After Article 20(2)(b) there is inserted –
 - “(ba) cannabinal or cannabinal derivatives falling within Article 2(5);”.
- (5) In paragraph 1(a) of Schedule 1 –
 - (a) in the entry for “Cannabinal”, after “not falling within” there is inserted “Article 2(5) or within”;
 - (b) in the entry for “Cannabinal derivatives”, for “paragraph 10 of Part 2” there is substituted “Article 2(5) or within paragraph 10 of Schedule 2”.
- (6) In paragraph 6 of Schedule 2, after the entry for “Fenethylline” there is inserted –
 - “3-Fluorophenmetrazine”.
- (7) In paragraph 2 of Schedule 4 –
 - (a) after the entry for “Furazabol” there is inserted –
 - “Gabapentin (1-(aminomethyl)cyclohexaneacetic acid)”;
 - (b) after the entry for “Prasterone” there is inserted –
 - “Pregabalin ((S)-3-(aminomethyl)-5-methylhexanoic acid)”.

3 Schedule to Misuse of Drugs (Designation) (Jersey) Order 1989 amended

In the Schedule to the Misuse of Drugs (Designation) (Jersey) Order 1989⁵ –

- (a) in paragraph 1(a) of Part 1, in the entries for “Cannabinal” and “Cannabinal derivatives”, for “paragraph 5” there is substituted “paragraph 5 or 6”;
- (b) after paragraph 5 of Part 2, there is inserted –

- “6 Cannabinol or cannabinol derivatives found in a preparation of cannabidiol, where –
- (a) the combined weight of cannabinol and cannabinol derivatives contained in the preparation is not more than 3% of the weight of cannabidiol contained in the preparation;
 - (b) a certificate of analysis, attesting that the preparation meets the criterion set out in sub-paragraph (a), has been issued –
 - (i) by the Official Analyst appointed under Article 2 of the Food Safety (Jersey) Law 1966⁶, or
 - (ii) in compliance with any applicable legislation in the jurisdiction in which the preparation was analysed, if it was not analysed in Jersey;
 - (c) the preparation contains no controlled drug other than cannabinol, cannabinol derivatives or a combination of them;
 - (d) the preparation contains no plant material that is visible, without magnification or other enhancement, to an individual with unimpaired vision; and
 - (e) the preparation’s package or container sets out, in legible form, a complete list of the preparation’s ingredients.”.

4 Article 2 of the Misuse of Drugs (Addicts) (Jersey) Order 1980 deleted

In the Misuse of Drugs (Addicts) (Jersey) Order 1980⁷, Article 2 is deleted.

5 Citation and commencement

- (1) This Order may be cited as the Misuse of Drugs (Miscellaneous Amendments) (No. 8) (Jersey) Order 2019 and, subject to paragraph (2), comes into force on the day after the day on which it is made.
- (2) Articles 1(3) and 2(7) come into force on the 30th day after the day on which this Order is made.

DEPUTY R.J. RENOUF OF ST. OUEN

Minister for Health and Social Services

ENDNOTES**Table of Endnote References**

<i>1</i>	<i>chapter 08.680</i>
<i>2</i>	<i>chapter 08.680</i>
<i>3</i>	<i>chapter 08.680.60</i>
<i>4</i>	<i>chapter 20.225</i>
<i>5</i>	<i>chapter 08.680.40</i>
<i>6</i>	<i>chapter 20.225</i>
<i>7</i>	<i>chapter 08.680.20</i>