



Jersey

MISUSE OF DRUGS (MISCELLANEOUS AMENDMENTS) (No. 4) (JERSEY) ORDER 2013

Arrangement

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Made

19th December 2013

Coming into force

in accordance with Article 5

THE MINISTER FOR HEALTH AND SOCIAL SERVICES, in pursuance of Articles 3, 5, 12, 13 and 27 of the Misuse of Drugs (Jersey) Law 1978¹, and after consultation with 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 1978² –

- (a) in Part 2 of Schedule 2, in paragraph 1(a) –
- (i) after the substance “2-((Dimethylamino)methyl)-1-(3-hydroxyphenyl)cyclohexanol (also known as O-desmethyltramadol)” there shall be inserted the substance –
“Ethylphenidate”,
 - (ii) after the substance “Methylphenobarbitone” there shall be inserted the following substances –
“N-adamantyl-1-pentyl-1H-indazole-3-carboxamide (AKB-48)
N-adamantyl-1-(5-fluoropentyl)-1H-indazole-3-carboxamide (5F-AKB-48)
N-adamantyl-1-(5-fluoropentyl)-1H-indole-3-carboxamide (STS-135),
 - (iii) after the substance “Propiram” there shall be inserted the substance –
“Quinolin-8-yl-1-(5-fluoropentyl)-1H-indole-3-carboxylate (5F-PB-22)”;
- (b) in Part 3 of Schedule 2, in paragraph (1)(a), after the substance “Tetraepam” there shall be inserted the following substance –
“Tramadol ((±)-trans-2-((dimethylamino)methyl)-1-(3-methoxyphenyl)cyclohexanol)”.

2 Misuse of Drugs (Addicts) (Jersey) Order 1980 amended

- (1) In this Article “Order” means the Misuse of Drugs (Addicts) (Jersey) Order 1980³.
- (2) in Article 1(1) of the Order, after the definition “drug” there shall be added the following definition –
 - “ ‘nurse independent prescriber’ means any of the following –
 - (a) a midwife prescribing practitioner registered under the Health Care (Registration) (Jersey) Law 1995⁴;
 - (b) a nurse prescribing practitioner registered under the Health Care (Registration) (Jersey) Law 1995;
 - (c) a specialist community public health nurse prescribing practitioner registered under the Health Care (Registration) (Jersey) Law 1995.”.
- (3) In Article 2 of the Order, after the word “doctor” wherever it appears, except where it appears in paragraph (2)(b)(ii), there shall be inserted the words “or nurse independent prescriber”.
- (4) In Article 3 of the Order –
 - (a) after the word “doctor” wherever it appears, there shall be inserted the words “or nurse independent prescriber”;
 - (b) after paragraph (3)(e) of the Order, there shall be added the following sub-paragraph –
 - “(f) buprenorphine.”.
- (5) In the Schedule to the Order, in paragraph 1, before the substance “Cocaine” there shall be added the following substance –
 - “Buprenorphine.”.

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

In Part 1 of the Schedule to the Misuse of Drugs (Designation) (Jersey) Order 1989⁵, in paragraph 1(a) –

- (a) the substance “Amphetamine” shall be deleted;
- (b) after the substance “Dimethyl(α -methyl-3,4-methylenedioxyphenethyl)amine” there shall be inserted the following substance –
 - “Ethylphenidate”;
- (c) after the substance “Methylamphetamine” there shall be inserted the following substances –
 - “N-adamantyl-1-pentyl-1H-indazole-3-carboxamide (AKB-48)
 - N-adamantyl-1(5-fluoropentyl)-1H-indazole-3-carboxamide (5F-AKB-48)
 - N-adamantyl-1(5-fluoropentyl)-1H-indole-3-carboxamide (STS-135)”;

- (d) after the substance “Psilocin” there shall be inserted the following substance –
- “Quinolin-8-yl-1-(5fluoropentyl)-1H-indole-3-carboxylate (5F-pB-22)”.

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

- (1) In this Article “Order” means the Misuse of Drugs (General Provisions) (Jersey) Order 2009⁶.
- (2) In Article 1(1) of the Order –
- (a) after the definition “midwife” there shall be inserted the following definition –
- “ ‘nurse independent prescriber’ means any of the following –
- (a) a midwife prescribing practitioner registered under the Health Care (Registration) (Jersey) Law 1995;
- (b) a nurse prescribing practitioner registered under the Health Care (Registration) (Jersey) Law 1995;
- (c) a specialist community public health nurse prescribing practitioner registered under the Health Care (Registration) (Jersey) Law 1995;”;
- (b) in the definition “prescription” –
- (i) in sub-paragraph (b) the word “or” shall be deleted,
- (ii) after sub-paragraph (c) there shall be inserted the word “or” and the following sub-paragraph –
- “(d) by a nurse independent prescriber for the medical treatment of a single individual;”.
- (3) In Article 4(1)(b) of the Order –
- (a) after the word “practitioner” there shall be inserted the words “or nurse independent prescriber”;
- (b) after the word “dentist” there shall be inserted the words “, nurse independent prescriber”.
- (4) In Article 5(2) and 5(3) of the Order, for the words “doctor or dentist” there shall be substituted the words “doctor, dentist or nurse independent prescriber”.
- (5) In Article 6 of the Order –
- (a) after paragraph (2) there shall be inserted the following paragraphs –
- “(2A) A nurse independent prescriber, acting in that capacity, may compound a Schedule 2 drug, a Schedule 3 drug, a Schedule 4 drug or a Schedule 5 drug for the purposes of administering it to his or her patient.
- (2B) Any person acting in accordance with the written directions of a practitioner, pharmacist or nurse independent prescriber may

- compound any drug specified in Schedule 2, Schedule 3, Schedule 4 or Schedule 5 for the purpose of administering it to a patient of the practitioner, pharmacist or nurse independent prescriber.”;
- (b) after paragraph (4)(c) there shall be inserted the following sub-paragraph –
- “ (ca) a nurse independent prescriber;”.
- (c) in paragraph (5)(c) and (d) for the words “or dentist” there shall be substituted the words “, dentist or nurse independent prescriber”;
- (d) in paragraph (6) after the word “doctor” there shall be inserted the words “or nurse independent prescriber”.
- (6) In Article 7 of the Order –
- (a) in paragraph (2), after the word “practitioner” there shall be inserted the words “ or nurse independent prescriber”;
- (b) in paragraphs (3), (4) and (5), after the word “doctor” there shall be inserted the words “or nurse independent prescriber”.
- (7) In Article 12(1) of the Order after the word “practitioner” there shall be inserted the words “or nurse independent prescriber”.
- (8) In Article 13 of the Order –
- (a) in paragraph (4)(a) for the words “or dentist” there shall be substituted the words “, dentist or nurse independent prescriber”;
- (b) in paragraph (6)(a) after the word “practitioner” there shall be inserted the words “or nurse independent prescriber”.
- (9) In Article 21(2)(a) of the Order, for the words “or veterinary surgeon” there shall be substituted the words “, nurse independent prescriber or veterinary surgeon”.
- (10) In Article 26(2), (3) and (4) of the Order, for the words “or dentist” there shall be substituted the words “, dentist or nurse independent prescriber”.
- (11) In Article 28(4) of the Order, for the words “or dentist” there shall be substituted the words “, dentist or nurse independent prescriber”.
- (12) After Article 29(1)(h) of the Order there shall be inserted the following sub-paragraph –
- “ (i) a nurse independent prescriber.”.
- (13) In Article 30 of the Order, for the words “or dentist” there shall be substituted the words “, dentist or nurse independent prescriber”.
- (14) In Article 31(6) and (7) of the Order, for the words “or veterinary surgeon” there shall be substituted the words “, nurse independent prescriber or veterinary surgeon”.
- (15) In Schedule 1 to the Order, in paragraph 1(a) –
- (a) the substance “Amphetamine” shall be deleted;
- (b) after the substance “Concentrate of poppy straw” there shall be inserted the substance –
- “Ethylphenidate”;

- (c) after the substance “Methylamphetamine” there shall be added the following substances –
- “N-adamantyl-1-pentyl-1H-indazole-3-carboxamide (AKB-48)
 - N-adamantyl-1-(5-fluoropentyl)-1H-indazole-3-carboxamide (5F-AKB-48)
 - N-adamantyl-1-(5-fluoropentyl)-1H-indole-3-carboxamide (STS-135)”;
- (d) after the substance “Psilocin” there shall be inserted the following substance –
- “Quinolin-8-yl-1-(5-fluoropentyl)-1H-indole-3-carboxylate (5F-PB-22)”.
- (16) In Schedule 2 to the Order, in paragraph 1, after the entry for “Amineptine” there shall be inserted the following entry –
- “Amphetamine”.
- (17) In Schedule 3 to the Order, in paragraph 1(a), after the substance “Temazepam” there shall be inserted the following substance –
- “Tramadol ((±)-trans-2-((dimethylamino)methyl)-1-(3-methoxyphenyl)cyclohexanol)”.

5 Citation and commencement

This Order shall be cited as the Misuse of Drugs (Miscellaneous Amendments) (No. 4) (Jersey) Order 2013 and –

- (a) Articles 1(b) and 4(17) shall come into force on 1st April 2014; and
- (b) all other provisions shall come into force the day after the Order is made.

DEPUTY A.E. PRYKE OF TRINITY

Minister for Health and Social Services

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- 1 *chapter 08.680*
 - 2 *chapter 08.680*
 - 3 *chapter 08.680.20*
 - 4 *chapter 20.300*
 - 5 *chapter 08.680.40*
 - 6 *chapter 08.680.60*
 - 7 *chapter 20.300*