

No. 9 – 2009

Import and Export (Control) (Alderney) Law, 1946

**Import and Export of Goods (Control)
(Alderney) (Amendment No. 2) Order, 2009**

Made 23rd November 2009

Coming into operation 23rd November 2009

The States of Alderney Policy and Finance Committee, in pursuance of the powers conferred upon it by Article 1 of the Import and Export (Control) (Alderney) Law, 1946^a **HEREBY ORDERS:-**

1. The principal Order is amended as set out in the Schedule.
2. In this Order, "**the principal Order**" means the Import and Export (Control) (Alderney) Order, 2001^b.
3. The Interpretation (Guernsey) Law, 1948^c applies to the interpretation of this Order as it applies to the interpretation of a Guernsey enactment.

^a Ordres en Conseil No. XII, p. 367.

^b A.S.I. No. 37 of 2001, as amended by A.S.I No. 4 of 2002, A.S.I No. 4 of 2003 and A.S.I. No. 5 of 2009.

^c Ordres en Conseil Vol. XIII, p. 355.

4. Any reference in this Order to an enactment or any subordinate legislation is a reference to the enactment or subordinate legislation as from time to time amended, re-enacted (with or without modification), extended or applied.
5. This Order may be cited as the Import and Export of Goods (Control) (Alderney) (Amendment No. 2) Order, 2009 and comes into force on 23rd November 2009.

Dated this 23rd day of November 2009

R G Willmott

Chairman, Alderney Policy & Finance Committee

for and on behalf of the Committee

SCHEDULE
Amendments to the Import and Export (Control) (Alderney) Order, 2001

Article 1

1. In Schedule 1 to the principal Order, after paragraph 17 of Part I, insert the following paragraph –

“18. Any substance or compound listed below, or any product, salt, or other substance containing any substance or compound listed below –

- (a) the psychotropic substance 1-benzylpiperazine, and any compound structurally derived from 1-benzylpiperazine or 1-phenylpiperazine by substitution in the aromatic ring to any extent with alkyl, alkoxy, alkylendioxy, halide or haloalkyl substituents, whether or not substituted at the nitrogen atom of the piperazine ring with alkyl, benzyl, haloalkyl, or phenyl substituents,
- (b) the psychotropic substance 4-methylmethcathinone, also known as the β -keto analogue of 4-methylmethamphetamine, or 2-methylamino-1-(4-methylphenyl)propan-1-one and more commonly referred to as mephedrone or 4-MMC,
- (c) the psychotropic substance 3-fluoromethcathinone, also known as the β -keto analogue of 3-fluoromethamphetamine; 2-methylamino-1-(3-fluorophenyl)propan-1-one and more commonly referred to as 3-FMC,
- (d) the psychotropic substance 3,4-methylenedioxy-N-

methylcathinone, also known as the β -keto analogue of 3,4-methylenedioxy-N-methylamphetamine or 2-methylamino-1-(3,4-methylenedioxyphenyl)propan-1-one and more commonly referred to as methylone, MDMC, or bk-MDMA,

- (e) the psychotropic substance β -keto-N-methyl-3,4-benzodioxolylbutanamine, also known as 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one and more commonly known as butylone or bk-MBDB,
- (f) the psychotropic substance methylenedioxypropylone, also known as 1-(benzo[d][1,3]dioxol-5-yl)-2-(pyrrolidin-1-yl)propan-1-one and more commonly known as MDPV,
- (g) any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, alkenyl cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl whether or not further substituted in the indole ring to any extent, whether or not substituted in the naphthyl ring to any extent, also known generically as naphthoylindoles and naphthylmethylindoles,
- (h) any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, alkenyl cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any

extent, also known generically as naphthoylpyrroles,

- (i) any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution at the 3-position of the indene ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent, also known generically as naphthylmethylindenes,
- (j) any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent, also known as phenylacetylindoles,
- (k) any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not substituted in the cyclohexyl ring to any extent, also known as cyclohexylphenols,
- (l) the psychotropic substance 9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1ol, more commonly known as HU-210,

- (m) the psychotropic substance 1-Hydroxy-6,6-dimethyl-3-(2-methyloctan-2-yl)-7,8,10,10a-tetrahydro-6H-benzo[c]chromen-9(6aH)-one, more commonly known as Nabilone,
- (n) the psychotropic substance [2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de)-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone, more commonly known as WIN-55,212-2,
- (o) the psychotropic substance 3-dimethylheptyl-11-hydroxyhexahydrocannabinol, more commonly known as HU-243,
- (p) the psychotropic substance 9-hydroxy-6methyl-3-[5-phenylpentan-2yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl]acetate, more commonly known as CP 50,5561, or
- (q) the substance Gamma-butyrolactone or 1,4-butanediol, more commonly known as GBL or 1,4BD respectively, except where it can demonstrably be shown to be for a purpose other than human consumption."

2. In Schedule 2 to the principal Order, after paragraph 8, insert the following paragraph –

“9. Any substance or compound listed below, or any product, salt, or other substance containing any substance or compound listed below –

- (a) the psychotropic substance 1-benzylpiperazine, and any compound structurally derived from 1-benzylpiperazine or 1-phenylpiperazine by substitution in the aromatic ring to any extent with alkyl, alkoxy, alkylendioxy, halide or haloalkyl substituents, whether or not substituted at the nitrogen atom of the piperazine ring with alkyl, benzyl, haloalkyl, or phenyl substituents,
- (b) the psychotropic substance 4-methylmethcathinone, also known as the β -keto analogue of 4-methylmethamphetamine, or 2-methylamino-1-(4-methylphenyl)propan-1-one and more commonly referred to as mephedrone or 4-MMC,
- (c) the psychotropic substance 3-fluoromethcathinone, also known as the β -keto analogue of 3-fluoromethamphetamine; 2-methylamino-1-(3-fluorophenyl)propan-1-one and more commonly referred to as 3-FMC,
- (d) the psychotropic substance 3,4-methylenedioxy-N-methylcathinone, also known as the β -keto analogue of 3,4-methylenedioxy-N-methylamphetamine or 2-methylamino-1-(3,4-methylenedioxyphenyl)propan-1-one and more commonly referred to as methylone, MDMC, or bk-MDMA,
- (e) the psychotropic substance β -keto-N-methyl-3,4-benzodioxolylbutanamine, also known as 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one and more commonly known as butylone or bk-MBDB,

- (f) the psychotropic substance methylenedioxypropylone, also known as 1-(benzo[d][1,3]dioxol-5-yl)-2-(pyrrolidin-1-yl)propan-1-one and more commonly known as MDPV,
- (g) any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, alkenyl cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl whether or not further substituted in the indole ring to any extent, whether or not substituted in the naphthyl ring to any extent, also known generically as naphthoylindoles and naphthylmethylindoles,
- (h) any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, alkenyl cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent, also known generically as naphthoylpyrroles,
- (i) any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution at the 3-position of the indene ring by alkyl, alkenyl cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent, also known generically as naphthylmethylindenenes,
- (j) any compound structurally derived from

3*phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, alkenyl cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent, also known as phenylacetylindoles,

- (k) any compound structurally derived from 2-(3hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, alkenyl cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not substituted in the cyclohexyl ring to any extent, also known as cyclohexylphenols,
- (l) the psychotropic substance 9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1ol, more commonly known as HU-210,
- (m) the psychotropic substance 1-Hydroxy-6,6-dimethyl-3-(2-methyloctan-2-yl)-7,8,10,10a-tetrahydro-6H-benzo[c]chromen-9(6aH)-one, more commonly known as Nabilone,
- (n) the psychotropic substance [2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-napthalenylmethanone, more commonly known as WIN-55,212-2,
- (o) the psychotropic substance 3-dimethylheptyl-11-

hydroxyhexahydrocannabinol, more commonly known as HU-243,

- (p) the psychotropic substance 9-hydroxy-6methyl-3-[5-phenylpentan-2yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl]acetate, more commonly known as CP 50,5561, or
- (q) the substance Gamma-butyrolactone or 1,4-butanediol, more commonly known as GBL or 1,4BD respectively, except where it can demonstrably be shown to be for a purpose other than human consumption."

EXPLANATORY NOTE

(This note is not part of the Order)

The effect of this Amendment Order is to prohibit, except under licence, the importation from and the exportation to the United Kingdom, the Island of Jersey, the other Islands of the Bailiwick of Guernsey and the Isle of Man, of psychotropic substances more commonly referred to as BZP and its related compounds, various psychotropic substances commonly referred to as cathinones and beta-ketos, synthetic cannabinoid agonists (commonly known as synthetic cannabinoids), and precursor chemicals GBL and 1,4 BD.

S. E. KELLY

Greffier

£2.20

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