

# GUERNSEY STATUTORY INSTRUMENT 2009 No. 58

## THE IMPORT AND EXPORT OF GOODS (CONTROL) (GUERNSEY) (AMENDMENT No. 2) ORDER 2009

THE HOME DEPARTMENT, in pursuance of its powers under Article 1 of the Import and Export (Control)(Guernsey) Law 1946<sup>a</sup>, hereby orders: -

1. The Import and Export of Goods (Control) (Guernsey) Order 1990<sup>b</sup> is amended as set out in paragraphs 2 and 3.
2. In Schedule 1, entry no. 18 shall be deleted and replaced with the following entry:-

"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  $\beta$ -keto analogue of 4-methylmethamphetamine, or 2-methylamino-1-(4-methylphenyl)propan-1-one and more commonly referred to as mephedrone or 4-MMC,

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<sup>a</sup> Ordres en Conseil Vol. VII, p. 332, as amended by Vol. XXIII, p. 573; Vol. XXXIII, p. 249; Recueil d'Ordonnances Tome XXIX, p. 406; Order in Council No. XIV of 2007.

<sup>b</sup> S.I. 1990 No. 24, as amended by S.I. 1999 No. 19, S.I. 2000 No. 12, S.I. 2000 No. 26, S.I. 2001 No. 5, S.I. 2001 No. 7, S.I. 2001 No. 9, S.I. 2007 No. 26, and S.I. 2009 No. 15.

- (c) the psychotropic substance 3-fluoromethcathinone, also known as the  $\beta$ -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  $\beta$ -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  $\beta$ -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 methylenedioxypyrovalerone, also known as 1-(benzo[d][1,3]dioxol-5-yl)-2-(pyrrolidin-1-yl)pentan-1-one and more commonly known as MDPV,
- (g) any compound structurally derived from 3-(1-naphthoyl)indole or 1*H*-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 naphthylmethylenes,

- (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-6*H*-benzo[c]chromen-9(6a*H*)-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-2-yl]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."

3. In Schedule 2, entry no. 8 shall be deleted and replaced with the following entry –

"8. 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  $\beta$ -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  $\beta$ -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  $\beta$ -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  $\beta$ -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 1*H*-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-(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-6*H*-benzo[*c*]chromen-9(6*aH*)- 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-5,6,6*a*,7,8,9,10,10*a*-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."
4. The Import and Export of Goods (Control) (Guernsey) (Amendment) Order 2007<sup>c</sup> is revoked.
  5. The Interpretation (Guernsey) Law, 1948<sup>d</sup> applies to the interpretation of this Order.
  6. This Order may be cited as The Import and Export of Goods (Control) (Guernsey) (Amendment No. 2) Order 2009, and comes into force on 7<sup>th</sup> November 2009.

Dated this 2<sup>nd</sup> day of November 2009.



G H Mahy

Minister of the States Home Department  
For and on behalf of the Department

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<sup>c</sup> S.I. 2007 No. 26.

<sup>d</sup> Ordres en Conseil, Vol. XIII, p. 355.

EXPLANATORY NOTE  
*(This note is not part of the Order)*

The effect of this 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.