



## The Misuse of Drugs (Modification No. 3) Order, 2010

<i>Made</i>	10 <sup>th</sup> August, 2010
<i>Coming into operation</i>	17 <sup>th</sup> August, 2010
<i>Laid before the States</i>	, 2010

THE HEALTH AND SOCIAL SERVICES DEPARTMENT, in exercise of the powers conferred on it by sections 1(2), 9 and 30 of the Misuse of Drugs (Bailiwick of Guernsey) Law, 1974<sup>a</sup>, section 1(2) of the Misuse of Drugs (Amendment) (Bailiwick of Guernsey) Law, 2000<sup>b</sup> and all other powers enabling it in that behalf, hereby makes the following order: -

### Amendment of First Schedule to 1974 Law.

1. Paragraph 1 of Part II of the First Schedule to the Misuse of Drugs (Bailiwick of Guernsey) Law, 1974 is amended -

- (a) by replacing the full stop at the end of subparagraph (i) with a comma, and
- (b) by inserting, immediately after subparagraph (i), the following subparagraph -
  - "(j) Any compound structurally derived from 2-amino-1-phenyl-1-propanone by replacement of the phenyl ring with any monocyclic, or fused-

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<sup>a</sup> Ordres en Conseil Vol. XXIV, p. 273; amended by Vol. XXVIII, p. 307; Vol. XXXI, pp. 47 and 278; Orders in Council No. XIII of 1991; No. XVI of 1995; No.s III and VII of 2000; No.s IV and XIII of 2006; Recueil d'Ordonnances Tome XXIX, p. 406; G.S.I. 2008 No. 20; G.S.I 2010 No. 22; and G.S.I. 2010 No. 33.

<sup>b</sup> Order in Council No. III of 2000.

polycyclic ring system (not being a phenyl ring or alkylendioxyphenyl ring system), whether or not the compound is further modified in any of the following ways, that is to say –

- (i) by substitution in the ring system to any extent with alkyl, alkoxy, haloalkyl or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents,
- (ii) by substitution at the 3-position with an alkyl substituent,
- (iii) by substitution at the 2-amino nitrogen atom with alkyl or dialkyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic structure."

**Amendment of Schedule 1 to 1997 Ordinance.**

2. Paragraph 1 of Schedule 1 to the Misuse of Drugs (Bailiwick of Guernsey) Ordinance, 1997<sup>c</sup> is amended –

- (a) by substituting, for "4-methcathinone" in subparagraph (a), "4-methylmethcathinone",
- (b) by replacing the full stop at the end of each of subparagraphs (l) and (m) with a comma in each instance, and

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<sup>c</sup> Recueil d'Ordonnances Tome XXVII, p. 247; amended by G.S.I. 2004 No. 4; G.S.I. 2006 No. 42; G.S.I. 2008 No. 20; G.S.I. 2010 No. 22; G.S.I. 2010 No. 33; Ordinance No. XXV of 2009.

(c) by inserting, immediately after subparagraph (m), the following subparagraph –

"(n) Any compound structurally derived from 2-amino-1-phenyl-1-propanone by replacement of the phenyl ring with any monocyclic, or fused-polycyclic ring system (not being a phenyl ring or alkylendioxyphenyl ring system), whether or not the compound is further modified in any of the following ways, that is to say –

- (i) by substitution in the ring system to any extent with alkyl, alkoxy, haloalkyl or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents,
- (ii) by substitution at the 3-position with an alkyl substituent,
- (iii) by substitution at the 2-amino nitrogen atom with alkyl or dialkyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic structure."

**Interpretation.**

3. (1) The provisions of the Interpretation (Guernsey) Law, 1948<sup>d</sup> apply to the interpretation of this Order throughout this Bailiwick as they apply to a Guernsey enactment.

(2) A reference to an enactment is to that enactment as from time to time amended, repealed and replaced, extended or applied by or under any other enactment.

**Citation.**

4. This Order may be cited as the Misuse of Drugs (Modification No. 3) Order, 2010.

**Commencement.**

5. This Order comes into force on the 17<sup>th</sup> of August, 2010.

Dated this 10<sup>th</sup> day of August 2010.



Deputy A. H. ADAM

Minister of the Health and Social Services Department

For and on behalf of the Department.

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<sup>d</sup>

Ordres en Conseil Vol. XIII, p. 355.

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

This Order adds a further group of cathinone derivatives (including naphthylpyrovalerone, commonly known as naphyrone) to Part II of the First Schedule to the Misuse of Drugs (Bailiwick of Guernsey) Law, 1974. The result is that these derivatives would now become "Class B" controlled drugs.

This Order also adds these derivatives to Schedule 1 to the Misuse of Drugs (Bailiwick of Guernsey) Ordinance, 1997 ("**1997 Ordinance**"), as there is no known medicinal use for them.

Finally, this Order corrects typographical errors in the 1997 Ordinance.