

GUERNSEY STATUTORY INSTRUMENT

2015 No. 52

**The Import (Control) (Guernsey) (Amendment No. 2)
Order, 2015**

Made

27th JULY, 2015

Coming into operation

1st August, 2015

THE HOME DEPARTMENT, in exercise of the powers conferred upon it by article 1 of the Import and Export (Control) (Guernsey) Law, 1946^a and of all other powers enabling it in that behalf, hereby makes the following Order:-

Amendments to Order of 2010.

1. The Import (Control) (Guernsey) Order, 2010^b ("the principal Order") is amended as follows.
2. For Schedule 6A to the principal Order, substitute the schedule set out in the Schedule to this Order.
3. In Table 1 of Schedule 8 to the principal Order –
 - (a) in paragraph (a), for the entry in Column 2, substitute–

^a Ordres en Conseil Vol. XII, p. 332, as amended by Vol. XXIII, p. 573; Vol. XXXIII, p. 246; Order in Council No. XIV of 2007 and Recueil d'Ordonnances Tome XXIX, p. 406.

^b G.S.I. No. 39 of 2010; as amended by G.S.I. No. 68 of 2010; Nos. 8 and 23 of 2012; No. 47 of 2013; Nos. 45 and 70 of 2014; and No. 17 of 2015.

"Goods suspected of infringing an intellectual property right, within the meaning of Article 2 of Regulation (EU) No 608/2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003, subject to the exceptions provided for in paragraphs 3, 4 and 5 of article 1 of that Regulation.",

(b) in paragraph (b), for the entry in Column 2, substitute—

"Any controlled substances, within the meaning of Article 3 of Regulation (EC) No 1005/2009 on substances that deplete the ozone layer, or products and equipment (other than personal effects) containing or relying on those substances, the release into free circulation in the customs territory of which is prohibited by that Regulation, and in respect of which an import licence has not been issued by the Commission under that Regulation.", and

(c) in paragraph (c), in the entry in Column 2, immediately after "2368/2002", insert "(as amended by Commission Regulation (EC) No 718/2005)".

Interpretation.

4. (1) In this Order, a reference to any enactment is a reference to the enactment as from time to time amended, varied, re-enacted (with or without modification), extended or applied.

(2) The provisions of the Interpretation (Guernsey) Law, 1948^c apply to the interpretation of this Order as they apply to the interpretation of an enactment.

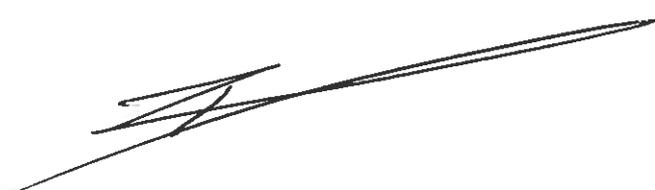
Citation.

5. This Order may be cited as the Import (Control) (Guernsey) (Amendment No. 2) Order, 2015.

Commencement.

6. This Order comes into force on the 1st August, 2015.

Dated this 27th day of July, 2015



Deputy Peter GILLSON
Minister of the Home Department
For and on behalf of the Department

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

SCHEDULE

"SCHEDULE 6A

Article 1(1)(a)

GOODS THAT CANNOT BE IMPORTED WITHOUT A LICENCE

Specific substances, etc. of concern

Part 1

1. Subject to paragraph 4 of this Part –
 - (a) any substance listed in Part 2 of this schedule,
 - (b) any stereoisomeric form of a substance listed in Part 2 of this schedule,
 - (c) any salt of a substance specified in subparagraph (a) or (b), or
 - (d) any preparation or other product containing a substance specified in any of subparagraphs (a) to (c).

2. Subject to paragraph 4 of this Part –
 - (a) mitragynine or 7-hydroxymitragynine,
 - (b) any stereoisomeric form of a substance specified in subparagraph (a),
 - (c) any salt of a substance specified in subparagraph (a) or (b),
 - (d) any mixture, preparation or other product containing a substance specified in any of subparagraphs (a) to (c), or

- (e) any plant, or part of a plant, containing a substance specified in any of subparagraphs (a) to (c).
3. Any medicinal product that –
 - (a) is, or purports to be, GcMAF, or
 - (b) contains, or purports to contain, GcMAF.
 4. Anything specified in paragraph 1 or 2 of this Part may be imported by the States Analyst for analytical purposes.
 5. In paragraph 3, "**medicinal product**" has the meaning given to that expression by paragraphs 5 and 6 of Schedule 3 to this Order.

Part 2

1. Ethyl phenyl(piperidin-2-yl)acetate (also known as 'ethylphenidate').
2. Methyl (3,4-dichlorophenyl)(piperidin-2-yl)acetate (also known as 3,4-Dichloromethylphenidate (3,4-DCMP)).
3. Propan-2-yl phenyl(piperidin-2-yl)acetate (also known as Isopropylphenidate (IPP or IPPD)).
4. Methyl (naphthalen-2-yl)(piperidin-2-yl)acetate (also known as Methylnaphthidate (HDMP-28)).
5. Propyl phenyl(piperidin-2-yl)acetate (also known as Propylphenidate).

6. 1-(5-fluoropentyl)-N-(tricyclo[3.3.1.1~3,7~]decan-1-yl)-1H-indazole-3-carboxamide
7. 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide.
8. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide.
9. Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate,
10. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide.
11. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-[(4-fluorophenyl)methyl]-1H-indazole-3-carboxamide.
12. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indole-3-carboxamide.
13. 1-pentyl-N-(tricyclo[3.3.1.1~3,7~]decan-1-yl)-1H-indazole-3-carboxamide.
14. 1-pentyl-N-(tricyclo[3.3.1.1~3,7~]decan-1-yl)-1H-indole-3-carboxamide.
15. Quinolin-8-yl 1-(cyclohexylmethyl)-1H-indole-3-carboxylate.
16. [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone.
17. Methyl N-[1-(cyclohexylmethyl)-1H-indazole-3-carbonyl]-3-methylvalinate.
18. Methyl N-[1-(cyclohexylmethyl)-1H-indole-3-carbonyl]-3-methylvalinate.

19. N-(naphthalen-1-yl)-1-pentyl-1H-indole-3-carboxamide.
 20. Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate.
 21. Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate.
 22. 1-(5-fluoropentyl)-N-(tricyclo[3.3.1.1~3,7~]decan-1-yl)-1H-indole-3-carboxamide.
 23. (Naphthalen-1-yl)(1-pentyl-1H-indazol-3-yl)methanone."
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EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Import (Control) (Guernsey) Order, 2010 ("the **principal Order**").

Article 2 substitutes Schedule 6A (Goods that cannot be imported without a licence - Specific substances, etc. of concern) to the principal Order with a new schedule. The new schedule adds to ethylphenidate and GcMAF medicinal products, the following substances that have been identified as new substances of concern: 3,4-Dichloromethylphenidate, Isopropylphenidate, Methylnaphthidate, Propylphenidate, 18 synthetic cannabinoids, and mitragynine and 7-hydroxymitragynine.

Article 3(a) updates a reference to goods infringing intellectual property rights within the meaning of Council Regulation (EC) No 1383/2003, with a reference to goods suspected of infringing an intellectual property right within the meaning of Regulation (EU) No 608/2013, which repealed Council Regulation (EC) No

1383/2003.

Article 3(b) replaces a reference to controlled substances in Council Regulation (EC) 2037/2000 with a reference to controlled substances and related products and equipment in Regulation (EC) No 1005/2009, which re-cast Council Regulation (EC) 2037/2000.

Article 3(c) updates the reference to Council Regulation (EC) 2368/2002 with a reference to Commission Regulation (EC) No 718/2005, which amended Council Regulation (EC) 2368/2002.

This Order comes into force on the 1st August, 2015.