

No. 4 - 2015

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

Made

28th July 2015

Coming into operation

1st August 2015

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:-**

Amendments to Order of 2010.

1. The Import (Control) (Alderney) Order, 2010^b ("the principal Order") is amended as follows.
2. Between Schedule 6 and Schedule 8 to the principal Order, insert the schedule set out in the Schedule to this Order.
3. In Schedule 8 to the principal Order –
 - (a) revoke paragraphs 17 and 19, and

^a Ordres en Conseil Vol. XII, p. 367; as amended by Vol. XXXI, pp. 306 and 396; Order in Council No. XIV of 2007. See also Vol. XLIII(1), p. 552.

^b A.S.I. No. 3 of 2010; as amended by A.S.I. No. 4 of 2010; Nos. 1, 3 and 6 of 2012; No. 6 of 2013; Nos. 5 and 7 of 2014; and No. 2 of 2015. See also A.S.I. No. 7 of 2013.

- (b) delete the definition of "**medicinal product**" in the Interpretation part.

4. In Table 1 of Schedule 9 to the principal Order –

- (a) in paragraph (a), for the entry in Column 2, substitute–

"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.

5. (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 throughout the Island of Alderney as they apply to the interpretation of an enactment in force in the Island of Guernsey.

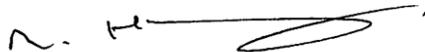
Citation.

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

Commencement.

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

Dated this 28th day of July 2015



Neil Harvey
Chairman, States of Alderney Policy & Finance Committee
for and on behalf of the Committee

^c

Ordres en Conseil Vol. XIII, p. 355.

SCHEDULE

"SCHEDULE 7

Article 1(1)(a)

GOODS THAT CANNOT BE IMPORTED WITHOUT A LICENCE

Specific substances, etc. of concern

Part 1

1. Any of the following –
 - (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. Any of the following –
 - (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. 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."

EXPLANATORY NOTE

(This note is not part of the Order)

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

Article 2 inserts a new Schedule 7 (Goods that cannot be imported without a licence - Specific substances, etc. of concern) in the principal Order. This new schedule incorporates ethylphenidate and GcMAF medicinal products (which were formerly in Schedule 8 to the principal Order), and adds the following substances that have also been identified as substances of concern: 3,4-Dichloromethylphenidate, Isopropylphenidate, Methylnaphthidate, Propylphenidate, 18 synthetic cannabinoids, and mitragynine and 7-hydroxymitragynine.

Article 3 revokes from Schedule 8 to the principal Order paragraphs relating to ethylphenidate and GcMAF medicinal products, as well as the definition of "**medicinal product**" in that schedule.

Article 4(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 4(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 4(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.

J ANDERSON

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£3.15

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