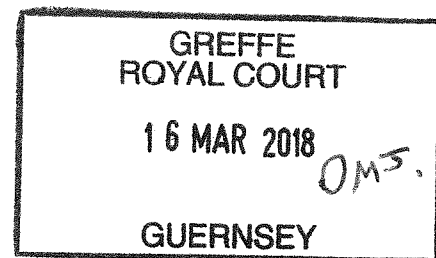


GUERNSEY STATUTORY INSTRUMENT

2018 NO. 10



The Misuse of Drugs (Modification No. 2) Order, 2018

Made

7th March, 2018

Coming into operation

1st April, 2018

Laid before the States

, 2018

THE COMMITTEE FOR HEALTH & SOCIAL CARE, in exercise of the powers conferred on it by sections 6, 9, 21 and 30 of the Misuse of Drugs (Bailiwick of Guernsey) Law, 1974^a, section 1(2) of the Misuse of Drugs (Amendment) (Bailiwick of Guernsey) Law, 2000^b and all other powers enabling it in that behalf, hereby orders: -

Amendment of the 1997 Ordinance.

1. The Misuse of Drugs (Bailiwick of Guernsey) Ordinance, 1997^c ("the Ordinance") is amended as follows.

^a Ordres en Conseil Vol. XXIV, p. 273; amended by Vol. XXVIII, p. 307; Vol. XXXI, pp. 47 and 278; Vol. XXXIII, p. 217; Vol. XXXIV, p. 172; Vol. XXXVI, p. 396; Order in Council Nos. III and No. VII of 2000; Nos. IV and XIII of 2006; Recueil d'Ordonnances Tome XX, p. 271; Tome XXII, p. 483; Tome XXIV, p. 477; Tome XXV, pp. 38 and 325; Ordinance No. XXXIII of 2003; No. XLIII of 2010; No. XXV of 2011; No. XXII of 2015; No. IX of 2016; G.S.I. No. 19 of 1997; No. 5 of 2004; No. 42 of 2006; No. 20 of 2008; Nos. 22, 33 and 82 of 2010; No. 44 of 2012; No. 54 of 2013; No. 79 of 2014; No. 93 of 2015.

^b Order in Council No. III of 2000.

^c Recueil d'Ordonnances Tome XXVII, p. 247; amended by Ordinance No. XXXIII of 2003; No. XXV of 2009; No. XXII of 2015; No. IX of 2016; G.S.I. No. 5 of 2004; No. 42 of 2006; No. 20 of 2008; Nos. 22, 33, 82 and 98 of 2010; No. 44 of 2012; No. 79 of 2014; No. 93 of 2015; No. 1 of 2018.

2. Repeal Schedule 2 to the Ordinance and replace it with the same schedule, but immediately after paragraph 9, insert the following paragraphs –

"10. A liquid formulation--

- (a) containing a botanical extract of cannabis –
 - (i) with a concentration of not more than 30 milligrams of cannabidiol per millilitre, and not more than 30 milligrams of delta-9-tetrahydrocannabinol per millilitre, and
 - (ii) where the ratio of cannabidiol to delta-9-tetrahydrocannabinol is between 0.7 and 1.3,
- (b) which is dispensed through a metered dose pump as a mucosal mouth spray, and
- (c) which was approved for marketing by the Medicines and Healthcare products Regulatory Agency of the United Kingdom ("**the MHRA**") on the 16th June, 2010.

11. Any medicinal cannabinoid products –

- (a) approved or authorised for marketing for human use by the MHRA (other than the formulation specified in paragraph 10), or
- (b) authorised for marketing for human use by the European Medicines Agency."

Interpretation.

3. (1) The Interpretation (Guernsey) Law, 1948^d applies to the interpretation of this Order throughout the Bailiwick as it applies to the interpretation of a Guernsey enactment.

(2) A reference to an enactment is a reference to that enactment as from time to time amended, re-enacted (with or without modification), extended or applied.

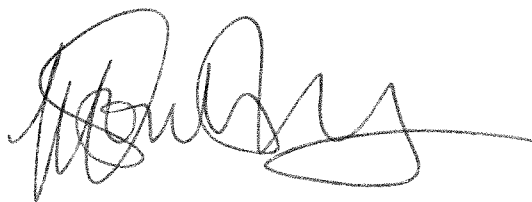
Citation.

4. This Order may be cited as the Misuse of Drugs (Modification No. 2) Order, 2018.

Commencement.

5. This Order comes into force on the 1st April, 2018.

Dated this 7th day of March 2018



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Deputy Heidi Soulsby

President of the Committee *for* Health & Social Care

For and on behalf of the Committee

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

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Misuse of Drugs (Bailiwick of Guernsey) Ordinance, 1997 ("**the Ordinance**").

Article 2 of this Order amends the Ordinance by inserting two new paragraphs at the end of Schedule 2 to the Ordinance. This amendment would allow Sativex and any other medicinal cannabinoid products approved for marketing for human use by the Medicines and Healthcare Products Regulatory Agency or the European Medicines Agency to be prescribed, administered, supplied etc. like any other Schedule 2 controlled drug.

Article 3 is the interpretation provision. Articles 4 and 5 are the citation and commencement provisions respectively.

The Misuse of Drugs (Bailiwick of Guernsey) Law, 1974 and the Misuse of Drugs (Amendment) (Bailiwick of Guernsey) Law, 2000 allows the Committee *for* Health & Social Care to add other cannabinoid products for medicinal use to Schedule 2 to the Ordinance from time to time, as the Committee sees fit.

This Order will come into force on the 1st April, 2018.