



Jersey

MISUSE OF DRUGS (MISCELLANEOUS AMENDMENTS) (No. 2) (JERSEY) ORDER 2012

Arrangement

Article

1	Schedule 2 to the Misuse of Drugs (Jersey) Law 1978 amended.....	3
2	Schedule to the Misuse of Drugs (Designation) (Jersey) Order 1989 amended	9
3	Misuse of Drugs (General Provisions) (Jersey) Order 2009 amended.....	11
4	Citation and commencement.....	18



Jersey

MISUSE OF DRUGS (MISCELLANEOUS AMENDMENTS) (No. 2) (JERSEY) ORDER 2012

Made

Coming into force

THE MINISTER FOR HEALTH AND SOCIAL SERVICES, in pursuance of Articles 3, 4, 5, 8, 12, 13 and 27 of the Misuse of Drugs (Jersey) Law 1978, and after consultation with the Advisory Council on the Misuse of Drugs, orders as follows –

1 Schedule 2 to the Misuse of Drugs (Jersey) Law 1978 amended

- (1) In this Article “Law” means the Misuse of Drugs (Jersey) Law 1978.
- (2) In Part 1 of Schedule 2 to the Law, in paragraph 1(a), after the entry “Sufentanil” there shall be inserted the following entry –
 - “Tapentadol”.
- (3) In Part 2 of Schedule 2 to the Law –
 - (a) in paragraph 1(a) after the entry “Methylphenobarbitone” there shall be inserted the entry –
 - “Nabilone”;
 - (b) for the full stop at the end of paragraph 1(i) there shall be substituted a semi-colon; and
 - (c) after paragraph 1(i) there shall be added the following subparagraphs –
 - “(j) the following substances –
 - 6-(2-aminopropyl)benzofuran
 - 5-(2-aminopropyl)benzofuran;
 - (k) Any compound (not being pipradrol) structurally derived from piperidine, pyrrolidine, azepane, morpholine or pyridine by substitution at a ring carbon atom with a diphenylmethyl group, whether or not the compound is further modified in any of the following ways, that is to say –

- (i) by substitution in any of the phenyl rings to any extent with alkyl, alkoxy, haloalkyl or halide groups,
 - (ii) by substitution at the methyl carbon atom with an alkyl, hydroxyalkyl or hydroxy group,
 - (iii) by substitution at the ring nitrogen atom with an alkyl, alkenyl, haloalkyl or hydroxyalkyl group.”.
- (4) For Part 3 of Schedule 2 to the Law there shall be substituted the following Part –

“PART 3
CLASS C DRUGS

1. The following substances, namely –
 - (a) Alprazolam
 - Amineptine
 - Aminorex
 - Benzphetamine
 - Bromazepam
 - 7-bromo-5-(2-chlorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one;
 - Brotizolam
 - Buprenorphine
 - 1-4 butanediol
 - Camazepam
 - Cathine
 - Cathinone
 - Chlordiazepoxide
 - Chlorphentermine
 - Clobazam
 - Clonazepam
 - Clorazepic acid
 - Clotiazepam
 - Cloxazolam
 - Delorazepam
 - Dextropropoxyphene
 - Diazepam
 - Diethylpropion
 - Estazolam
 - Ethchlorvynol
 - Ethinamate
 - Ethyl loflazepate

Fencamfamin
Fenethylamine
Fenproporex
Fludiazepam
Flunitrazepam
Flurazepam
Gamma-butyrolactone;
Halazepam
Haloxazolam
4-hydroxybutanoic acid (4-hydroxy-n-butyric acid; gamma-hydroxybutyric acid)
Ketamine
Ketazolam
Loprazolam
Lorazepam
Lormetazepam
Mazindol
Medazepam
Mefenorex
Mephentermine
Meprobamate
Mesocarb
Methyprylone
Midazolam
Nimetazepam
Nitrazepam
Nordazepam
Oripavine
Oxazepam
Oxazolam
Pemoline
Phendimetrazine
Phentermine
Pinazepam
Prazepam
Propylhexedrine
Pyrovalerone
Temazepam
Tetrazepam
Triazolam

- Zolpidem
- N-Ethylamphetamine;
- (b) 1-benzylpiperazine;
- (c) any compound structurally derived from 1-benzylpiperazine or 1-phenylpiperazine by modification in either of the following ways –
 - (i) by substitution at the second nitrogen atom of the piperazine ring with alkyl, benzyl, haloalkyl or phenyl substituents,
 - (ii) by substitution in the aromatic ring to any extent with alkyl, alkoxy, alkylendioxy, halide or haloalkyl substituents.

2. The following substances –

- Androst-4-ene-3, 17-diol
- 5 α -Androstane-3, 17-diol
- 4-Androstene-3, 17-dione
- 5-Androstene-3, 17-diol
- 1-Androstenediol
- 1-Androstenedione
- 5-Androstenedione
- Atamestane
- Bolandiol
- Bolasterone
- Bolazine
- Boldenone
- Boldione
- Bolenol
- Bolmantalate
- 1,4-butanediol
- Calusterone
- 4-Chloromethandienone
- Clostebol
- Danazol
- Desoxymethyltestosterone
- Drostanolone
- Enestebol
- Epitiostanol
- Ethylloestrenol

Fluoxymesterone
Formebolone
Furazabol
Gestrinone
3-Hydroxy-5 α -androstan-17-one
Mebolazine
Mepitiostane
Mesbolone
Mestanolone
Mesterolone
Methandienone
Methandriol
Methenolone
Methyltestosterone
Metribolone
Mibolerone
Nandrolone
19-Nor-4-Androstene-3, 17-dione
19-Nor-5-Androstene-3, 17-diol.
19-Norandrostenedione
19-Norandrosterone
Norboletone
Norclostebol
Norethandrolone
19-Noretiocholanolone
Ovandroton
Oxabolone
Oxandrolone
Oxymesterone
Oxymetholone
Pipradrol
Prasterone
Prostanozol
Propetandrol
Quinbolone

Roxibolone
Silandrone
Stanolone
Stanozolol
Stenbolone
Testosterone
Tetrahydrogestrinone
Thiomesterone
Trenbolone.

3. Any compound (not being Trilostane or a compound for the time being specified in paragraph 2) structurally derived from 17 hydroxyandrostane-3-one or from 17-hydroxy-estran-3-one by modification in any of the following ways –
 - (a) by further substitution at position 17 by a methyl or ethyl group;
 - (b) by substitution to any extent at one or more positions 1, 2, 4, 6, 7, 9, 11 or 16, but at no other position;
 - (c) by unsaturation in the carbocyclic ring system to any extent, provided that there are no more than 2 ethylenic bonds in any one carbocyclic ring;
 - (d) by fusion of ring A with a heterocyclic system.
4. Any substance which is an ester or ether (or, where more than one hydroxyl function is available, both an ester and an ether) of a substance specified in paragraph 2 or described in paragraph 3.
5. Chorionic Gonadotrophin (HCG)
Non-human chorionic gonadotrophin
Somatotropin
Somatrem
Somatropin
Zeranol
Zilpaterol.
6. Clenbuterol.
7. Any stereoisomeric form of a substance for the time being specified in any of paragraphs 1 to 6 of this Part not being phenylpropanolamine.
8. Any salt of a substance for the time being specified in any of paragraphs 1 to 7 of this Part.
9. Any preparation or other product containing a substance for the time being specified in any of paragraphs 1 to 8 of this Part.
10. The following substances –

- (a) 2-(ethylamino)-2-(3-methoxyphenyl)cyclohexanone;
- (b) any stereoisomeric form of 2-(ethylamino)-2-(3-methoxyphenyl)cyclohexanone;
- (c) any ester or ether of a substance specified in sub-paragraph (a) or (b);
- (d) any salt of a substance specified in any of sub-paragraphs (a) to (c); and
- (e) any preparation or other product containing a substance specified in any of sub-paragraphs (a) to (d).”.

2 Schedule to the Misuse of Drugs (Designation) (Jersey) Order 1989 amended

In Part 1 of the Schedule to the Misuse of Drugs (Designation) (Jersey) Order 1989 –

- (a) for paragraph 1(a) there shall be substituted the following sub-paragraph –

- “(a) 1,4-butanediol
1-(3,4-Methylenedioxybenzyl)butyl-(ethyl)amine
1-(3,4-Methylenedioxybenzyl)butyl-(methyl)amine
2-(1,4-Dimethoxy-2-naphthyl)-1-methylethylamine
2-(1,4-Dimethoxy-2-naphthyl)ethylamine
2-(1,4-Dimethoxy-5,6,7,8-tetrahydro-2-naphthyl)-1-methylethylamine
2-(1,4-Dimethoxy-5,6,7,8-tetrahydro-2-naphthyl)ethylamine
2-(1,4-Methano-5,8-dimethoxy-1,2,3,4-tetrahydro-6-naphthyl)-1-methylethylamine
2-(1,4-Methano-5,8-dimethoxy-1,2,3,4-tetrahydro-6-naphthyl)ethylamine
2-(2,5-Dimethoxy-4-methylphenyl)cyclopropylamine
2-(4,7-Dimethoxy-2,3-dihydro-1H-indan-5-yl)-1-methylethylamine
2-(4,7-Dimethoxy-2,3-dihydro-1H-indan-5-yl)ethylamine
2-(5-Methoxy-2,2-dimethyl-2,3-dihydrobenzo[*b*]furan-6-yl)-1-methylethylamine
2-(5-Methoxy-2-methyl-2,3-dihydrobenzo[*b*]furan-6-yl)-1-methylethylamine
2-(α -Methyl-3,4-methylenedioxyphenethylamino)ethanol
2,5-Dimethoxy- α , 4-dimethyl-phenethylamine
2-Amino-1-(2,5-dimethoxy-4-methylphenyl)ethanol
2-Amino-1-(3,4-dimethoxyphenyl)ethanol
2-Methoxyethyl(α -methyl-3,4-methylenedioxyphenethyl)amine

4-Bromo- β ,2,5-trimethoxyphenethylamine
4-Bromo-2, 5-dimethoxy- methyl-phenethylamine
4-Iodo-2,5-dimethoxy- α -methylphenethyl(dimethyl)amine
4-Methyl-aminorex
Allyl(α -methyl-3,4-methylenedioxyphenethyl)amine
Amphetamine
Benzyl(α -methyl-3,4-methylenedioxyphenethyl)amine
Bufotenine
Cannabinol
Cannabinol derivatives except dronabinol and except any stereoisomer of dronabinol
Cannabis
Cannabis resin
Cathinone
Coca leaf
Concentrate of poppy-straw
Cyclopropylmethyl(α -methyl-3,4-methylenedioxyphenethyl)amine
Dihydroetorphine
Dimethyl(α -methyl-3,4-methylenedioxyphenethyl)amine
Eticyclidine
Etryptamine
Gamma-butyrolactone
4-hydroxybutanoic acid (4-hydroxy-n-butyric acid; gamma-hydroxybutyric acid)
Lysergamide
Lysergide and other N-alkyl derivatives of lysergamide
Mescaline
Methcathinone
Methylamphetamine
N-(2,5-Dimethoxy-4-propylthiophenethyl)hydroxyl-amine
N-(4-Ethylthio-2,5-dimethoxyphenethyl)hydroxyl-amine
N-(4-*sec*-Butylthio-2,5-dimethoxyphenethyl)hydroxyl-amine
N.N-Diethyltryptamine
N.N-Dimethyltryptamine
N-Hydroxy-tenamphetamine
N-Methyl-N-(α -methyl-3,4-methylenedioxyphenethyl)hydro-xylamine
O-Methyl-N-(α -methyl-3,4-methylenedioxyphenethyl)hydro-xylamine
Psilocin

Raw opium
Rolicyclidine
Tenocyclidine
 α , α -Dimethyl-3,4-methylenedioxyphenethyl (methyl)amine
 α , α -Dimethyl-3,4-methylenedioxyphenethylamine
 α -Methyl-3,4-methylenedioxyphenethyl(prop-2-ynyl)amine
 α -Methyl-4-(methylthio)phenethylamine (also known as 4-Methylthioamphetamine)
 α -Methylphenethylhydroxylamine (also known as N-Hydroxyamphetamine)
 β -Methoxy-3,4-methylenedioxyphenethylamine
 β ,2,5-Trimethoxy-4-methylphenethylamine
 β ,3,4,5-Tetramethoxyphenethylamine;”;

(b) in paragraph 1(n) for the full stop there shall be substituted a semi-colon;
and

(c) after paragraph 1(n) there shall be added the following sub-paragraph –

“(o) Any compound (not being pipradrol) structurally derived from piperidine, pyrrolidine, azepane, morpholine or pyridine by substitution at a ring carbon atom with a diphenylmethyl group, whether or not the compound is further modified in any of the following ways, that is to say –

- (i) by substitution in any of the phenyl rings to any extent with alkyl, alkoxy, haloalkyl or halide groups,
- (ii) by substitution at the methyl carbon atom with an alkyl, hydroxyalkyl or hydroxy group,
- (iii) by substitution at the ring nitrogen atom with an alkyl, alkenyl, haloalkyl or hydroxyalkyl group.”.

3 Misuse of Drugs (General Provisions) (Jersey) Order 2009 amended

(1) In this Article “Order” means the Misuse of Drugs (General Provisions) (Jersey) Order 2009.

(2) In Article 1, after the definition “Schedule 5 drug” there shall be inserted the following definition –

“ ‘Schedule 6 drug’ means a controlled drug specified in Schedule 6;”.

(3) For Article 2 there shall be substituted the following Article –

“2 Exemptions from certain provisions of Law

(1) Articles 4(1) (importation and exportation) and 8(1) (possession) of the Law do not have effect in respect of a Schedule 5 drug.

- (2) Articles 5 (production and supply) and 8(1) of the Law do not have effect in respect of poppy-straw.
 - (3) Articles 4(1), 5 and 8(1) of the Law do not have effect in respect of exempt products.
 - (4) Articles 4(1), 5 and 8(1) of the Law do not have effect in respect of a Schedule 6 drug except in any case where the importation, exportation, production, supply, offer to supply or possession of the drug is by a person knowing or believing that the drug will be used for the purpose of human ingestion other than as a flavouring in food, whether by that person or another person.”.
- (4) In Schedule 1 to the Order –
- (a) in paragraph 1(a) the entry “Gammahydroxybutyrate” shall be omitted;
 - (b) for the full stop at the end of paragraph 1(r) there shall be substituted a semi-colon; and
 - (c) after paragraph 1(r) there shall be added the following paragraphs –
 - “(s) Any compound (not being pipradrol) structurally derived from piperidine, pyrrolidine, azepane, morpholine or pyridine by substitution at a ring carbon atom with a diphenylmethyl group, whether or not the compound is further modified in any of the following ways, that is to say –
 - (i) by substitution in any of the phenyl rings to any extent with alkyl, alkoxy, haloalkyl or halide groups,
 - (ii) by substitution at the methyl carbon atom with an alkyl, hydroxyalkyl or hydroxy group,
 - (iii) by substitution at the ring nitrogen atom with an alkyl, alkenyl, haloalkyl or hydroxyalkyl group;
 - (t) 6-(2-aminopropyl)benzofuran
5-(2-aminopropyl)benzofuran.”;
 - (d) after paragraph 5 there shall be added the following paragraph –
 - “6 The following substances and products –
 - (a) 2-(ethylamino)-2-(3-methoxyphenyl)cyclohexanone;
 - (b) any stereoisomeric form of 2-(ethylamino)-2-(3-methoxyphenyl)cyclohexanone;
 - (c) any ester or ether of a substance specified in sub-paragraph (a) or (b);
 - (d) any salt of a substance specified in any of sub-paragraphs (a) to (c); and
 - (e) any preparation or other product containing a substance specified in any of sub-paragraphs (a) to (d).”.
- (5) In Schedule 2 to the Order, in paragraph 1 –
- (a) after the entry “Alphaprodine” there shall be inserted the following entry –
 - “Amineptine”;

- (b) after the entry “Myrophine” there shall be inserted the following entry –
 - “Nabilone”;
 - (c) after the entry “Norpipanone” there shall be inserted the following entry –
 - “Oripavine”;
 - (d) after the entry “Sufentanil” there shall be inserted the following entry –
 - “Tapentadol”.
- (6) for Schedule 3 to the Order there shall be substituted the following Schedule –

“SCHEDULE 3

(Article 1)

SCHEDULE 3 DRUGS

1 The following substances, namely –

- (a) Benzphetamine
7-bromo-5-(2-chlorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one
Cathine
Chlorphentermine
Ethchlorvynol
Ethinamate
Flunitrazepam
Mazindol
Mephentermine
Meprobamate
Methylphenobarbitone
Methyprylone
Phendimetrazine
Pipradrol
Temazepam
- (b) any 5,5 disubstituted barbituric acid not being quinalbarbitone.

2 Any ester or ether of pipradrol.

3 Any stereoisomeric form of a substance specified in paragraph 1 or 2 not being phenylpropanolamine.

4 Any salt of a substance specified in any of paragraphs 1 to 3.

5 Any preparation or other product containing a substance specified in any of paragraphs 1 to 4, not being a preparation specified in Schedule 5.”.

(7) For Schedule 4 to the Order there shall be substituted the following Schedule –

“SCHEDULE 4

(Article 1)

SCHEDULE 4 DRUGS

1 The following substances and products –

Alprazolam

Aminorex

Bromazepam

Brotizolam

Camazepam

Chlordiazepoxide

Clobazam

Clonazepam

Clorazepic acid

Clotiazepam

Cloxazolam

Delorazepam

Diazepam

Estazolam

Ethyl loflazepate

Fencamfamin

Fenproporex

Fludiazepam

Flurazepam

Halazepam

Haloxazolam

4-hydroxybutanoic acid (4-hydroxy-n-butyric acid; gamma-hydroxybutyric acid)

Ketamine

Ketazolam

Loprazolam

Lorazepam
Lormetazepam
Medazepam
Mefenorex
Mesocarb
Midazolam
Nimetazepam
Nitrazepam
Nordazepam
Oxazepam
Oxazolam
Pemoline
Pinazepam
Prazepam
Propylhexedrine
Pyrovalerone
Tetraazepam
Triazolam
Zolpidem
N-Ethylamphetamine.

2 The following substances –
5 α -Androstane-3, 17-diol
4-Androstene-3, 17-dione
5-Androstene-3, 17-diol
Androst-4-ene-3, 17-diol
1-Androstenediol
1-Androstenedione
5-Androstenedione
Atamestane
Bolandiol
Bolasterone
Bolazine
Boldenone
Boldione
Bolenol

Bolmantalate
Calusterone
4-Chloromethandienone
Clostebol
Danazol
Desoxymethyltestosterone
Drostanolone
Enestebol
Epitiostanol
Ethyloestrenol
Fluoxymesterone
Formebolone
Furazabol
Gestrinone
3-Hydroxy-5 α -androstan-17-one
Mebolazine
Mepitiostane
Mesbolone
Mestanolone
Mesterolone
Methandienone
Methandriol
Methenolone
Methyltestosterone
Metribolone
Mibolerone
Nandrolone
19-Nor-4-Androstene-3, 17-dione
19-Nor-5- Androstene-3, 17-diol
19-Norandrostenedione
19-Norandrosterone
19-Noretiocholanolone
Norboletone
Norclostebol
Norethandrolone
Ovandrotone

Oxabolone
Oxandrolone
Oxymesterone
Oxymetholone
Prasterone
Propetandrol
Prostanozol
Quinbolone
Roxibolone
Silandrone
Stanolone
Stanozolol
Stenbolone
Tetrahydrogestrinone
Testosterone
Thiomesterone
Trenbolone.

- 3 Any compound (not being Trilostane or a compound specified in paragraph 2) structurally derived from 17 hydroxyandrostane-3-one or from 17-hydroxy-estran-3-one by modification –
- (a) by further substitution at position 17 by a methyl or ethyl group;
 - (b) by substitution to any extent at one or more positions 1, 2, 4, 6, 7, 9, 11, or 16, but at no other position;
 - (c) by unsaturation in the carbocyclic ring system to any extent, provided that there are no more than 2 ethylenic bonds in any one carbocyclic ring; or
 - (d) by fusion of ring A with a heterocyclic system.

4 Any substance which is an ester or ether (or, where more than one hydroxyl function is available, both an ester and an ether) of a substance specified in paragraph 2 or paragraph 3.

5 Chorionic Gonadotrophin (HCG)
Non-human chorionic gonadotrophin
Somatotropin
Somatrem
Somatropin
Zeranol
Zilpaterol.

- 6 Clenbuterol.
- 7 Any stereoisomeric form of a substance specified in any of paragraphs 1 to 6.
- 8 Any salt of a substance specified in any of paragraphs 1 to 7.
- 9 Any preparation or other product containing a substance or product specified in any of paragraphs 1 to 8 not being a preparation specified in Schedule 5.”.

(8) After Schedule 5 there shall be added the following Schedule –

“SCHEDULE 6

(Article 2(4))

SCHEDULE 6 DRUGS

- 1 Gamma–butyrolactone including –
 - (a) any salt of gamma–butyrolactone; and
 - (b) any preparation or other product containing gamma–butyrolactone or a substance specified in sub-paragraph (a).
- 2 1,4–butanediol including –
 - (a) any substance which is an ester or ether or both an ester and ether of 1,4–butanediol;
 - (b) any salt of 1,4–butanediol or of a substance specified in sub-paragraph (a); and
 - (c) any preparation or other product containing 1,4–butanediol or a substance specified in sub-paragraph (a) or (b).”.

4 Citation and commencement

This Order shall be cited as the Misuse of Drugs (Miscellaneous Amendments) (No. 2) (Jersey) Order 2012 and shall come into force 7 days after it is made.

Signed.....

Date.....

Minister for Health and Social Services

