



Jersey

MISUSE OF DRUGS (MISCELLANEOUS AMENDMENTS) (No. 4) (JERSEY) ORDER 2013

Arrangement

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Made

Coming into force

THE MINISTER FOR HEALTH AND SOCIAL SERVICES, in pursuance of Articles 3, 5, 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 Misuse of Drugs (Jersey) Law 1978 amended

In the Misuse of Drugs (Jersey) Law 1978 –

- (a) in Part 2 of Schedule 2, in paragraph 1(a) –
- (i) after the substance “2-((Dimethylamino)methyl)-1-(3-hydroxyphenyl)cyclohexanol (also known as O-desmethyltramadol)” there shall be inserted the substance –
“Ethylphenidate”,
 - (ii) after the substance “Methylphenobarbitone” there shall be inserted the following substances –
 - “N-adamantyl-1-pentyl-1H-indazole-3-carboxamide (AKB-48)
 - N-adamantyl-1-(5-fluoropentyl)-1H-indazole-3-carboxamide (5F-AKB-48)
 - N-adamantyl-1-(5-fluoropentyl)-1H-indole-3-carboxamide (STS-135),
 - (iii) after the substance “Propiram” there shall be inserted the substance –
“Quinolin-8-yl-1-(5-fluoropentyl)-1H-indole-3-carboxylate (5F-PB-22)”;
- (b) in Part 3 of Schedule 2, in paragraph (1)(a), after the substance “Tetraepam” there shall be inserted the following substance –
“Tramadol ((±)-trans-2-((dimethylamino)methyl)-1-(3-methoxyphenyl)cyclohexanol)”.

2 Misuse of Drugs (Addicts) (Jersey) Order 1980 amended

- (1) In this Article “Order” means the Misuse of Drugs (Addicts) (Jersey) Order 1980.
- (2) in Article 1(1) of the Order, after the definition “drug” there shall be added the following definition –
 - “ ‘nurse independent prescriber’ means any of the following –
 - (a) a midwife prescribing practitioner registered under the Health Care (Registration) (Jersey) Law 1995;
 - (b) a nurse prescribing practitioner registered under the Health Care (Registration) (Jersey) Law 1995;
 - (c) a specialist community public health nurse prescribing practitioner registered under the Health Care (Registration) (Jersey) Law 1995.”.
- (3) In Article 2 of the Order, after the word “doctor” wherever it appears, except where it appears in paragraph (2)(b)(ii), there shall be inserted the words “or nurse independent prescriber”.
- (4) In Article 3 of the Order –
 - (a) after the word “doctor” wherever it appears, there shall be inserted the words “or nurse independent prescriber”;
 - (b) after paragraph (3)(e) of the Order, there shall be added the following sub-paragraph –
 - “(f) buprenorphine.”.
- (5) In the Schedule to the Order, in paragraph 1, before the substance “Cocaine” there shall be added the following substance –
 - “Buprenorphine.”.

3 Misuse of Drugs (Designation) (Jersey) Order 1989 amended

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

- (a) the substance “Amphetamine” shall be deleted;
- (b) after the substance “Dimethyl(α -methyl-3,4-methylenedioxyphenethyl)amine” there shall be inserted the following substance –
 - “Ethylphenidate”;
- (c) after the substance “Methylamphetamine” there shall be inserted the following substances –
 - “N-adamantyl-1-pentyl-1H-indazole-3-carboxamide (AKB-48)
 - N-adamantyl-1(5-fluoropentyl)-1H-indazole-3-carboxamide (5F-AKB-48)
 - N-adamantyl-1(5-fluoropentyl)-1H-indole-3-carboxamide (STS-135)”;

- (d) after the substance “Psilocin” there shall be inserted the following substance –
- “Quinolin-8-yl-1-(5fluoropentyl)-1H-indole-3-carboxylate (5F-pB-22)”.

4 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(1) of the Order –
- (a) after the definition “midwife” there shall be inserted the following definition –
- “ ‘nurse independent prescriber’ means any of the following –
- (a) a midwife prescribing practitioner registered under the Health Care (Registration) (Jersey) Law 1995;
- (b) a nurse prescribing practitioner registered under the Health Care (Registration) (Jersey) Law 1995;
- (c) a specialist community public health nurse prescribing practitioner registered under the Health Care (Registration) (Jersey) Law 1995;”;
- (b) in the definition “prescription” –
- (i) in sub-paragraph (b) the word “or” shall be deleted,
- (ii) after sub-paragraph (c) there shall be inserted the word “or” and the following sub-paragraph –
- “(d) by a nurse independent prescriber for the medical treatment of a single individual;”.
- (3) In Article 4(1)(b) of the Order –
- (a) after the word “practitioner” there shall be inserted the words “or nurse independent prescriber”;
- (b) after the word “dentist” there shall be inserted the words “, nurse independent prescriber”.
- (4) In Article 5(2) and 5(3) of the Order, for the words “doctor or dentist” there shall be substituted the words “doctor, dentist or nurse independent prescriber”.
- (5) In Article 6 of the Order –
- (a) after paragraph (2) there shall be inserted the following paragraphs –
- “(2A) A nurse independent prescriber, acting in that capacity, may compound a Schedule 2 drug, a Schedule 3 drug, a Schedule 4 drug or a Schedule 5 drug for the purposes of administering it to his or her patient.
- (2B) Any person acting in accordance with the written directions of a practitioner, pharmacist or nurse independent prescriber may compound any drug specified in Schedule 2, Schedule 3, Schedule

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- 4 or Schedule 5 for the purpose of administering it to a patient of the practitioner, pharmacist or nurse independent prescriber.”;
- (b) after paragraph (4)(c) there shall be inserted the following sub-paragraph –
- “ (ca) a nurse independent prescriber;”.
- (c) in paragraph (5)(c) and (d) for the words “or dentist” there shall be substituted the words “, dentist or nurse independent prescriber”;
- (d) in paragraph (6) after the word “doctor” there shall be inserted the words “or nurse independent prescriber”.
- (6) In Article 7 of the Order –
- (a) in paragraph (2), after the word “practitioner” there shall be inserted the words “ or nurse independent prescriber”;
- (b) in paragraphs (3), (4) and (5), after the word “doctor” there shall be inserted the words “or nurse independent prescriber”.
- (7) In Article 12(1) of the Order after the word “practitioner” there shall be inserted the words “or nurse independent prescriber”.
- (8) In Article 13 of the Order –
- (a) in paragraph (4)(a) for the words “or dentist” there shall be substituted the words “, dentist or nurse independent prescriber”;
- (b) in paragraph (6)(a) after the word “practitioner” there shall be inserted the words “or nurse independent prescriber”.
- (9) In Article 21(2)(a) of the Order, for the words “or veterinary surgeon” there shall be substituted the words “, nurse independent prescriber or veterinary surgeon”.
- (10) In Article 26(2), (3) and (4) of the Order, for the words “or dentist” there shall be substituted the words “, dentist or nurse independent prescriber”.
- (11) In Article 28(4) of the Order, for the words “or dentist” there shall be substituted the words “, dentist or nurse independent prescriber”.
- (12) After Article 29(1)(h) of the Order there shall be inserted the following sub-paragraph –
- “ (i) a nurse independent prescriber.”.
- (13) In Article 30 of the Order, for the words “or dentist” there shall be substituted the words “, dentist or nurse independent prescriber”.
- (14) In Article 31(6) and (7) of the Order, for the words “or veterinary surgeon” there shall be substituted the words “, nurse independent prescriber or veterinary surgeon”.
- (15) In Schedule 1 to the Order, in paragraph 1(a) –
- (a) the substance “Amphetamine” shall be deleted;
- (b) after the substance “Concentrate of poppy straw” there shall be inserted the substance –
- “Ethylphenidate”;
- (c) after the substance “Methylamphetamine” there shall be added the following substances –

“N-adamantyl-1-pentyl-1H-indazole-3-carboxamide (AKB-48)
N-adamantyl-1-(5-fluoropentyl)-1H-indazole-3-carboxamide (5F-
AKB-48)
N-adamantyl-1-(5-fluoropentyl)-1H-indole-3-carboxamide (STS-
135)”;

(d) after the substance “Psilocin” there shall be inserted the following substance –

“Quinolin-8-yl-1-(5-fluoropentyl)-1H-indole-3-carboxylate (5F-
PB-22)”.

(16) In Schedule 2 to the Order, in paragraph 1, after the entry for “Amineptine” there shall be inserted the following entry –

“Amphetamine”.

(17) In Schedule 3 to the Order, in paragraph 1(a), after the substance “Temazepam” there shall be inserted the following substance –

“Tramadol ((±)-trans-2-((dimethylamino)methyl)-1-(3-methoxyphenyl)cyclohexanol)”.

5 Citation and commencement

This Order shall be cited as the Misuse of Drugs (Miscellaneous Amendments) (No. 4) (Jersey) Order 201- and –

- (a) Articles 1(b) and 4(17) shall come into force on 1st April 2014; and
- (b) all other provisions shall come into force the day after the Order is made.

Signed.....

Date.....

Minister for Health and Social Services

