
STATUTORY INSTRUMENTS

2016 No. 1109

DANGEROUS DRUGS

The Misuse of Drugs Act 1971 (Amendment) Order 2016

Made - - - - 16th November 2016

Coming into force in accordance with article 1

At the Court at Buckingham Palace, the 16th day of November 2016

Present,

The Queen's Most Excellent Majesty in Council

In accordance with section 2(5) of the Misuse of Drugs Act 1971⁽¹⁾ a draft of this Order has been laid before Parliament on the recommendation of the Advisory Council on the Misuse of Drugs and approved by a resolution of each House of Parliament.

Accordingly, Her Majesty, in exercise of the powers conferred upon Her by section 2(2) of that Act, is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation and commencement

1. This Order may be cited as the Misuse of Drugs Act 1971 (Amendment) Order 2016 and comes into force on the twenty-eighth day after the day on which it is made.

Amendments to the Misuse of Drugs Act 1971

2. The following amendments are made to Schedule 2 to the Misuse of Drugs Act 1971.

3. In Part 2 (which specifies the drugs which are subject to control under that Act as Class B drugs)—

(a) after paragraph 1(c) insert—

“(ca) any compound (not being clonitazene, etonitazene, acemetacin, atorvastatin, bazedoxifene, indometacin, losartan, olmesartan, proglumetacin, telmisartan, viminol, zafirlukast or a compound for the time being specified in subparagraph (c) above) structurally related to 1-pentyl-3-(1-naphthoyl)indole

(1) 1971 c. 38. Schedule 2 has been amended by section 21 of the Drugs Act 2005 (c. 17) and S.I. 1973/771, 1975/421, 1977/1243, 1979/299, 1983/765, 1984/859, 1985/1995, 1986/2230, 1989/1340, 1990/2589, 1995/1966, 1996/1300, 1998/750, 2001/3932, 2003/1243, 2003/3201, 2005/3178, 2006/3331, 2008/3130, 2009/3209, 2010/1207, 2010/1833, 2011/744, 2012/1390, 2013/239, 2014/1106, 2014/1352, 2014/3271 and 2015/215.

(JWH-018), in that the four sub-structures, that is to say the indole ring, the pentyl substituent, the methanone linking group and the naphthyl ring, are linked together in a similar manner, whether or not any of the sub-structures have been modified, and whether or not substituted in any of the linked sub-structures with one or more univalent substituents and, where any of the sub-structures have been modified, the modifications of the sub-structures are limited to any of the following, that is to say—

- (i) replacement of the indole ring with indane, indene, indazole, pyrrole, pyrazole, imidazole, benzimidazole, pyrrolo[2,3-b]pyridine, pyrrolo[3,2-c]pyridine or pyrazolo[3,4-b]pyridine;
- (ii) replacement of the pentyl substituent with alkyl, alkenyl, benzyl, cycloalkylmethyl, cycloalkylethyl, (*N*-methylpiperidin-2-yl)methyl, 2-(4-morpholinyl)ethyl or (tetrahydropyran-4-yl)methyl;
- (iii) replacement of the methanone linking group with an ethanone, carboxamide, carboxylate, methylene bridge or methine group;
- (iv) replacement of the 1-naphthyl ring with 2-naphthyl, phenyl, benzyl, adamantyl, cycloalkyl, cycloalkylmethyl, cycloalkylethyl, bicyclo[2.2.1]heptanyl, 1,2,3,4-tetrahydronaphthyl, quinolinyl, isoquinolinyl, 1-amino-1-oxopropan-2-yl, 1-hydroxy-1-oxopropan-2-yl, piperidinyl, morpholinyl, pyrrolidinyl, tetrahydropyranyl or piperazinyl.”;

(b) in paragraph 2A, for “(c)” substitute “(c), (ca)”.

4. In paragraph 1(b) of Part 3 (which specifies the drugs which are subject to control under that Act as Class C drugs), after “Desoxymethyltestosterone” insert—

“Dienedione (estra-4, 9-diene-3,17-dione).”.

Richard Tilbrook
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings certain drugs under the control of the Misuse of Drugs Act 1971 ('the Act'). Article 3 of this Order brings a further range of synthetic cannabinoids under permanent control as Class B drugs under the Act, excluding those synthetic cannabinoids which are already controlled under the Act as Class B drugs, two other compounds which are already controlled as Class A drugs (clonitazene and etonitazene), and several other compounds that have legitimate medical uses (acemetacin, atorvastatin, bazedoxifene, indometacin, losartan, olmesartan, proglumetacin, telmisartan, viminol and zafirlukast).

Article 4 brings the anabolic steroid known as Dienedione (estra-4, 9-diene-3,17-dione) under permanent control as a Class C drug.