
STATUTORY INSTRUMENTS

2016 No. 1124

DANGEROUS DRUGS

**The Misuse of Drugs (Designation) (Amendment)
(England, Wales and Scotland) Order 2016**

Made - - - - *21st November 2016*
Laid before Parliament *23rd November 2016*
Coming into force - - *14th December 2016*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 7(4) and 7(5) of the Misuse of Drugs Act 1971⁽¹⁾.

In accordance with section 7(7) of that Act the Secretary of State has consulted with the Advisory Council on the Misuse of Drugs.

Citation, commencement and extent

1.—(1) This Order may be cited as the Misuse of Drugs (Designation) (Amendment) (England, Wales and Scotland) Order 2016 and comes into force on 14th December 2016.

(2) This Order extends to England and Wales and Scotland.

Amendment to the Misuse of Drugs (Designation) (England, Wales and Scotland) Order 2015

2.—(1) The Misuse of Drugs (Designation) (England, Wales and Scotland) Order 2015⁽²⁾ is amended as follows.

(2) After paragraph 1(s) of Part 1 of Schedule 1 (which specifies controlled drugs to which section 7(4) of the Misuse of Drugs Act 1971 applies) insert—

“(sa) any compound (not being clonitazene, etonitazene, acemetacin, atorvastatin, bazedoxifene, indometacin, losartan, olmesartan, proglumetacin, telmisartan, viminal, zafirlukast or a compound for the time being specified in sub-paragraphs (h) to (s) above) structurally related to 1-pentyl-3-(1-naphthoyl)indole (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

(1) 1971 c. 38.
(2) S.I. 2015/704.

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.”

21st November 2016

Sarah Newton
Parliamentary Under Secretary of State
Home Office

EXPLANATORY NOTE

(This note is not part of the Order)

Section 7(3) of the Misuse of Drugs Act 1971 (c. 38) (“the 1971 Act”) requires regulations to be made to allow the use for medical purposes of the drugs which are subject to control under that Act. Section 7(3) does not apply to any drug designated by order under section 7(4) as a drug to which section 7(4) is to apply.

This Order amends the Misuse of Drugs (Designation) (England, Wales and Scotland) Order 2015 (S.I. 2015/704) by inserting a further range of synthetic cannabinoids into Part 1 of Schedule 1 to that Order (which specifies the list of controlled drugs to which section 7(4) of the 1971 Act applies), excluding those synthetic cannabinoids which are already specified at sub-paragraphs (h) to (s), two other compounds which are not required to be designated (clonitazene and etonitazene), and several other compounds that have legitimate medical uses (acemetacin, atorvastatin, bazedoxifene, indometacin, losartan, olmesartan, proglumetacin, telmisartan, viminol and zafirlukast).

An Impact Assessment will be published alongside the Explanatory Memorandum on the legislation.gov.uk website.