Draft Order laid before Parliament under section 2(5) of the Misuse of Drugs Act 1971, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2009 No.

DANGEROUS DRUGS

The Misuse of Drugs Act 1971 (Amendment) Order 2009

Made - - - - ***

Coming into force - - *23rd December 2009*

At the Court at Buckingham Palace, the *** day of ***

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 after consultation with 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 2009 and shall come into force on 23rd December 2009.

Amendments to the Misuse of Drugs Act 1971

2.—(1) Schedule 2 to the Misuse of Drugs Act 1971 (which specifies the drugs which are subject to control under that Act) is amended as follows.

(2) In Part 2 (Class B drugs)—

(a) after paragraph 1(b), insert—

"(c) [2,3–Dihydro–5–methyl–3–(4–morpholinylmethyl)pyrrolo[1, 2, 3–*de*]–1,4–benzoxazin–6–yl]–1–naphthalenylmethanone.

(**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 and 2008/3130.

3–Dimethylheptyl–11–hydroxyhexahydrocannabinol.

[9–Hydroxy–6–methyl–3–[5–phenylpentan–2–yl] oxy–5, 6, 6a, 7, 8, 9, 10, 10a–octahydrophenanthridin–1–yl] acetate.

9-(Hydroxymethyl)–6, 6–dimethyl–3–(2–methyloctan–2–yl)–6a, 7, 10, 10a–tetrahydrobenzo[*c*]chromen–1–ol.

Nabilone.

Any compound structurally derived from 3–(1–naphthoyl)indole or 1*H*–indol–3–yl–(1–naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2–(4–morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

Any compound structurally derived from 3–(1–naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2–(4–morpholinyl)ethyl, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

Any compound structurally derived from 1–(1–naphthylmethyl)indene by substitution at the 3–position of the indene ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2–(4–morpholinyl)ethyl, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent.

Any compound structurally derived from 3–phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2–(4–morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

Any compound structurally derived from 2–(3–hydroxycyclohexyl)phenol by substitution at the 5–position of the phenolic ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2–(4–morpholinyl)ethyl, whether or not further substituted in the cyclohexyl ring to any extent.";

(b) in paragraph 2A, after "derivative" insert "or of a substance for the time being specified in paragraph 1(c) of this Part of this Schedule.".

(3) In Part 3 (Class C drugs)—

(a) in paragraph 1(a), after "Flurazepam", insert "Gamma–butyrolactone";

(b) in paragraph 1(b)—

(i) before "4–Androstene–3,17–dione", insert—

"5α–Androstane–3,17–diol.

Androst-4-ene-3,17-diol.

1–Androstenediol.

1–Androstenedione";

(ii) after "4–Androstene–3,17–dione", insert "5–Androstenedione.";

(iii) after "Boldenone.", insert "Boldione.";

(iv) after "Bolmantalate.", insert "1,4–Butanediol.";