

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

2008 No.

DANGEROUS DRUGS

The Misuse of Drugs Act 1971 (Amendment) Order 2008

Made - - - - *****
Coming into force - - *26th January 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 sections 2(2) and 2(4) of that Act, is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation, commencement and revocation

1.—(1) This Order may be cited as the Misuse of Drugs Act 1971 (Amendment) Order 2008 and shall come into force on 26th January 2009.

(2) The Misuse of Drugs Act 1971 (Modification) (No. 2) Order 2003(2) is revoked.

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) in paragraph 1(a), after “Amphetamine” insert—

(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 and 2006/3331.
(2) S.I. 2003/3201.

“Cannabinol
Cannabinol derivatives
Cannabis and cannabis resin”;

(b) after paragraph 2 insert—

“**2A.** Any ester or ether of cannabinol or of a cannabinol derivative.”; and

(c) in paragraph 3, for “or 2” substitute “, 2 or 2A”.

(3) In Part 3 (Class C drugs) the following words are repealed —

(a) in paragraph 1(a), “Cannabinol”, “Cannabinol derivatives” and “Cannabis and cannabis resin”; and

(b) in paragraph 1(d), “or of cannabinol or a cannabinol derivative”.

Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order reclassifies cannabis, cannabis resin, cannabinol and cannabinol derivatives from Class C to Class B drugs for the purposes of control under the Misuse of Drugs Act 1971. In addition, any substance which is an ester or ether of cannabinol or of a cannabinol derivative is reclassified as a Class B drug.