



The Misuse of Drugs (Modification No. 3) Order, 2018

<i>Made</i>	<i>4th July, 2018</i>
<i>Coming into operation</i>	<i>1st August, 2018</i>
<i>Laid before the States</i>	<i>, 2018</i>

THE COMMITTEE FOR HEALTH & SOCIAL CARE, in exercise of the powers conferred on it by sections 6, 9, 21 and 30 of the Misuse of Drugs (Bailiwick of Guernsey) Law, 1974^a, section 1(2) of the Misuse of Drugs (Amendment) (Bailiwick of Guernsey) Law, 2000^b and all other powers enabling it in that behalf, hereby orders: -

Amendment of the 1997 Ordinance.

1. The Misuse of Drugs (Bailiwick of Guernsey) Ordinance, 1997^c ("the Ordinance") is amended as follows.

^a Ordres en Conseil Vol. XXIV, p. 273; amended by Vol. XXVIII, p. 307; Vol. XXXI, pp. 47 and 278; Vol. XXXIII, p. 217; Vol. XXXIV, p. 172; Vol. XXXVI, p. 396; Order in Council Nos. III and No. VII of 2000; Nos. IV and XIII of 2006; Recueil d'Ordonnances Tome XX, p. 271; Tome XXII, p. 483; Tome XXIV, p. 477; Tome XXV, pp. 38 and 325; Ordinance No. XXXIII of 2003; No. XLIII of 2010; No. XXV of 2011; No. XXII of 2015; No. IX of 2016; G.S.I. No. 19 of 1997; No. 5 of 2004; No. 42 of 2006; No. 20 of 2008; Nos. 22, 33 and 82 of 2010; No. 44 of 2012; No. 54 of 2013; No. 79 of 2014; No. 93 of 2015.

^b Order in Council No. III of 2000.

^c Recueil d'Ordonnances Tome XXVII, p. 247; amended by Ordinance No. XXXIII of 2003; No. XXV of 2009; No. XXII of 2015; No. IX of 2016; G.S.I. No. 5 of 2004; No. 42 of 2006; No. 20 of 2008; Nos. 22, 33, 82 and 98 of 2010; No. 44 of 2012; No. 79 of 2014; No. 93 of 2015; Nos. 1 and 10 of 2018.

2. Repeal paragraph 10 of Schedule 5 to the Ordinance and replace it with the following paragraph –

"10. Any preparation of cannabidiol which –

- (a) has its ingredients clearly labelled,
- (b) contains an aggregate of not more than 3% cannabinoles or cannabinoles derivatives relative to its cannabidiol content, by weight,
- (c) does not contain any other controlled drug,
- (d) does not contain any plant material visible to the naked eye.",
and
- (e) has the matter in paragraph (b) attested by an official certificate of analysis, or by the States Analyst.

Interpretation.

3. (1) The Interpretation (Guernsey) Law, 1948^d applies to the interpretation of this Order throughout the Bailiwick as it applies to the interpretation of a Guernsey enactment.

(2) A reference to an enactment is a reference to that enactment as from time to time amended, re-enacted (with or without modification), extended or applied.

^d Ordres en Conseil Vol. XIII, p. 355.

Citation and commencement.

4. This Order may be cited as the Misuse of Drugs (Modification No. 3) Order, 2018 and comes into force on the 1st August, 2018.

Dated this 4th day of July 2018



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Deputy Heidi Soulsby

President of the Committee *for* Health & Social Care

For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Misuse of Drugs (Bailiwick of Guernsey) Ordinance, 1997 ("**the Ordinance**"), as recently amended by the Misuse of Drugs (Modification) Order, 2018.

The Misuse of Drugs (Modification) Order, 2018 exempted low-cannabinol preparations from various prohibitions in the Misuse of Drugs (Bailiwick of Guernsey) Law, 1974 relating to import, export, possession, supply and administration of a controlled drug. However, it also imposed a mandatory requirement for *all* such preparations to be certified by an official certificate of analysis, in order to be treated as falling within the exemption.

This Order will come into force on the 1st August, 2018.

