

2008 No. 3130

DANGEROUS DRUGS

The Misuse of Drugs Act 1971 (Amendment) Order 2008

Made - - - - *10th December 2008*

Coming into force - - *26th January 2009*

At the Court at Buckingham Palace, the 10th day of December 2008

Present,

The Queen's Most Excellent Majesty in Council

In accordance with section 2(5) of the Misuse of Drugs Act 1971(a) 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(b) 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—

“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

(a) 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.

(b) S.I. 2003/3201.

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- (3) In Part 3 (Class C drugs) the following words are repealed —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

Judith Simpson
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.

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