Jersey

MISUSE OF DRUGS (ADDICTS) (JERSEY) ORDER 1980

Official Consolidated Version

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Showing the law from 27 June 2019 to Current

Jersey

MISUSE OF DRUGS (ADDICTS) (JERSEY) ORDER 1980

Contents

Article

1 Interpretation 3
2 3
3 Restriction on supply to addicts 3
4 Citation 4

SCHEDULE **5**

CONTROLLED DRUGS TO WHICH THIS ORDER APPLIES 5

ENDNOTES **6**

Table of Legislation History 6
Table of Renumbered Provisions 6
Table of Endnote References 6

Jersey

MISUSE OF DRUGS (ADDICTS) (JERSEY) ORDER 1980[1]

THE HEALTH AND SOCIAL SERVICES COMMITTEE, in pursuance of Articles 13 and 27 of the Misuse of Drugs (Jersey) Law 1978, orders as follows –

Commencement [see endnotes]

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1 Interpretation

(1) In this Order –

"drug" means a controlled drug specified in the Schedule to this Order;

"nurse independent prescriber" means any of the following –

(a) a midwife prescribing practitioner registered under the Health Care (Registration) (Jersey) Law 1995;

(b) a nurse prescribing practitioner registered under the Health Care (Registration) (Jersey) Law 1995;

(c) a specialist community public health nurse prescribing practitioner registered under the Health Care (Registration) (Jersey) Law 1995.[2]

(2) For the purposes of this Order, a person shall be regarded as being addicted to a drug if, and only if, the person has as a result of repeated administration become so dependent upon the drug that the person has an overpowering desire for the administration of it to be continued.

2 [3]

3 Restriction on supply to addicts

(1) Subject to the provisions of paragraph (2) a doctor or nurse independent prescriber shall not administer or supply to a person who the doctor or nurse independent prescriber considers, or has reasonable grounds to suspect, is addicted to any drug, or authorize the administration or supply to such a person of, any substance specified in paragraph (3) or prescribe for such a person any such substance, except –

(a) for the purpose of treating organic disease or injury; or

(b) under and in accordance with the terms of a licence issued by the Minister for Health and Social Services in pursuance of this Order.[4]

(2) The provisions of paragraph (1) shall not apply to the administration or supply by a doctor or nurse independent prescriber of a substance specified in paragraph (3) if the administration or supply is authorized by another doctor or nurse independent prescriber under and in accordance with the terms of a licence issued to the doctor or nurse independent prescriber in pursuance of this Order.[5]

(3) The substances referred to in paragraphs (1) and (2) are –

(a) cocaine, its salts and any preparation or other product containing cocaine or its salts other than a preparation falling within paragraph 2 of Schedule 5 to the Misuse of Drugs (General Provisions) (Jersey) Order 1989;

(b) diamorphine, its salts and any preparation or other product containing diamorphine or its salts;

(c) dipipanone, its salts and any preparation or other product containing dipipanone or its salts;

(d) methadone;

(e) fentanyl;

(f) buprenorphine.[6]

4 Citation

This Order may be cited as the Misuse of Drugs (Addicts) (Jersey) Order 1980.

SCHEDULE[7]

(Article 1)

CONTROLLED DRUGS TO WHICH THIS ORDER APPLIES

1 The following substances and products, namely –

Buprenorphine	Levorphanol
Cocaine	Methadone
Dextromoramide	Morphine
Diamorphine	Opium
Dipipanone	Oxycodone
Fentanyl	Pethidine
Hydrocodone	Phenazocine
Hydromorphone	Piritramide

2 Any stereoisomeric form of a substance specified in paragraph 1 above, not being dextrorphan.

3 Any ester or ether of a substance specified in paragraph 1 or 2 above not being a substance for the time being specified in Part 2 of Schedule 2 to the Misuse of Drugs (Jersey) Law 1978.

4 Any salt of a substance specified in any of paragraphs 1 to 3 above.

5 The following substances and products, namely –

Methaqualone

Methylphenidate

Phenmetrazine

6 Any stereoisomeric form of a substance specified in paragraph 5.

7 Any salt of a substance specified in paragraph 5 or 6.

8 Any preparation or other product containing a substance or product specified in any of paragraphs 1 to 7 above.

ENDNOTES

Table of Legislation History

Legislation	Year and Number	Commencement
Misuse of Drugs (Addicts) (Jersey) Order 1980	R&O.6776	1 May 1980
Misuse of Drugs (Addicts) (Amendment) (Jersey) Order 1985	R&O.7455	1 April 1986
Misuse of Drugs (Addicts) (Amendment No. 2) (Jersey) Order 1989	R&O.7867	1 March 1989
Misuse of Drugs (Addicts) (Amendment No. 3) (Jersey) Order 1991	R&O.8171	1 March 1991
Misuse of Drugs (Addicts) (Amendment No. 4) (Jersey) Order 1993	R&O.8539	5 May 1993
States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005	R&O.45/2005	9 December 2005
Misuse of Drugs (Addicts) (Amendment No. 5) (Jersey) Order 2007	R&O.40/2007	9 March 2007
Misuse of Drugs (Miscellaneous Amendments) (No. 4) (Jersey) Order 2013	R&O.166/2013	20 December 2013
Misuse of Drugs (Miscellaneous Amendments) (No. 8) (Jersey) Order 2019	R&O.49/2019	27 June 2019

Table of Renumbered Provisions

Original	Current
1(3)	spent, omitted from this revised edition
3(3)(d)	3(3)(c)
3(3)(e)	3(3)(d)

Table of Endnote References

[1] *This Order has been amended by the States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*

[2] *Article 1(1)* *amended by R&O.166/2013*

[3] *Article 2* *deleted by R&O.49/2019*

[4] *Article 3(1)* *amended by R&O.166/2013*

[5] *Article 3(2)* *amended by R&O.166/2013*

[6] *Article 3(3)*	*amended by R&O.7455, R&O.7867, R&O.8171, R&O.8539, R&O.40/2007, R&O.166/2013*
[7] *Schedule*	*amended by R&O.8171, R&O.40/2007, R&O.166/2013*