

CAYMAN ISLANDS



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THE MISUSE OF DRUGS (AMENDMENT) LAW, 2016

(LAW 41 OF 2016)

THE MISUSE OF DRUGS (AMENDMENT) LAW, 2016

ARRANGEMENT OF SECTIONS

1. Short title
2. Amendment of section 2 of the Misuse of Drugs Law (2014 Revision) - definitions and interpretation
3. Insertion of section 2A - authorised use of cannabis extracts, etc.
4. Amendment of Schedule 1 - controlled drugs

CAYMAN ISLANDS

Law 41 of 2016.

I Assent

Helen Kilpatrick

Governor.

16th November, 2016

**A LAW TO AMEND THE MISUSE OF DRUGS LAW (2014 REVISION)
TO INCLUDE CANNABIS EXTRACTS AND TINCTURES OF
CANNABIS AS CONTROLLED DRUGS; TO RESTRICT THE POWER
TO PRESCRIBE CANNABIS EXTRACTS AND TINCTURES OF
CANNABIS TO A MEDICAL DOCTOR; AND FOR INCIDENTAL AND
CONNECTED PURPOSES**

ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Misuse of Drugs (Amendment) Law, 2016.
2. The Misuse of Drugs Law (2014 Revision), in this Law referred to as the “principal Law”, is amended in section 2(1) by deleting the definition of the word “authorised” and substituting the following definition -

Short title

Amendment of section 2
of the Misuse of Drugs
Law (2014 Revision) -
definitions and
interpretation

““authorised” means authorised by this or any other Law, and includes -

- (a) a person acting in the course of lawful duties as a medical practitioner, dentist, veterinary practitioner or pharmacist, any of whom prescribes, administers, manufactures, compounds or supplies a controlled drug;
- (b) a person lawfully conducting the business of a retail pharmacy or of an importer, acting in either case in the capacity as such; and

- (c) a person in possession of a controlled drug under a prescription,

however, in relation to cannabis extracts and tinctures of cannabis an authorised person is -

(2013 Revision)

- (i) a person acting in the course of lawful duties as a medical doctor licensed in accordance with the Health Practice Law (2013 Revision);
- (ii) a person acting in the course of lawful duties as a pharmacist licensed in accordance with the Health Practice Law (2013 Revision);
- (iii) a person lawfully conducting the business of a retail pharmacy or of an importer, acting in either case in the capacity as such; or
- (iv) a person in possession of cannabis extracts or tinctures of cannabis under a prescription issued by a medical doctor as part of a course of treatment for a person under that medical doctor's care and in accordance with this Law;".

Insertion of section 2A - authorised use of cannabis extracts, etc.

3. The principal Law is amended by inserting after section 2 the following section -

"Authorised use of cannabis extracts, etc.

(2013 Revision)

2A. (1) The use of cannabis extracts and tinctures of cannabis for medical or therapeutic purposes, where prescribed by a medical doctor licensed in accordance with the Health Practice Law (2013 Revision) as part of a course of treatment for a person under that medical doctor's care, is lawful.

(2) The medical doctor shall establish the dosage of the cannabis extract or tincture of cannabis required for any person for whom the medical doctor prescribes it.

(3) The Cabinet may make Regulations providing for the importation, transport, storage and dispensing of cannabis extracts and tinctures of cannabis and for anything required to be prescribed under this Law relating to the medical or therapeutic uses of cannabis extracts and tinctures of cannabis."

Amendment of Schedule 1 - controlled drugs

4. The principal Law is amended in Schedule 1 as follows -

- (a) in paragraph 1(a) of Part I by inserting in the appropriate alphabetical sequence the following substance -

- “Cannabis extracts and tinctures of cannabis”; and
- (b) in Part IV by inserting in the appropriate alphabetical sequence the following expression -
- “ “Cannabis extracts and tinctures of cannabis” means the separated resin, crude or purified, obtained from the cannabis plant;”.

Passed by the Legislative Assembly the 24th day of October, 2016.

J. O’Connor-Connolly

Speaker.

Zena Merren-Chin

Clerk of the Legislative Assembly.