SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5326 GIBRALTAR Tuesday 14th July 2026

LEGAL NOTICE NO. 215 OF 2026

TREATY ON GIBRALTAR AND THE EUROPEAN UNION ACT 2026

TGEU IMPLEMENTATION (AMENDMENT TO SCHEDULE 5 OF THE CRIMES ACT 2011) REGULATIONS 2026

In exercise of the powers conferred on the Government by section 13 of the Treaty on Gibraltar and the European Union Act 2026, and all other enabling powers, and for the purposes of implementing, in part, Article 63 and paragraph 6 of Annex 9 of the Agreement in respect of Gibraltar between the European Union and the European Atomic Energy Community of the one part and the United Kingdom of Great Britain and Northern Ireland; and for connected purposes, the Government has made the following Regulations—

Title.

1. These Regulations may be cited as the TGEU Implementation (Amendment to Schedule 5 of the Crimes Act 2011) Regulations 2026.

Commencement.

2. These Regulations come into operation on the Implementation Date.

Purpose.

3. The purpose of these Regulations is to give effect, in part, to paragraph 6 of Annex 9 as referred to in Article 63 of the TGEU.

Amendment of Part I of Schedule 5 to the Crimes Act 2011.

4.(1) Part 1 of Schedule 5 to the Crimes Act 2011 is amended as follows.

(2) In the table at Part 1 (Class A Drugs) paragraph 1(a)-

(a) by inserting in the first column-

(A) after the row for “Bezitramide” a new row for “Brorphine”;

(B) after the row for “Bufotenine” a new row for “Butonitazene”;

(C) after the row for “Eticyclidine” a new row for “Etodesnitazene (etazene)”;

(D) after the row for “Isomethadone” a new row for “Isotonitazene”;

(i) by inserting in the second column-

(A) after the row for "Methyldihydromorphine (6-methyldihydromorphine)" a new row for "Metonitazene";

(B) after the row for "Properidine (1-methyl-4-phenyl-piperidine-4-carboxylic acid isopropyl ester)" a new row for "Protonitazene";

(C) after the row for "Thebaine" a new row for "Thiofentanyl";

(D) after the row for "4-Cyano-1-methyl-4-phenyl-piperidine"-
"

1-Cyclohexyl-4-(1,2-diphenylethyl)piperazine (MT-45)
N-Desethylisotonitazene
3,4-dichloro-*N*-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921)
3,4-dichloro-*N*-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide (U-47,700)

";

(E) after the row for "1-Methyl-4-phenylpiperidine-4-carboxylic acid" a new row for "2-Methyl-AP-237 (1-[2-methyl-4-[2E]-3-phenyl-2-propen-1-yl]-1-piperazinyl-1-butanone)";

(F) after the row for "2-Methyl-3-morpholino-1, 1-diphenylpropanecarboxylic acid" a new row for "4-methyl-5-(4-methylphenyl)-4,5-dihydrooxazol-2-amine (4,4′-DMAR)";

(G) after the row for "4-Phenylpiperidine-4-carboxylic acid ethyl ester"-
"

N-Piperidinyl-etonitazene (etonitazepipne)
N-Pyrrolidino-etonitazene (etonitazepyne)
N-Pyrrolidino protonitazene

".

(b) after paragraph (f) insert-

"(g) any compound (not being a compound for the time being specified in sub-paragraph (a) above) with a maximum molecular mass of 500 atomic mass units and structurally derived from 2-(2-benzyl-benzimidazol-1-yl)ethanamine by modification in any of the following ways, that is to say—

(i) by substitution at the nitrogen of the ethanamine to any extent by alkyl substituents containing up to three carbon atoms or alkenyl substituents containing up to three carbon atoms or by inclusion of the

nitrogen atom (and no other atoms of the side chain) in a cyclic structure;

(ii) by substitution in the phenyl ring of the benzyl system to any extent by alkyl or haloalkyl containing up to six carbon atoms, alkoxy or haloalkoxy containing up to five carbon atoms, acetyloxy, hydroxy, cyano, halogen, thioalkyl containing up to five carbon atoms or alkylsulphonyl containing up to five carbon atoms;

(iii) by substitution at the 5- or 6- positions of the benzimidazole system by nitro, acetyl, cyano, methoxy, trifluoromethyl, trifluoromethoxy or halogen substituents;

(iv) by substitution at the benzylic carbon by a methyl group;

(v) by replacement of the benzylic carbon by a nitrogen, oxygen or sulphur atom;

(vi) by substitution in the phenyl ring of the benzyl system by an ethoxy group linked back to the phenyl ring to form a dihydrobenzofuran structure;

(vii) by replacement of the phenyl ring of the benzyl system by methylenedioxyphenyl.

(h) any compound (not being benzyl(α-methyl-3,4-methylenedioxyphenethyl)amine) structurally derived from mescaline, 4-bromo-2,5-dimethoxy-α-methylphenethylamine, 2,5-dimethoxy-α,4-dimethylphenethylamine, *N*-hydroxytenamphetamine, or a compound specified in sub-paragraph (c) or (d) above, by substitution at the nitrogen atom of the amino group with a benzyl substituent, whether or not substituted in the phenyl ring of the benzyl group to any extent.".

Amendment of Part II of Schedule 5 to the Crimes Act 2011.

5. Part II (Class B Drugs) of Schedule 5 to the Crimes Act 2011 is amended as follows-

(a) after the table at paragraph 1(a) and before paragraph 1(b)insert-

"(aa) Any compound (not being bupropion, cathinone, diethylpropion, pyrovalerone or a compound for the time being specified in sub–paragraph (a) above) structurally derived from 2–amino–1–phenyl–1–propanone by modification in any of the following ways, that is to say,

(i) by substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylenedioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;

(ii) by substitution at the 3–position with an alkyl substituent;

(iii) by substitution at the nitrogen atom with alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure.".

(b) after paragraph 1(b) insert-

"(c) [2,3–Dihydro–5–methyl–3–(4–morpholinylmethyl)pyrrolo[1, 2, 3–de]–1,4–benzoxazin–6–yl]–1–naphthalenylmethanone.

3–Dimethylheptyl–11–hydroxyhexahydrocannabinol.

[9–Hydroxy–6–methyl–3–[5–phenylpentan–2–yl] oxy–5, 6, 6a, 7, 8, 9, 10, 10a–octahydrophenanthridin–1–yl] acetate.

9-(Hydroxymethyl)–6, 6–dimethyl–3–(2–methyloctan–2–yl)–6a, 7, 10, 10a–tetrahydrobenzo[*c*]chromen–1–ol.

Any compound structurally derived from 3–(1–naphthoyl)indole, 3-(2-naphthoyl) indole, 1*H*–indol–3–yl–(1–naphthyl)methane or 1*H*-indol-3-yl-(2-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (*N*-methylpiperidin-2-yl)methyl or 2–(4–morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

Any compound structurally derived from 3–(1–naphthoyl)pyrrole or 3-(2-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (*N*-methylpiperidin-2-yl)methyl or 2–(4–morpholinyl)ethyl, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

Any compound structurally derived from 1–(1–naphthylmethylene)indene or 1-(2-naphthylmethylene)indene by substitution at the 3–position of the indene ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (*N*-methylpiperidin-2-yl)methyl or 2–(4–morpholinyl)ethyl, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent.

Nabilone.

Any compound structurally derived from 3–phenylacetylindole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (*N*-methylpiperidin-2-yl)methyl or 2–(4–morpholinyl)ethyl, whether or not

further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

Any compound structurally derived from 2–(3–hydroxycyclohexyl)phenol by substitution at the 5–position of the phenolic ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2–(4–morpholinyl)ethyl, whether or not further substituted in the cyclohexyl ring to any extent.

Any compound structurally derived from 3-benzoylindole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (*N*-methylpiperidin-2-yl)methyl or 2–(4–morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

Any compound structurally derived from 3-(1-adamantoyl)indole or 3-(2-adamantoyl)indole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (*N*-methylpiperidin-2-yl)methyl or 2–(4–morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the adamantyl ring to any extent.

Any compound structurally derived from 3-(2,2,3,3-tetramethylcyclopropylcarbonyl)indole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (*N*-methylpiperidin-2-yl)methyl or 2–(4–morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent.

(d) any compound (not being a compound for the time being specified in sub-paragraph (c) above) structurally related to 1-pentyl-3-(1-naphthoyl)indole (JWH-018), in that the four sub-structures, that is to say the indole ring, the pentyl substituent, the methanone linking group and the naphthyl ring, are linked together in a similar manner, whether or not any of the sub-structures have been modified, and whether or not substituted in any of the linked sub-structures with a benzyl or phenyl group and whether or not such compound is further substituted to any extent with alkyl, alkenyl, alkoxy, halide, haloalkyl or cyano substituents and, where any of the sub-structures have been modified, the modifications of the sub-structures are limited to any of the following, that is to say—

(i) replacement of the indole ring with indane, indene, indazole, pyrrole, pyrazole, imidazole, benzimidazole, pyrrolo[2,3-b]pyridine, pyrrolo[3,2-c]pyridine or pyrazolo[3,4-b]pyridine;

(ii) replacement of the pentyl substituent with alkyl, alkenyl, benzyl, cycloalkylmethyl, cycloalkylethyl, (*N*-methylpiperidin-2-yl)methyl, 2-(4-morpholinyl)ethyl or (tetrahydropyran-4-yl)methyl;

(iii) replacement of the methanone linking group with an ethanone, carboxamide, carboxylate, methylene bridge or methine group;

(iv) replacement of the 1-naphthyl ring with 2-naphthyl, phenyl, benzyl, adamantyl, cycloalkyl, cycloalkylmethyl, cycloalkylethyl, bicyclo[2.2.1]heptanyl, 1,2,3,4-tetrahydronaphthyl, quinolinyl, isoquinolinyl, 1-amino-1-oxopropan-2-yl, 1-hydroxy-1-oxopropan-2-yl, piperidinyl, morpholinyl, pyrrolidinyl, tetrahydropyranyl or piperazinyl.

(e) 1-Phenylcyclohexylamine or any compound (not being ketamine, tiletamine or a compound for the time being specified in paragraph 1(a) of Part 1 of this Schedule) structurally derived from 1-phenylcyclohexylamine or 2-amino-2-phenylcyclohexanone by modification in any of the following ways, that is to say,

(i) by substitution at the nitrogen atom to any extent by alkyl, alkenyl or hydroxyalkyl groups, or replacement of the amino group with a 1-piperidyl, 1-pyrrolidyl or 1-azepyl group, whether or not the nitrogen containing ring is further substituted by one or more alkyl groups;

(ii) by substitution in the phenyl ring to any extent by amino, alkyl, hydroxy, alkoxy or halide substituents, whether or not further substituted in the phenyl ring to any extent;

(iii) by substitution in the cyclohexyl or cyclohexanone ring by one or more alkyl substituents;

(iv) by replacement of the phenyl ring with a thienyl ring.

(f) Any compound (not being a compound for the time being specified in paragraph 1(c) of Part 1 of this Schedule) structurally derived from 1-benzofuran, 2,3-dihydro-1-benzofuran, 1H-indole, indoline, 1H-indene, or indane by substitution in the 6-membered ring with a 2-ethylamino substituent whether or not further substituted in the ring system to any extent with alkyl, alkoxy, halide or haloalkyl substituents and whether or not substituted in the ethylamino side-chain with one or more alkyl substituents.”.

Amendment of Part III of Schedule 5 to the Crimes Act 2011.

6. Part III (Class C Drugs) of Schedule 5 to the Crimes Act 2011 is amended as follows-

(a) in the second column of the table at 1(b), after the row for "Norethandrolone" insert a new row for "Oripavine";

(b) after paragraph 1(c) and before paragraph 1(d) insert-

"(ca) 1–benzylpiperazine or any compound structurally derived from 1–benzylpiperazine or 1–phenylpiperazine by modification in any of the following ways—

(i) by substitution at the second nitrogen atom of the piperazine ring with alkyl, benzyl, haloalkyl or phenyl groups;

(ii) by substitution in the aromatic ring to any extent with alkyl, alkoxy, alkylenedioxy, halide or haloalkyl groups.".

Dated: 14th July 2026.

N FEETHAM KC,
Minister with responsibility for Justice,
For the Government.

EXPLANATORY MEMORANDUM

These Regulations amend Schedule 5 of the Crimes Act 2011 to give effect, in part, to paragraph 6 of Annex 9 as referred to in Article 63 of the TGEU.