

# Amendments to Dangerous Drugs Ordinance and Control of Chemicals Ordinance to be gazetted on May 22

A spokesperson for the Security Bureau said today (May 20) that the Government will publish the Dangerous Drugs Ordinance (Amendment of First Schedule) Order 2020 (DDO Order) and the Control of Chemicals Ordinance (Amendment of Schedule 2) Order 2020 (CCO Order) in the Gazette this Friday (May 22).

The two Orders will respectively add methoxyacetylfentanyl, FUB-AMB, ADB-FUBINACA, CUMYL-4CN-BINACA and ADB-CHMINACA to the First Schedule to the Dangerous Drugs Ordinance (DDO) (Cap. 134), and APAA, PMK glycidate and PMK glycidic acid to Schedule 2 to the Control of Chemicals Ordinance (CCO) (Cap. 145).

The spokesperson said, "The amendments aim to deter the trafficking and abuse of these dangerous drugs and substances. This will help to fortify Hong Kong's defence in the fight against drugs."

The spokesperson added, "Methoxyacetylfentanyl is a synthetic analogue of fentanyl. Similar to other opioids, overdose of methoxyacetylfentanyl can lead to respiratory arrest and death. FUB-AMB, ADB-FUBINACA, CUMYL-4CN-BINACA are potent synthetic cannabinoids which affect the central nervous system, and can result in severe reactions including death. ADB-CHMINACA is one of the most potent synthetic cannabinoids studied to date, of which the efficacy and potency are substantially greater than those of tetrahydrocannabinol. Signs and symptoms resulting from the abuse of ADB-CHMINACA include tachycardia, unresponsiveness, agitation, combativeness, seizures, hyperemesis, slurred speech, delirium and sudden death.

"The DDO Order will bring the above five substances into the same strict control as other dangerous drugs under the DDO. Those prosecuted of trafficking and illicit manufacture of these substances will be liable to a maximum penalty of a fine of \$5 million and life imprisonment. Possession and consumption of the substances in contravention of the DDO will also constitute criminal offences.

"Meanwhile, APAA is an immediate precursor of 1-phenyl-2-propanone, a substance used in the illicit manufacture of amphetamine and methamphetamine (commonly known as "Ice"), which are dangerous drugs controlled under the DDO. PMK glycidate and PMK glycidic acid are both precursors of 3,4-methylenedioxy-phenyl-2-propanone, a substance used in the illicit manufacture of MDMA, also a dangerous drug controlled under the DDO, and related substances. Both 1-phenyl-2-propanone and 3,4-methylenedioxy-phenyl-2-propanone are already controlled precursor chemicals included in Schedule 2 to the CCO. Taking into consideration the harms that the dangerous drugs manufactured from APAA, PMK glycidate and PMK glycidic acid may cause

to abusers, we propose to place the three substances under legislative control.

"The CCO Order will bring APAA, PMK glycidate and PMK glycidic acid under the control of the CCO. It will be an offence to possess, manufacture, transport or distribute these substances for the unlawful production of dangerous drugs, or import or export these substances not under and in accordance with a licence issued by the Customs and Excise Department. The maximum penalty will be a fine of \$1 million and imprisonment for 15 years."

The spokesperson said that the Government had consulted the Action Committee Against Narcotics and it supported the proposed amendments. The Government had also sought the views of the Panel on Security of the Legislative Council and the relevant trades and stakeholders. There was no adverse comment.

The two Orders will be tabled at the Legislative Council on May 27, 2020, and are expected to become effective on July 24, 2020.