



LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF THE INTERNATIONAL TREATIES ON NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

In accordance with the relevant articles of the international treaties on narcotic drugs and psychotropic substances, the Secretary-General has the honour to communicate the following legislative texts.

UNITED KINGDOM

Communicated by the Government of the United Kingdom
of Great Britain and Northern Ireland

NOTE BY THE SECRETARIAT

- (a) Some editing of texts may be done by the Secretariat in the interest of clarity. In this connection, words in square brackets [] have been added or changed by the Secretariat.
- (b) Only passages directly relevant to the control of narcotic drugs or psychotropic substances have been reproduced in this document. Non-relevant parts of laws and regulations have been deleted by the Secretariat; such deletions are indicated by [...].

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* Note by the Secretariat: The following document is a direct reproduction of the texts communicated to the Secretariat

DANGEROUS DRUGS

The Misuse of Drugs (Northern Ireland) Regulations 1986

Made 20th February 1986

Coming into operation 1st April 1986

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The Department of Health and Social Services for Northern Ireland in exercise of the powers conferred by sections 7, 10, 22 and 31 of the Misuse of Drugs Act 1971, as adapted by section 38 of that Act and now vested in it and of every other power enabling it in that behalf and after consultation in accordance with section 31(3) of that Act with the Advisory Council on the Misuse of Drugs, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Misuse of Drugs (Northern Ireland) Regulations 1986 and shall come into operation on 1st April 1986.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to these regulations as it applies to a Measure of the Northern Ireland Assembly.

(2) In these regulations, the expression—

“the Act” means the Misuse of Drugs Act 1971; 1/

“authorised as a member of a group” means authorised by virtue of being a member of a class as respects which the Department has granted an authority under and for the purposes of regulations 8(3), 9(3) or 10(3) which is in force, and “his group authority”, in relation to a person who is a member of such a class, means the authority so granted to that class;

“the Department” means the Department of Health and Social Services for Northern Ireland;

“document” has the same meaning as in Part I of the Civil Evidence Act (Northern Ireland) 1971;

“health prescription” means a prescription issued by a doctor or a dentist either under the Health and Personal Social Services (Northern Ireland) Order 1972, the National Health Service Act 1977, the National Health Service (Scotland) Act 1978, or the National Health Service (Isle of Man) Acts 1948 to 1979 (Acts of Tynwald);

1/ Note by the Secretariat: E/NL.1971/42

“Health and Social Services Board” means a Health and Social Services Board established under the Health and Personal Social Services (Northern Ireland) Order 1972;

“installation manager” and “offshore installation” have the same meanings as in the Mineral Workings (Offshore Installations) Act 1971 ;

“master” and “seamen” have the same meanings as in the Merchant Shipping Act 1894 ;

“medicinal product” has the same meaning as in the Medicines Act 1968 ;

“the Merchant Shipping Acts” means the Merchant Shipping Acts 1894 to 1984;

“officer of customs and excise” means an officer within the meaning of the Customs and Excise Management Act 1979 ;

“prescription” means a prescription issued by a doctor for the medical treatment of a single individual, by a dentist for the dental treatment of a single individual or by a veterinary surgeon or veterinary practitioner for the purposes of animal treatment;

“register” means a bound book and does not include any form of loose leaf register or card index;

“registered pharmacy” has the same meaning as in the Medicines Act 1968;

“retail dealer” means a person lawfully conducting a retail pharmacy business or a pharmacist engaged in supplying drugs to the public at a health centre within the meaning of the Medicines Act 1968;

“sister or acting sister” includes any male nurse occupying a similar position;

“wholesale dealer” means a person who carries on the business of selling drugs to persons who buy to sell again.

Specification of controlled drugs for purposes of regulations

3. Schedules 1 to 5 shall have effect for the purpose of specifying the controlled drugs to which certain provisions of these regulations apply.

Exceptions for drugs in Schedules 4 and 5 and poppy-straw

4.—(1) Section 3(1) of the Act (which prohibits the importation and exportation of controlled drugs) shall not have effect in relation to the drugs specified in Schedules 4 and 5.

(2) Section 5(1) of the Act (which prohibits the possession of controlled drugs) shall not have effect in relation to—

(a) any drug specified in Schedule 4 which is contained in a medicinal product;

(b) the drugs specified in Schedule 5.

(3) Sections 4(1) (which prohibits the production and supply of controlled drugs) and 5(1) of the Act shall not have effect in relation to poppy-straw.

Licences to produce etc. controlled drugs

5. Where any person is authorised by a licence of the Department issued under this regulation and for the time being in force to produce, supply, offer to supply or have in his possession any controlled drug, it shall not by virtue of section 4(1) or 5(1) of the Act be unlawful for that person to produce, supply, offer to supply or have in his

possession that drug in accordance with the terms of the licence and in compliance with any conditions attached to the licence.

General authority to supply and possess

6.—(1) Notwithstanding the provisions of section 4(1)(b) of the Act, any person who is lawfully in possession of a controlled drug may supply that drug to the person from whom he obtained it.

(2) Notwithstanding the provisions of section 4(1)(b) of the Act, any person who has in his possession a drug specified in Schedule 2, 3, 4 or 5 which has been supplied by or on the prescription of a practitioner for the treatment of that person, or of a person whom he represents, may supply that drug to any doctor, dentist or pharmacist for the purpose of destruction.

(3) Notwithstanding the provisions of section 4(1)(b) of the Act, any person who is lawfully in possession of a drug specified in Schedule 2, 3, 4 or 5 which has been supplied by or on the prescription of a veterinary practitioner or veterinary surgeon for the treatment of animals may supply that drug to any veterinary practitioner, veterinary surgeon or pharmacist for the purpose of destruction.

(4) It shall not by virtue of section 4(1)(b) or 5(1) of the Act be unlawful for any person in respect of whom a licence has been granted and is in force under Article 18 of the Wildlife (Northern Ireland) Order 1985 to supply, offer to supply or have in his possession any drug specified in Schedule 3 for the purposes for which that licence was granted.

(5) Notwithstanding the provisions of section 4(1)(b) of the Act, any of the persons specified in paragraph (7) may supply any controlled drug to any person who may lawfully have that drug in his possession.

(6) Notwithstanding the provisions of section 5(1) of the Act, any of the persons so specified may have any controlled drug in his possession.

(7) The persons referred to in paragraphs (5) and (6) are—

- (a) a constable when acting in the course of his duty as such;
- (b) a person engaged in the business of a carrier when acting in the course of that business;
- (c) a person engaged in the business of the Post Office when acting in the course of that business;
- (d) an officer of customs and excise when acting in the course of his duty as such;
- (e) a person engaged in the work of any laboratory to which the drug has been sent for forensic examination when acting in the course of his duty as a person so engaged;
- (f) a person engaged in conveying the drug to a person who may lawfully have that drug in his possession.

Administration of drugs in Schedules 2, 3, 4 and 5

7.—(1) Any person may administer to another any drug specified in Schedule 5.

(2) A doctor or dentist may administer to a patient any drug specified in Schedule 2, 3 or 4.

(3) Any person other than a doctor or dentist may administer to a patient, in accordance with the directions of a doctor or dentist, any drug specified in Schedule 2, 3 or 4.

Production and supply of drugs in Schedules 2 and 5

8.—(1) Notwithstanding the provisions of section 4(1)(a) of the Act—

- (a) a practitioner or pharmacist, acting in his capacity as such, may manufacture or compound any drug specified in Schedule 2 or 5;
- (b) a person lawfully conducting a retail pharmacy business and acting in his capacity as such may, at the registered pharmacy at which he carries on that business, manufacture or compound any drug specified in Schedule 2 or 5.

(2) Notwithstanding the provisions of section 4(1)(b) of the Act any of the following persons, that is to say—

- (a) a practitioner;
- (b) a pharmacist;
- (c) a person lawfully conducting a retail pharmacy business;
- (d) the person in charge or acting person in charge of a hospital or nursing home which is wholly or mainly maintained by a public authority out of public funds or by a charity or by voluntary subscriptions;
- (e) in the case of such a drug supplied to her by a person responsible for the dispensing and supply of medicines at the hospital or nursing home, the sister or acting sister for the time being in charge of a ward, theatre or other department in such a hospital or nursing home as aforesaid;
- (f) a person who is in charge of a laboratory the recognised activities of which consist in, or include, the conduct of scientific education or research and which is attached to a university, university college or such a hospital as aforesaid or to any other institution approved for the purpose under this sub-paragraph by the Department;
- (g) a public analyst appointed under section 31 of the Food and Drugs Act (Northern Ireland) 1958 ;
- (h) a sampling officer within the meaning of Schedule 3 to the Medicines Act 1968;
- (i) a person employed or engaged in connection with a scheme for testing the quality or amount of the drugs, preparations and appliances supplied under the Health and Personal Social Services (Northern Ireland) Order 1972 and the regulations made thereunder; or
- (j) a person authorised by the Department for the purposes of section 110 of the Medicines Act 1968,

may, when acting in his capacity as such, supply or offer to supply any drug specified in Schedule 2 or 5 to any person who may lawfully have that drug in his possession:

Provided that nothing in this paragraph authorises—

- (i) the person in charge or acting person in charge of a hospital or nursing home, having a pharmacist responsible for the dispensing and supply of medicines, to supply or offer to supply any drug;
- (ii) a sister or acting sister for the time being in charge of a ward, theatre or other department to supply any drug otherwise than for administration to a patient in that ward, theatre or department in accordance with the directions of a doctor or dentist.

(3) Notwithstanding the provisions of section 4(1)(b) of the Act, a person who is authorised as a member of a group may, under and in accordance with the terms of his group authority and in compliance with any conditions attached thereto, supply or offer to supply any drug specified in Schedule 2 or 5 to any person who may lawfully have that drug in his possession.

(4) Notwithstanding the provisions of section 4(1)(b) of the Act, a person who is authorised by a written authority issued by the Department under and for the purposes of this paragraph and for the time being in force may, at the premises specified in that authority and in compliance with any conditions so specified, supply or offer to supply any drug specified in Schedule 5 to any person who may lawfully have that drug in his possession.

(5) Notwithstanding the provisions of section 4(1)(b) of the Act—

(a) the owner of a ship, or the master of a ship which does not carry a doctor among the seamen employed in it;

(b) the installation manager of an offshore installation,

may supply or offer to supply any drug specified in Schedule 2 or 5—

(i) for the purpose of compliance with any of the provisions specified in paragraph (6), to any person on that ship or installation;

(ii) to any person who may lawfully supply that drug to him; or

(iii) to any person authorised by the Department for the purpose of destruction.

(6) The provisions referred to in paragraph (5) are any provision of, or of any instrument which is in force under,—

(a) the Merchant Shipping Acts;

(b) the Mineral Workings (Offshore Installations) Act 1971; or

(c) the Health and Safety at Work (Northern Ireland) Order 1978.

Production and supply of drugs in Schedules 3 and 4

9.—(1) Notwithstanding the provisions of section 4(1)(a) of the Act—

(a) a practitioner or pharmacist, acting in his capacity as such, may manufacture or compound any drug specified in Schedule 3 or 4;

(b) a person lawfully conducting a retail pharmacy business and acting in his capacity as such may, at the registered pharmacy at which he carries on that business, manufacture or compound any drug specified in Schedule 3 or 4;

(c) a person who is authorised by a written authority issued by the Department under and for the purposes of this sub-paragraph and for the time being in force may, at the premises specified in that authority and in compliance with any conditions so specified, produce any drug specified in Schedule 3 or 4.

(2) Notwithstanding the provisions of section 4(1)(b) of the Act, any of the following persons, that is to say—

(a) a practitioner;

(b) a pharmacist;

(c) a person lawfully conducting a retail pharmacy business;

(d) a person in charge of a laboratory the recognised activities of which consist in, or include, the conduct of scientific education or research;

(e) a public analyst appointed under section 31 of the Food and Drugs Act (Northern Ireland) 1958;

(f) a sampling officer within the meaning of Schedule 3 to the Medicines Act 1968;

(g) a person employed or engaged in connection with a scheme for testing the quality or amount of the drugs, preparations and appliances supplied under the Health and Personal Social Services (Northern Ireland) Order 1972 and the regulations made thereunder; or

(h) a person authorised by the Department for the purposes of section 110 of the Medicines Act 1968,

may, when acting in his capacity as such, supply or offer to supply any drug specified in Schedule 3 or 4 to any person who may lawfully have that drug in his possession.

(3) Notwithstanding the provisions of section 4(1)(b) of the Act—

(a) a person who is authorised as a member of a group, under and in accordance with the terms of his group authority and in compliance with any conditions attached thereto;

(b) the person in charge or acting person in charge of a hospital or nursing home which has no pharmacist responsible for the dispensing and supply of medicines;

(c) in the case of such a drug supplied to her by a person responsible for the dispensing and supply of medicines at that hospital or nursing home, and which is to be supplied by her for administration to a patient in that ward, theatre or department in accordance with the directions of a doctor or dentist, the sister or acting sister for the time being in charge of a ward, theatre or other department in a hospital or nursing home,

may, when acting in his capacity as such, supply or offer to supply any drug specified in Schedule 3, or any drug specified in Schedule 4 which is contained in a medicinal product, to any person who may lawfully have that drug in his possession.

(4) Notwithstanding the provisions of section 4(1)(b) of the Act—

(a) a person who is authorised by a written authority issued by the Department under and for the purposes of this sub-paragraph and for the time being in force may, at the premises specified in that authority and in compliance with any conditions so specified, supply or offer to supply any drug specified in Schedule 3 or 4 to any person who may lawfully have that drug in his possession;

(b) a person who is authorised under paragraph (1)(c) may supply or offer to supply any drug which he may, by virtue of being so authorised, lawfully produce to any person who may lawfully have that drug in his possession.

(5) Notwithstanding the provisions of section 4(1)(b) of the Act—

(a) the owner of a ship, or the master of a ship which does not carry a doctor among the seamen employed in it;

(b) the installation manager of an offshore installation,

may supply or offer to supply any drug specified in Schedule 3, or any drug specified in Schedule 4 which is contained in a medicinal product—

(i) for the purpose of compliance with any of the provisions specified in regulation 8(6), to any person on that ship or installation; or

(ii) to any person who may lawfully supply that drug to him.

(6) Notwithstanding the provisions of section 4(1)(b) of the Act, a person in charge of a laboratory may, when acting in his capacity as such, supply or offer to supply any drug specified in Schedule 3 which is required for use as a buffering agent in chemical analysis to any person who may lawfully have that drug in his possession.

Possession of drugs in Schedules 2, 3 and 4

10.—(1) Notwithstanding the provisions of section 5(1) of the Act—

- (a) a person specified in one of sub-paragraphs (a) to (j) of regulation 8(2) may have in his possession any drug specified in Schedule 2;
- (b) a person specified in one of sub-paragraphs (a) to (h) of regulation 9(2) may have in his possession any drug specified in Schedule 3 or 4;
- (c) a person specified in regulation 9(3)(b) or (c) or regulation 9(6) may have in his possession any drug specified in Schedule 3,

for the purpose of acting in his capacity as such a person:

Provided that nothing in this paragraph authorises—

- (i) a person specified in sub-paragraph (e) of regulation 8(2);
- (ii) a person specified in sub-paragraph (c) of regulation 9(3); or
- (iii) a person specified in regulation 9(6),

to have in his possession any drug other than such a drug as is mentioned in the paragraph or sub-paragraph in question specifying him.

(2) Notwithstanding the provisions of section 5(1) of the Act, a person may have in his possession any drug specified in Schedule 2 or 3 for administration for medical, dental or veterinary purposes in accordance with the directions of a practitioner:

Provided that this paragraph shall not have effect in the case of a person to whom the drug has been supplied by or on the prescription of a doctor if—

- (a) that person was then being supplied with any controlled drug by or on the prescription of another doctor and failed to disclose that fact to the first mentioned doctor before the supply by him or on his prescription; or
- (b) that person, or any other person on his behalf, made a declaration or statement, which was false in any particular, for the purpose of obtaining the supply or prescription.

(3) Notwithstanding the provisions of section 5(1) of the Act, a person who is authorised as a member of a group may, under and in accordance with the terms of his group authority and in compliance with any conditions attached thereto, have any drug specified in Schedule 2 or 3 in his possession.

(4) Notwithstanding the provisions of section 5(1) of the Act—

- (a) a person who is authorised by a written authority issued by the Department under and for the purposes of this sub-paragraph and for the time being in force may, at the premises specified in that authority and in compliance with any conditions so specified, have in his possession any drug specified in Schedule 3 or 4;
- (b) a person who is authorised under regulation 9(1)(c) may have in his possession any drug which he may, by virtue of being so authorised, lawfully produce;
- (c) a person who is authorised under regulation 9(4)(a) may have in his possession any drug which he may, by virtue of being so authorised, lawfully supply or offer to supply.

(5) Notwithstanding the provisions of section 5(1) of the Act—

- (a) any person may have in his possession any drug specified in Schedule 2 or 3 for the purpose of compliance with any of the provisions specified in regulation 8(6);
- (b) the master of a foreign ship which is in a port in Northern Ireland may have in his possession any drug specified in Schedule 2 or 3 so far as necessary for the equipment of the ship.

(6) The foregoing provisions of this regulation are without prejudice to the provisions of regulation 4(2)(a).

Exemption for midwives

11.—(1) Notwithstanding the provisions of sections 4(1)(b) and 5(1) of the Act, a registered midwife who has, in accordance with the provisions of rules made under section 15(1)(b) of the Nurses, Midwives and Health Visitors Act 1979, notified to a Health and Social Services Board her intention to practise may, subject to the provisions of this regulation—

- (a) so far as necessary to her professional practice, have in her possession;
- (b) so far as necessary as aforesaid, administer; and
- (c) surrender to an authorised medical officer such stocks in her possession as are no longer required by her of,

any controlled drug which she may, under and in accordance with the provisions of the Medicines Act 1968 and of any instrument which is in force thereunder, lawfully administer.

(2) Nothing in paragraph (1) authorises a midwife to have in her possession any drug which has been obtained otherwise than on a midwife's supply order signed by an authorised medical officer.

(3) In this regulation, the expression—

“authorised medical officer” means—

- (a) a medical officer authorised by the Chief Administrative Medical Officer of the Health and Social Services Board for the area in which the drug was, or is to be, obtained; or
- (b) for the purposes of paragraph (2), a person appointed under and in accordance with section 16 of the Nurses, Midwives and Health Visitors Act 1979 by that authority to exercise supervision over registered midwives within their area, who is for the time being authorised as aforesaid;

“midwife's supply order” means an order in writing specifying the name and occupation of the midwife obtaining the drug, the purpose for which it is required and the total quantity to be obtained.

Cultivation under licence of Cannabis plant

12. Where any person is authorised by a licence of the Department issued under this regulation and for the time being in force to cultivate plants of the genus *Cannabis*, it shall not by virtue of section 6 of the Act be unlawful for that person to cultivate any such plant in accordance with the terms of the licence and in compliance with any conditions attached to the licence.

Approval of premises for cannabis smoking for research purposes

13. Section 8 of the Act (which makes it an offence for the occupier of premises to permit certain activities there) shall not have effect in relation to the smoking of cannabis or cannabis resin for the purposes of research on any premises for the time being approved for the purpose under this regulation by the Department.

Documents to be obtained by supplier of controlled drugs

14.—(1) Where a person (hereafter in this paragraph referred to as “the supplier”), not being a practitioner, supplies a controlled drug otherwise than on a prescription, the supplier shall not deliver the drug to a person who—

- (a) purports to be sent by or on behalf of the person to whom it is supplied (hereafter in this paragraph referred to as “the recipient”); and

(b) is not authorised by any provision of these regulations other than the provisions of regulation 6(6) and (7)(f) to have that drug in his possession, unless that person produces to the supplier a statement in writing signed by the recipient to the effect that he is empowered by the recipient to receive that drug on behalf of the recipient, and the supplier is reasonably satisfied that the document is a genuine document.

(2) Where a person (hereafter in this paragraph referred to as "the supplier") supplies a controlled drug, otherwise than on a prescription or by way of administration, to any of the persons specified in paragraph (4), the supplier shall not deliver the drug—

(a) until he has obtained a requisition in writing which—

- (i) is signed by the person to whom the drug is supplied (hereafter in this paragraph referred to as "the recipient");
 - (ii) states the name, address and profession or occupation of the recipient;
 - (iii) specifies the purpose for which the drug supplied is required and the total quantity to be supplied; and
 - (iv) where appropriate, satisfies the requirements of paragraph (5); and
- (b) unless he is reasonably satisfied that the signature is that of the person purporting to have signed the requisition and that that person is engaged in the profession or occupation specified in the requisition:

Provided that where the recipient is a practitioner and he represents that he urgently requires a controlled drug for the purpose of his profession, the supplier may, if he is reasonably satisfied that the recipient so requires the drug and is, by reason of some emergency, unable before delivery to furnish to the supplier a requisition in writing duly signed, deliver the drug to the recipient on an undertaking by the recipient to furnish such a requisition within the twenty-four hours next following.

(3) A person who has given such an undertaking as aforesaid shall deliver to the person by whom the controlled drug was supplied a signed requisition in accordance with the undertaking.

(4) The persons referred to in paragraph (2) are—

- (a) a practitioner;
- (b) the person in charge or acting person in charge of a hospital or nursing home;
- (c) a person who is in charge of a laboratory;
- (d) the owner of a ship, or the master of a ship which does not carry a doctor among the seamen employed in it;
- (e) the master of a foreign ship in a port in Northern Ireland; and
- (f) the installation manager of an offshore installation.

(5) A requisition furnished for the purposes of paragraph (2) shall—

- (a) where furnished by the person in charge or acting person in charge of a hospital or nursing home, be signed by a doctor or dentist employed or engaged in that hospital or nursing home; or
- (b) where furnished by the master of a foreign ship, contain a statement, signed by an authorised medical officer of the Health and Social Services Board for the area within whose jurisdiction the ship is, that the quantity of the drug to be supplied is the quantity necessary for the equipment of the ship.

(6) Where the person responsible for the dispensing and supply of medicines at any hospital or nursing home supplies a controlled drug to the sister or acting sister for the time being in charge of any ward, theatre or other department in that hospital or nursing home (hereafter in this paragraph referred to as "the recipient") he shall—

- (a) obtain a requisition in writing, signed by the recipient, which specifies the total quantity of the drug to be supplied; and
 - (b) mark the requisition in such manner as to show that it has been complied with, and any requisition obtained for the purposes of this paragraph shall be retained in the pharmacy at which the drug was supplied and a copy of the requisition or a note of it shall be retained or kept by the recipient.
- (7) Nothing in this regulation shall have effect in relation to the drugs specified in Schedules 4 and 5 or poppy-straw.

Form of prescriptions

15.—(1) Subject to the provisions of this regulation, a person shall not issue a prescription containing a controlled drug other than a drug specified in Schedule 4 or 5 unless the prescription complies with the following requirements, that is to say, it shall—

- (a) be in ink or otherwise so as to be indelible and be signed by the person issuing it with his usual signature and dated by him;
- (b) insofar as it specifies the information required by sub-paragraphs (e) and (f) to be specified, be written by the person issuing it in his own handwriting;
- (c) except in the case of a health prescription, specify the address of the person issuing it;
- (d) have written thereon, if issued by a dentist, the words “for dental treatment only” and, if issued by a veterinary surgeon or a veterinary practitioner, a declaration that the controlled drug is prescribed for an animal or herd under his care;
- (e) specify the name and address of the person for whose treatment it is issued or, if it is issued by a veterinary surgeon or veterinary practitioner, of the person to whom the controlled drug prescribed is to be delivered;
- (f) specify the dose to be taken and—
 - (i) in the case of a prescription containing a controlled drug which is a preparation, the form and, where appropriate, the strength of the preparation, and either the total quantity (in both words and figures) of the preparation or the number (in both words and figures) of dosage units, as appropriate, to be supplied;
 - (ii) in any other case, the total quantity (in both words and figures) of the controlled drug to be supplied; and
- (g) in the case of a prescription for a total quantity intended to be supplied by instalments, contain a direction specifying the amount of the instalments of the total amount which may be supplied and the intervals to be observed when supplying.

(2) Paragraph (1)(b) shall not have effect in relation to—

- (a) a prescription issued by a person approved (whether personally or as a member of a class) for the purposes of this paragraph by the Department; or
- (b) a prescription containing no controlled drug other than—
 - (i) phenobarbitone;
 - (ii) phenobarbitone sodium; or
 - (iii) a preparation containing a drug specified in paragraph (i) or (ii).

(3) In the case of a prescription issued for the treatment of a patient in a hospital or nursing home, it shall be a sufficient compliance with paragraph (1)(e) if the prescription is written on the patient’s bed card or case sheet.

Provisions as to supply on prescription

16.—(1) A person shall not supply a controlled drug other than a drug specified in Schedule 4 or 5 on a prescription—

- (a) unless the prescription complies with the provisions of regulation 15;
- (b) unless the address specified in the prescription as the address of the person issuing it is an address within the United Kingdom;
- (c) unless he either is acquainted with the signature of the person by whom it purports to be issued and has no reason to suppose that it is not genuine, or has taken reasonably sufficient steps to satisfy himself that it is genuine;
- (d) before the date specified in the prescription;
- (e) subject to paragraph (3), later than thirteen weeks after the date specified in the prescription.

(2) Subject to paragraph (3), a person supplying on prescription a controlled drug other than a drug specified in Schedule 4 or 5 shall, at the time of the supply, mark on the prescription the date on which the drug is supplied and, unless it is a health prescription, shall retain the prescription on the premises from which the drug was supplied.

(3) In the case of a prescription containing a controlled drug other than a drug specified in Schedule 4 or 5, which contains a direction that specified instalments of the total amount may be supplied at stated intervals, the person supplying the drug shall not do so otherwise than in accordance with that direction and—

- (a) paragraph (1) shall have effect as if for the requirement contained in sub-paragraph (e) thereof there were substituted a requirement that the occasion on which the first instalment is supplied shall not be later than thirteen weeks after the date specified in the prescription;
- (b) paragraph (2) shall have effect as if for the words “at the time of the supply” there were substituted the words “on each occasion on which an instalment is supplied”.

Exemption for certain prescriptions

17. Nothing in regulations 15 and 16 shall have effect in relation to a prescription issued for the purposes of a scheme for testing the quality or amount of the drugs, preparations and appliances supplied under the Health and Personal Social Services (Northern Ireland) Order 1972 and the regulations made thereunder or for the purposes of the Medicines Act 1968 to a sampling officer within the meaning of that Act.

Marking of bottles and other containers

18.—(1) Subject to paragraph (2), a person shall not supply a controlled drug otherwise than in a bottle, package or other container which is plainly marked—

- (a) in the case of a controlled drug other than a preparation, with the amount of the drug contained therein;
- (b) in the case of a controlled drug which is a preparation—
 - (i) made up into tablets, capsules or other dosage units, with the amount of each component (being a controlled drug) of the preparation in each dosage unit and the number of dosage units in the bottle, package or other container;
 - (ii) not made up as aforesaid, with the total amount of the preparation in the bottle, package or other container and the percentage of each of its components which is a controlled drug.

(2) Nothing in this regulation shall have effect in relation to—

- (a) the drugs specified in Schedules 4 and 5 or poppy-straw;
 - (b) the supply of a controlled drug by or on the prescription of a practitioner;
 - (c) the supply of a controlled drug for administration in a clinical trial or a medicinal test on animals.
- (3) In this regulation, the expressions "clinical trial" and "medicinal test on animals" have the same meanings as in the Medicines Act 1968.

Record-keeping requirements in respect of drugs in Schedules 1 and 2

19.—(1) Subject to paragraph (3) and regulation 21, every person authorised by or under regulation 5 or 8 to supply any drug specified in Schedule 1 or 2 shall comply with the following requirements, that is to say—

- (a) he shall, in accordance with the provisions of this regulation and of regulation 20, keep a register and shall enter therein in chronological sequence in the form specified in Part I or Part II of Schedule 6, as the case may require, particulars of every quantity of a drug specified in Schedule 1 or 2 obtained by him and of every quantity of such a drug supplied (whether by way of administration or otherwise) by him whether to persons within or outside Northern Ireland; and
 - (b) he shall use a separate register or separate part of the register for entries made in respect of each class of drugs, and each of the drugs specified in paragraphs 1 and 3 of Schedule 1 and paragraphs 1, 3 and 6 of Schedule 2 together with its salts and any preparation or other product containing it or any of its salts shall be treated as a separate class, so however that any stereoisomeric form of a drug or its salts shall be classed with that drug.
- (2) Nothing in paragraph (1) shall be taken as preventing the use of a separate section within a register or separate part of a register in respect of different drugs or strengths of drugs comprised within the class of drugs to which that register or separate part relates.
- (3) The foregoing provisions of this regulation shall not have effect in relation to—
- (a) in the case of a drug supplied to him for the purpose of destruction in pursuance of regulation 6(2) or (3), a practitioner or pharmacist;
 - (b) a person licensed under regulation 5 to supply any drug, where the licence so directs; or
 - (c) the sister or acting sister for the time being in charge of a ward, theatre or other department in a hospital or nursing home.

Requirements as to registers

20. Any person required to keep a register under regulation 19 shall comply with the following requirements, that is to say—

- (a) the class of drugs to which the entries on any page of any such register relate shall be specified at the head of that page;
- (b) every entry required to be made under regulation 19 in such a register shall be made on the day on which the drug is obtained or, as the case may be, on which the transaction in respect of the supply of the drug by the person required to make the entry takes place or, if that is not reasonably practicable, on the day next following that day;
- (c) no cancellation, obliteration or alteration of any such entry shall be made, and a correction of such an entry shall be made only by way of marginal note or footnote which shall specify the date on which the correction is made;
- (d) every such entry and every correction of such an entry shall be made in ink or otherwise so as to be indelible;

- (e) such a register shall not be used for any purpose other than the purposes of these regulations;
- (f) a separate register shall be kept in respect of each premises at which the person required to keep the register carries on his business or occupation, but subject to that not more than one register shall be kept at one time in respect of each class of drugs in respect of which he is required to keep a separate register, so, however, that a separate register may, with the approval of the Department, be kept in respect of each department of the business carried on by him;
- (g) every such register in which entries are currently being made shall be kept at the premises to which it relates.

Record-keeping requirements in respect of drugs in Schedule 2 in particular cases

21.—(1) Where a drug specified in Schedule 2 is supplied in accordance with regulation 8(5)(a)(i) to any person on a ship, an entry in the official log book required to be kept under the Merchant Shipping Acts or, in the case of a ship which is not required to carry such an official log book, a report signed by the master of the ship, shall, notwithstanding anything in these regulations, be a sufficient record of the supply if the entry or report specifies the drug supplied and, in the case of a report, it is delivered as soon as may be to a superintendent at a Marine Office established and maintained under the Merchant Shipping Acts.

(2) Where a drug specified in Schedule 2 is supplied in accordance with regulation 8(5)(b)(i) to a person on an offshore installation, an entry in the installation log-book required to be maintained under the Offshore Installations (Logbooks and Registration of Death) Regulations 1972 which specifies the drug supplied shall, notwithstanding anything in these regulations, be a sufficient record of the supply.

(3) A midwife authorised by regulation 11(1) to have any drug specified in Schedule 2 in her possession shall—

- (a) on each occasion on which she obtains a supply of such a drug, enter in a book kept by her and used solely for the purposes of this paragraph the date, the name and address of the person from whom the drug was obtained, the amount obtained and the form in which it was obtained; and
- (b) on administering such a drug to a patient, enter in the said book as soon as practicable the name and address of the patient, the amount administered and the form in which it was administered.

Record-keeping requirements in respect of drugs in Schedules 3 and 4

22.—(1) Every person who is authorised under regulation 5 or 9(1)(c) to produce any drug specified in Schedule 3 or 4 shall make a record of each quantity of such a drug produced by him.

(2) Every person who is authorised by or under any provision of the Act to import or export any drug specified in Schedule 3 shall make a record of each quantity of such a drug imported or exported by him.

(3) Every person who is authorised under regulation 9(4) to supply any drug specified in Schedule 4 shall make a record of each quantity of such a drug imported or exported by him.

(4) Paragraph (2) shall not have effect in relation to a person licensed under the Act to import or export any drug where the licence so directs.

Preservation of registers, books and other documents

23.—(1) All registers and books kept in pursuance of regulation 19 or 21(3) shall be preserved for a period of two years from the date on which the last entry therein is made.

(2) Every record made in pursuance of regulation 22 shall be preserved for a period of two years from the date on which the record was made.

(3) Every requisition, order or prescription (other than a health prescription) on which a controlled drug is supplied in pursuance of these regulations shall be preserved for a period of two years from the date on which the last delivery under it was made.

Preservation of records relating to drugs in Schedules 3 and 5

24.—(1) A producer of any drug specified in Schedule 3 or 5 and a wholesale dealer in any such drug shall keep every invoice or other like record issued in respect of each quantity of such a drug obtained by him and in respect of each quantity of such a drug supplied by him.

(2) A person who is authorised under regulation 9(4)(a) to supply any drug specified in Schedule 3 shall keep every invoice or other like record issued in respect of each quantity of such a drug obtained by him and in respect of each quantity of such a drug supplied by him.

(3) A retail dealer in any drug specified in Schedule 3, a person in charge or acting person in charge of a hospital or nursing home and a person in charge of a laboratory shall keep every invoice or other like record issued in respect of each quantity of such a drug obtained by him and in respect of each quantity of such a drug supplied by him.

(4) A retail dealer in any drug specified in Schedule 5 shall keep every invoice or other like record issued in respect of each quantity of such a drug obtained by him.

(5) Every invoice or other record which is required by this regulation to be kept in respect of a drug specified in Schedule 3 shall contain information sufficient to identify the date of the transaction and the person by whom or to whom the drug was supplied.

(6) Every document kept in pursuance of this regulation (other than a health prescription) shall be preserved for a period of two years from the date on which it is issued:

Provided that the keeping of a copy of the document made at any time during the said period of two years shall be treated for the purposes of this paragraph as if it were the keeping of the original document.

Furnishing of information with respect to controlled drugs

25.—(1) The persons specified in paragraph (2) shall on demand made by the Department or by any person authorised in writing by the Department in that behalf—

- (a) furnish such particulars as may be requested in respect of the producing, obtaining or supplying by him of any controlled drug or in respect of any stock of such drugs in his possession;
- (b) for the purpose of confirming any such particulars, produce any stock of such drugs in his possession;
- (c) produce any register, book or document required to be kept under these regulations relating to any dealings in controlled drugs which is in his possession.

(2) The persons referred to in paragraph (1) are—

- (a) any person authorised by or under these regulations to produce any controlled drug;

- (b) any person authorised by or under any provision of the Act to import or export any controlled drug;
- (c) a wholesale dealer;
- (d) a retail dealer;
- (e) a practitioner;
- (f) the person in charge or acting person in charge of a hospital or nursing home;
- (g) a person who is in charge of a laboratory;
- (h) a person who is authorised under regulation 9(4)(a) to supply any controlled drug.

(3) Nothing in this regulation shall require the furnishing of personal records which a person has acquired or created in the course of his profession or occupation and which he holds in confidence; and in this paragraph "personal records" means documentary and other records concerning an individual (whether living or dead) who can be identified from them and relating to his physical or mental health.

Destruction of controlled drugs

26.—(1) A person who is required by any provision of, or by any term or condition of a licence having effect under, these regulations to keep records with respect to a drug specified in Schedule 1, 2, 3 or 4 shall not destroy such a drug or cause such a drug to be destroyed except in the presence of and in accordance with any directions given by a person authorised (whether personally or as a member of a class) for the purposes of this paragraph by the Department (hereafter in this regulation referred to as an "authorised person").

(2) An authorised person may, for the purposes of analysis, take a sample of a drug specified in Schedule 1, 2, 3 or 4 which is to be destroyed.

(3) Where a drug specified in Schedule 1, 2, 3 or 4 is destroyed in pursuance of paragraph (1) by or at the instance of a person who is required by any provision of, or by any term or condition of a licence having effect under, these regulations to keep a record in respect of the obtaining or supply of that drug, that record shall include particulars of the date of destruction and the quantity destroyed and shall be signed by the authorised person in whose presence the drug is destroyed.

(4) Where the master or owner of a ship or installation manager of an offshore installation has in his possession a drug specified in Schedule 2 which he no longer requires, he shall not destroy the drug or cause it to be destroyed but shall dispose of it to an authorised person or to a person who may lawfully supply that drug to him.

(5) Nothing in paragraph (1) or (3) shall apply to any person who is required to keep records only by virtue of regulation 22(2) or (3) or 24(3).

(6) Nothing in paragraph (1) or (3) shall apply to the destruction of a drug which has been supplied to a practitioner or pharmacist for that purpose in pursuance of regulation 6(2) or (3).

Transitional provisions

27.—(1) Notwithstanding regulation 28, any register, record, book, prescription or other document required to be preserved under regulation 22 or 23 of the Misuse of Drugs (Northern Ireland) Regulations 1974 shall be preserved for the same period of time as if these regulations had not been made.

(2) In the case of a prescription issued before the coming into operation of these regulations, regulation 16(1) shall have effect as if—

- (a) in the case of a prescription containing a controlled drug other than a drug to which the provisions of regulation 15 of the said regulations of 1974 applied at the time the prescription was issued, sub-paragraphs (a) and (b) of that paragraph were omitted; and
- (b) in any other case, for the said sub-paragraphs (a) and (b) there were substituted the words "unless the prescription complies with the provisions of the Misuse of Drugs (Northern Ireland) Regulations 1974 relating to prescriptions".

Revocations

28. The regulations specified in Schedule 7 are hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 20th February 1986.

(L.S.)

Z. I. Davies

Under Secretary

SCHEDULE 1

Regulation 3

CONTROLLED DRUGS SUBJECT TO THE REQUIREMENTS OF REGULATIONS 14, 15, 16, 18, 19, 20, 23, 25 and 26

1. The following substances and products, namely:—
 - (a) Bufotenine
Cannabinol
Cannabinol derivatives
Cannabis and cannabis resin
Coca leaf
Concentrate of poppy-straw
Eticyclidine
Lysergamide
Lysergide and other *N*-alkyl derivatives of lysergamide
Mescaline
Psilocin
Raw opium
Rolicyclidine
Tenocyclidine
4-Bromo-2, 5-dimethoxy- α -methylphenethylamine
N, N-Diethyltryptamine
N, N-Dimethyltryptamine
2, 5-Dimethoxy- α , 4-dimethylphenethylamine
 - (b) any compound (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from tryptamine or from a ring-hydroxy tryptamine by substitution at the nitrogen atom of the sidechain with one or more alkyl substituents but no other substituent;
 - (c) any compound (not being methoxyphenamine or a compound for the time being specified in sub-paragraph (a) above) structurally derived from phenethylamine, an *N*-alkylphenethylamine, α -methylphenethylamine, an *N*-alkyl- α -methylphenethylamine, α -ethylphenethylamine, or an *N*-alkyl- α -ethyl-phenethylamine by substitution in the ring to any extent with alkyl, alkoxy, alkylendioxy or halide substituents, whether or not further substituted in the ring by one or more other univalent substituents.
2. Any stereoisomeric form of a substance specified in paragraph 1.
3. Any ester or ether of a substance specified in paragraph 1 or 2.
4. Any salt of a substance specified in any of paragraphs 1 to 3.
5. Any preparation or other product containing a substance or product specified in any of paragraphs 1 to 4, not being a preparation specified in Schedule 5.

SCHEDULE 2

Regulation 3

CONTROLLED DRUGS SUBJECT TO THE REQUIREMENTS OF REGULATIONS 14, 15, 16, 18, 19,
20, 21, 23, 25 and 26

1. The following substances and products, namely:—

Acetorphine	Levorphanol
Alfentanil	Medicinal opium
Allylprodine	Metazocine
Alphacetylmethadol	Methadone
Alphameprodine	Methadyl acetate
Alphamethadol	Methyldesorphine
Alphaprodine	Methyldihydromorphine
Anileridine	(6-methyldihydromorphine)
Benzethidine	Metopon
Benzylmorphine (3-benzylmorphine)	Morpheridine
Betacetylmethadol	Morphine
Betameprodine	Morphine methobromide, morphine
Betamethadol	<i>N</i> -oxide and other pentavalent nitrogen
Betaprodine	morphine derivatives
Bezitramide	Myrophine
Clonitazene	Nicomorphine
Cocaine	Noracymethadol
Desomorphine	Norlevorphanol
Dextromoramide	Normethadone
Diamorphine	Normorphine
Diampromide	Norpipanone
Diethylthiambutene	Oxycodone
Difenoxin	Oxymorphone
Dihydrocodeinone- <i>O</i> -carboxymethyloxime	Pethidine
Dihydromorphine	Phenadoxone
Dimenoxadole	Phenamipromide
Dimepheptanol	Phenazocine
Dimethylthiambutene	Phencyclidine
Dioxaphetyl butyrate	Phenomorphin
Diphenoxylate	Phenoperidine
Dipipanone	Piminodine
Drotebanol	Piritramide
Ecgonine, and any derivative of ecgonine	Proheptazine
which is convertible to ecgonine or to	Propерidine
cocaine	Racemethorphan
Ethylmethylthiambutene	Racemoramide
Etonitazene	Racemorphan
Etorphine	Sufentanil
Etoxadine	Thebacon
Fentanyl	Thebaine
Furethidine	Tilidate
Glutethimide	Trimeperidine
Hydrocodone	4-Cyano-2-dimethylamino-4,
Hydromorphanol	4-diphenylbutane
Hydromorphone	4-Cyano-1-methyl-4-phenylpiperidine
Hydroxypethidine	1-Methyl-4-phenylpiperidine-4-carboxylic
Isomethadone	acid
Ketobemidone	2-Methyl-3-morpholino-1,
Lefetamine	1-diphenylpropanecarboxylic acid
Levomethorphan	4-Phenylpiperidine-4-carboxylic acid ethyl
Levomoramide	ester
Levophenacymorphan	

2. Any stereoisomeric form of a substance specified in paragraph 1 not being dextromethorphan or dextrorphan.

3. Any ester or ether of a substance specified in paragraph 1 or 2, not being a substance specified in paragraph 6.

4. Any salt of a substance specified in any of paragraphs 1 to 3.
5. Any preparation or other product containing a substance or product specified in any of paragraphs 1 to 4, not being a preparation specified in Schedule 5.
6. The following substances and products, namely:—

Acetyldihydrocodeine	Methylamphetamine
Amphetamine	Methylphenidate
Codeine	Nicocodine
Dextropropoxyphene	Nicodicodine
Dihydrocodeine	(6-nicotinoyldihydrocodeine)
Ethylmorphine (3-ethylmorphine)	Norcodeine
Mecloqualone	Phenmetrazine
Methaqualone	Pholcodine
	Propiram
7. Any stereoisomeric form of a substance specified in paragraph 6.
8. Any salt of a substance specified in paragraph 6 or 7.
9. Any preparation or other product containing a substance or product specified in any of paragraphs 6 to 8, not being a preparation specified in Schedule 5.

SCHEDULE 3

Regulation 3

CONTROLLED DRUGS SUBJECT TO THE REQUIREMENTS OF REGULATIONS 14, 15, 16, 18, 22, 23, 24, 25 and 26

1. The following substances, namely:—
 - (a) Benzphetamine
 - Chlorphentermine
 - Diethylpropion
 - Ethchlorvynol
 - Ethinamate
 - Mazindol
 - Mephentermine
 - Meprobamate
 - Methylphenobarbitone
 - Methyprylone
 - Pentazocine
 - Phendimetrazine
 - Phentermine
 - Pipradrol
- (b) any 5, 5 disubstituted barbituric acid.
2. Any stereoisomeric form of a substance specified in paragraph 1.
3. Any salt of a substance specified in paragraph 1 or 2.
4. Any preparation or other product containing a substance specified in any of paragraphs 1 to 3, not being a preparation specified in Schedule 5.

SCHEDULE 4

Regulation 3

CONTROLLED DRUGS EXCEPTED FROM THE PROHIBITION ON IMPORTATION, EXPORTATION AND, WHEN IN THE FORM OF A MEDICINAL PRODUCT, POSSESSION AND SUBJECT TO THE REQUIREMENTS OF REGULATIONS 22, 23, 25 and 26

1. The following substances and products, namely:—

Alprazolam	Haloxazolam
Bromazepam	Ketazolam
Camazepam	Loprazolam
Chlordiazepoxide	Lorazepam
Clobazam	Lormetazepam
Clonazepam	Medazepam
Clorazepic acid	Nimetazepam
Clotiazepam	Nitrazepam
Cloxazolam	Nordazepam
Delorazepam	Oxazepam
Diazepam	Oxazolam
Estazolam	Pinazepam
Ethyl loflazepate	Prazepam
Fludiazepam	Temazepam
Flunitrazepam	Tetraazepam
Flurazepam	Triazolam
Halazepam	
2. Any stereoisomeric form of a substance specified in paragraph 1.
3. Any salt of a substance specified in paragraph 1 or 2.
4. Any preparation or other product containing a substance or product specified in any of paragraphs 1 to 3, not being a preparation specified in Schedule 5.

SCHEDULE 5

Regulation 3

CONTROLLED DRUGS EXCEPTED FROM THE PROHIBITION ON IMPORTATION, EXPORTATION AND POSSESSION AND SUBJECT TO THE REQUIREMENTS OF REGULATIONS 24 AND 25

1.—(1) Any preparation of one or more of the substances to which this paragraph applies, not being a preparation designed for administration by injection, when compounded with one or more other active or inert ingredients and containing a total of not more than 100 milligrammes of the substance or substances (calculated as base) per dosage unit or with a total concentration of not more than 2.5 per cent. (calculated as base) in undivided preparations.

(2) The substances to which this paragraph applies are acetyldihydrocodeine, codeine, dihydrocodeine, ethylmorphine, nicocodine, nicodicodine (6-nicotinoyldihydrocodeine), norcodeine, pholcodine and their respective salts.

2. Any preparation of cocaine containing not more than 0.1 per cent. of cocaine calculated as cocaine base, being a preparation compounded with one or more other active or inert ingredients in such a way that the cocaine cannot be recovered by readily applicable means or in a yield which would constitute a risk to health.

3. Any preparation of medicinal opium or of morphine containing (in either case) not more than 0.2 per cent. of morphine calculated as anhydrous morphine base, being a preparation compounded with one or more other active or inert ingredients in such a way that the opium or, as the case may be, the morphine, cannot be recovered by readily applicable means or in a yield which would constitute a risk to health.

4. Any preparation of dextropropoxyphene, being a preparation designed for oral administration, containing not more than 135 milligrammes of dextropropoxyphene (calculated as base) per dosage unit or with a total concentration of not more than 2.5 per cent. (calculated as base) in undivided preparations.

5. Any preparation of difenoxin containing, per dosage unit, not more than 0.5 milligrammes of difenoxin and a quantity of atropine sulphate equivalent to at least 5 per cent. of the dose of difenoxin.

6. Any preparation of diphenoxylate containing, per dosage unit, not more than 2.5 milligrammes of diphenoxylate calculated as base, and a quantity of atropine sulphate equivalent to at least 1 per cent. of the dose of diphenoxylate.

7. Any preparation of propiram containing, per dosage unit, not more than 100 milligrammes of propiram calculated as base and compounded with at least the same amount (by weight) of methylcellulose.

8. Any powder of ipecacuanha and opium comprising—

10 per cent. opium, in powder,

10 per cent. ipecacuanha root, in powder, well mixed with

80 per cent. of any other powdered ingredient containing no controlled drug.

9. Any mixture containing one or more of the preparations specified in paragraphs 1 to 8, being a mixture of which none of the other ingredients is a controlled drug.

SCHEDULE 6

Regulation 19

FORM OF REGISTER

PART I

Entries to be made in case of obtaining

<i>Date on which supply received</i>	<i>Name</i>	<i>Address</i>	<i>Amount obtained</i>	<i>Form in which obtained</i>
	<i>Of person or firm from whom obtained</i>			

PART II

Entries to be made in case of supply

<i>Date on which the transaction was effected</i>	<i>Name</i>	<i>Address</i>	<i>Particulars as to licence or authority of person or firm supplied to be in possession</i>	<i>Amount supplied</i>	<i>Form in which supplied</i>
	<i>Of person or firm supplied</i>				

SCHEDULE 7

Regulation 28

REGULATIONS REVOKED

<i>Column 1 Regulations Revoked</i>	<i>Column 2 References</i>
The Misuse of Drugs (Northern Ireland) Regulations 1974	S.R. 1974 No. 272
The Misuse of Drugs (Amendment) Regulations (Northern Ireland) 1975	S.R. 1975 No. 140 (Regulations 2(1) and 3(c))
The Misuse of Drugs (Amendment) Regulations (Northern Ireland) 1977	S.R. 1977 No. 290
The Misuse of Drugs (Amendment) Regulations (Northern Ireland) 1979	S.R. 1979 No. 258
The Misuse of Drugs (Amendment) Regulations (Northern Ireland) 1983	S.R. 1983 No. 151
The Misuse of Drugs (Amendment) Regulations (Northern Ireland) 1984	S.R. 1984 No. 365

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations re-enact, with amendments, the provisions of the Misuse of Drugs (Northern Ireland) Regulations 1974 and its amending instruments, which are revoked. They provide certain exemptions from the provisions of the Misuse of Drugs Act 1971 which, subject to such regulations, prohibit the production, importation, exportation, possession and supply of controlled drugs, which are specified in Schedule 2 to that Act. The regulations also make provision in relation to prescriptions, records and the furnishing of information concerning controlled drugs and for the supervision of the destruction of such drugs.

The changes of substance made by the regulations are—

- (a) the addition of those substances which are made subject to control under the Act of 1971 by virtue of the Misuse of Drugs Act 1971 (Modification) Order 1985 (S.I. 1985/1995); the new Class B, and a number of Class C, drugs are included in Schedules 2 and 3 to these regulations (which otherwise re-enact Schedules 2 and 3 to the 1974 regulations) but the largest group (benzodiazepines) comprise a new Schedule 4 and are exempted from the prohibition on importation and exportation and, when in the form of a medicinal product, from the prohibition on possession (regulation 4); Schedules 4 and 1 to the 1974 regulations are re-enacted as Schedules 1 and 5;
- (b) the extension of the general authority to possess controlled drugs so that it includes supply, and the grant of new general authorities including return to the supplier of the drug and, for destruction, to a practitioner or pharmacist (regulation 6);
- (c) amendments in respect of the supply and possession of controlled drugs on ships and off-shore installations (regulations 8 to 10);
- (d) an increase in the range of controlled drugs which midwives are authorised to possess and administer (regulation 11);
- (e) an additional exemption from labelling requirements for controlled drugs used in clinical trials and animal tests under the Medicines Act 1968 (regulation 18);
- (f) the application of certain record-keeping and destruction provisions to drugs specified in Schedules 3 and 4, with exemptions for certain categories of people (regulations 22, 24 and 26); and
- (g) a new requirement that certain persons, on demand by the Department, should furnish records and information concerning dealings in controlled drugs (regulation 25).

There are also various consequential changes.

1986 No. 53

DANGEROUS DRUGS

**Misuse of Drugs (Safe Custody) (Amendment) (Northern Ireland)
Regulations 1986**

Made 20th February 1986

Coming into operation 1st April 1986

The Department of Health and Social Services for Northern Ireland in exercise of the powers conferred by sections 10(2)(a) and 31 of the Misuse of Drugs Act 1971 1/ as adapted by section 38 of that Act and now vested in it(b) and of every other power enabling it in that behalf and after consultation in accordance with section 31(3) of that Act with the Advisory Council on the Misuse of Drugs, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Misuse of Drugs (Safe Custody) (Amendment) (Northern Ireland) Regulations 1986 and shall come into operation on 1st April 1986.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(c) shall apply to these regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the Misuse of Drugs (Safe Custody) (Northern Ireland) Regulations 1973

3.—(1) Schedule 1 to the Misuse of Drugs (Safe Custody) (Northern Ireland) Regulations 1973(d) shall be amended in accordance with the following provisions of this regulation.

(2) For paragraph 1 there shall be substituted the following paragraph—

“1. Any controlled drug specified in Schedule 4 or 5 to the Misuse of Drugs (Northern Ireland) Regulations 1986(e).”

(3) After paragraph 3 there shall be inserted the following paragraph—

“4. Any of the following substances and products, that is to say—

- (a) Ethchlorvynol;
- (b) Ethinamate;
- (c) Mazindol;
- (d) Meprobamate;
- (e) Methyprylone;
- (f) Pentazocine;
- (g) Phentermine;
- (h) Any stereoisomeric form of a substance specified in any of paragraphs (a) to (g);
- (i) Any salt of a substance specified in any of paragraphs (a) to (h);
- (j) Any preparation or other product containing a substance or product specified in any of paragraphs (a) to (i).”

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 20th February 1986.

(L.S.)

Z. I. Davies

Under Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the Misuse of Drugs (Safe Custody) (Northern Ireland) Regulations 1973 so as to exempt from the requirements of those regulations such of the substances which are made subject to control under the Misuse of Drugs Act 1971 by virtue of the Misuse of Drugs Act 1971 (Modification) Order 1985 (S.I. 1985/1995) as are specified in Schedules 3 and 4 to the Misuse of Drugs (Northern Ireland) Regulations 1986.

E/NL.1987/17

1986 No. 2230

DANGEROUS DRUGS**The Misuse of Drugs Act 1971 (Modification) Order 1986**

Laid before Parliament in draft

Made - - - - - 16th December 1986

Coming into Operation 1st April 1987

At the Court at Buckingham Palace, the 16th day of December 1986

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been laid before Parliament on the recommendation of the Advisory Council on the Misuse of Drugs and has been approved by a resolution of each House of Parliament:

Now, therefore, Her Majesty, in pursuance of section 2(2) of the Misuse of Drugs Act 1971 1/ is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Misuse of Drugs Act 1971 (Modification) Order 1986 and shall come into operation on 1st April 1987.

2.—(1) Schedule 2 to the Misuse of Drugs Act 1971 (which, as amended (b), specifies the drugs which are subject to control under that Act) shall be amended in accordance with the following provisions of this Article.

(2) In paragraph 1 of Part I of that Schedule—

(a) in sub-paragraph (a) there shall be inserted, after the words "Cannabinol derivatives" the word "Carfentanil" and after the word "Levorphanol" the word "Lofentanil"; and

(b) there shall be added at the end the following sub-paragraphs:—

“(d) any compound (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from fentanyl by modification in any of the following ways, that is to say,

- (i) by replacement of the phenyl portion of the phenethyl group by any heteromonocycle whether or not further substituted in the heterocycle;
- (ii) by substitution in the phenethyl group with alkyl, alkenyl, alkoxy, hydroxy, halogeno, haloalkyl, amino or nitro groups;
- (iii) by substitution in the piperidine ring with alkyl or alkenyl groups;
- (iv) by substitution in the aniline ring with alkyl, alkoxy, alkylendioxy, halogeno or haloalkyl groups;
- (v) by substitution at the 4-position of the piperidine ring with any alkoxy-carbonyl or alkoxyalkyl or acyloxy group;
- (vi) by replacement of the *N*-propionyl group by another acyl group;

(e) any compound (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from pethidine by modification in any of the following ways, that is to say,

- (i) by replacement of the 1-methyl group by an acyl, alkyl whether or not unsaturated, benzyl or phenethyl group, whether or not further substituted;
- (ii) by substitution in the piperidine ring with alkyl or alkenyl groups or with a propano bridge, whether or not further substituted;
- (iii) by substitution in the 4-phenyl ring with alkyl, alkoxy, aryloxy, halogeno or haloalkyl groups;
- (iv) by replacement of the 4-ethoxycarbonyl by any other alkoxy-carbonyl or any alkoxyalkyl or acyloxy group;
- (v) by formation of an *N*-oxide or of a quaternary base.”.

(3) In paragraph 1 of Part III of that Schedule—

- (a) after the word “Camazepam” there shall be inserted the words “Cathine” and “Cathinone”;
- (b) after the words “Ethyl loflazepate” there shall be inserted the words “Fencamfamin”, “Fenethylamine” and “Fenproporex”;
- (c) after the word “Medazepam” there shall be inserted the word “Mefenorex”;
- (d) after the word “Prazepam” there shall be inserted the words “Propylhexedrine” and “Pyrovalerone”; and
- (e) after the word “Triazolam” there shall be inserted the word “*N*-Ethylamphetamine”.

(4) In paragraph 2 of Part III of that Schedule, there shall be added at the end the words “not being phenylpropanolamine”.

G. I. de Deney,
Clerk of the Privy Council.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order adds to Part I of Schedule 2 to the Misuse of Drugs Act 1971 (which specifies the Class A drugs which are subject to control under the Act) Carfentanil and Lofentanil and two classes of compounds, namely, certain fentanyl derivatives and certain pethidine derivatives (other than members of those classes which are already controlled).

The Order also adds to Part III of that Schedule (which specifies the Class C drugs which are subject to such control) Cathine (except the phenylpropanolamine stereoisomers), Cathinone, Fencamfamin, Fenethylamine, Fenproporex, Mefenorex, Propylhexedrine, Pyrovalerone and *N*-Ethylamphetamine.

E/NL.1987/18

1986 No. 2331

DANGEROUS DRUGS

The Misuse of Drugs (Designation) Order 1986

<i>Made - - - -</i>	<i>22nd December 1986</i>
<i>Laid before Parliament</i>	<i>13th January 1987</i>
<i>Coming into Operation</i>	<i>1st April 1987</i>

In pursuance of section 7(4) and (5) of the Misuse of Drugs Act 1971 1/, on the recommendation of the Advisory Council on the Misuse of Drugs, I hereby make the following Order:—

1. This Order may be cited as the Misuse of Drugs (Designation) Order 1986 and shall come into operation on 1st April 1987.

2.—(1) The controlled drugs specified in Part I of the Schedule hereto are hereby designated as drugs to which section 7(4) of the Misuse of Drugs Act 1971 applies.

(2) Part II of the Schedule hereto shall have effect for the purpose of specifying those controlled drugs which are excepted from Part I thereof.

3. The Misuse of Drugs (Designation) Order 1977 2/ and the Misuse of Drugs (Designation) (Variation) Order 1984 (c) are hereby revoked.

Douglas Hurd,
One of Her Majesty's Principal
Secretaries of State.

Home Office.
22nd December 1986.

1/ Note by the Secretariat: E/NL.1971/42

2/ Note by the Secretariat: E/NL.1978/85

SCHEDULE

Article 2

PART I

CONTROLLED DRUGS TO WHICH SECTION 7(4) OF THE MISUSE OF DRUGS ACT 1971
APPLIES

1. The following substances and products, namely:—
 - (a)

Bufotenine	Lysergide and other <i>N</i> -alkyl derivatives
Cannabinol	of lysergamide
Cannabinol derivatives	Mescaline
Cannabis	Psilocin
Cannabis resin	Raw opium
Cathinone	Rolicyclidine
Coca leaf	Tenocyclidine
Concentrate of poppy-straw	4-Bromo-2, 5-dimethoxy- α -methyl-phenethylamine
Eticyclidine	<i>N, N</i> -Diethyltryptamine
Lysergamide	<i>N, N</i> -Dimethyltryptamine
	2,5-Dimethoxy- α , 4-dimethyl-phenethylamine
 - (b) any compound (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from tryptamine or from a ring-hydroxy tryptamine by substitution at the nitrogen atom of the sidechain with one or more alkyl substituents but no other substituent;
 - (c) any compound (not being methoxyphenamine or a compound for the time being specified in sub-paragraph (a) above) structurally derived from phenethylamine, an *N*-alkylphenethylamine, α -methylphenethylamine, an *N*-alkyl- α -methylphenethylamine, α -ethylphenethylamine, or an *N*-alkyl- α -ethylphenethylamine by substitution in the ring to any extent with alkyl, alkoxy, alkylendioxy or halide substituents, whether or not further substituted in the ring by one or more other univalent substituents;
 - (d) any compound (not being a compound for the time being specified in Part II of this Schedule) structurally derived from fentanyl by modification in any of the following ways, that is to say,
 - (i) by replacement of the phenethyl group of the phenethyl group by any heteromonocycle whether or not further substituted in the heterocycle;
 - (ii) by substitution in the phenethyl group with alkyl, alkenyl, alkoxy, hydroxy, halogeno, haloalkyl, amino or nitro groups;
 - (iii) by substitution in the piperidine ring with alkyl or alkenyl groups;
 - (iv) by substitution in the aniline ring with alkyl, alkoxy, alkylendioxy, halogeno or haloalkyl groups;
 - (v) by substitution at the 4-position of the piperidine ring with any alkoxy-carbonyl or alkoxyalkyl or acyloxy group;
 - (vi) by replacement of the *N*-propionyl group by another acyl group;
 - (e) any compound (not being a compound for the time being specified in Part II of this Schedule) that is structurally derived from pethidine by modification in any of the following ways, that is to say,
 - (i) by replacement of the 1-methyl group by an acyl, alkyl whether or not unsaturated, benzyl or phenethyl group, whether or not further substituted;
 - (ii) by substitution in the piperidine ring with alkyl or alkenyl groups or with a propano bridge, whether or not further substituted;
 - (iii) by substitution in the 4-phenyl ring with alkyl, alkoxy, aryloxy, halogeno or haloalkyl groups;
 - (iv) by replacement of the 4-ethoxycarbonyl by any other alkoxy-carbonyl or any alkoxyalkyl or acyloxy group;
 - (v) by formation of an *N*-oxide or of a quaternary base.
2. Any stereoisomeric form of a substance specified in paragraph 1 above.
3. Any ester or ether of a substance specified in paragraph 1 or 2 above.
4. Any salt of a substance specified in any of paragraphs 1 to 3 above.
5. Any preparation or other product containing a substance or product specified in any of paragraphs 1 to 4 above.

PART II

CONTROLLED DRUGS EXCEPTED FROM PART I

1. The compounds referred to in paragraph 1(d) of Part I of this Schedule are—
 - Alfentanil
 - Carfentanil
 - Lofentanil
 - Sufentanil.

 2. The compounds referred to in paragraph 1(e) of Part I of this Schedule are—
 - Allylprodine
 - Alphameprodine
 - Alphaprodine
 - Anileridine
 - Betameprodine
 - Betaprodine
 - Hydroxypethidine
 - Propertidine
 - Trimeperidine.
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EXPLANATORY NOTE

(This Note is not part of the Order.)

Section 7(3) of the Misuse of Drugs Act 1971 requires regulations to be made to allow the use for medical purposes of the drugs which are subject to control under the Act. Section 7(3) does not however apply to any drug designated by order under section 7(4) as a drug to which section 7(4) is to apply. This Order, which replaces the Misuse of Drugs (Designation) Order 1977, as amended, designates for this purpose the drugs specified in Part I of the Schedule to the Order. It differs from the previous Order by the addition, in paragraph 1 of Part I, of Cathinone in sub-paragraph (a) and two new sub-paragraphs (d) and (e), which relate, respectively, to certain fentanyl derivatives and certain pethidine derivatives.

Part II of the Schedule specifies certain compounds which are excepted from paragraph 1(d) and (e) of Part I and are therefore not designated by this Order.

1986 No. 2330

DANGEROUS DRUGS

The Misuse of Drugs (Amendment) Regulations 1986

<i>Made - - - -</i>	<i>22nd December 1986</i>
<i>Laid before Parliament</i>	<i>13th January 1987</i>
<i>Coming into Operation</i>	<i>1st April 1987</i>

In pursuance of sections 7, 10 and 31 of the Misuse of Drugs Act 1971 1/, after consultation with the Advisory Council on the Misuse of Drugs, I hereby make the following Regulations:—

1. These Regulations may be cited as the Misuse of Drugs (Amendment) Regulations 1986 and shall come into operation on 1st April 1987.

2.—(1) The Misuse of Drugs Regulations 1985 2/ shall be amended in accordance with the following provisions of this Regulation.

(2) For Regulation 9(3) there shall be substituted the following paragraph:—

“(3) Notwithstanding the provisions of section 4(1)(b) of the Act—

- (a) a person who is authorised as a member of a group, under and in accordance with the terms of his group authority and in compliance with any conditions attached thereto;
- (b) the person in charge or acting person in charge of a hospital or nursing home;
- (c) in the case of such a drug supplied to her by a person responsible for the dispensing and supply of medicines at that hospital or nursing home, the sister or acting sister for the time being in charge of a ward, theatre or other department in a hospital or nursing home,

may, when acting in his capacity as such, supply or offer to supply any drug specified in Schedule 3, or any drug specified in Schedule 4 which is contained in a medicinal product, to any person who may lawfully have that drug in his possession:

Provided that nothing in this paragraph authorises—

- (i) the person in charge or acting person in charge of a hospital or nursing home, having a pharmacist responsible for the dispensing and supply of medicines, to supply or offer to supply any drug;
- (ii) a sister or acting sister for the time being in charge of a ward, theatre or other department to supply any drug otherwise than for administration to a patient in that ward, theatre or department in accordance with the directions of a doctor or dentist.”.

(3) Paragraph 1 of Schedule 1 shall be amended as follows—

1/ Note by the Secretariat: E/NL.1971/42

2/ Note by the Secretariat: E/NL.1986/9

- (a) in sub-paragraph (a), after "Cannabis and cannabis resin" there shall be inserted "Cathinone"; and
- (b) there shall be added at the end the following sub-paragraphs:—
- “(d) any compound (not being a compound for the time being specified in Schedule 2) structurally derived from fentanyl by modification in any of the following ways, that is to say,
- (i) by replacement of the phenyl portion of the phenethyl group by any heteromonocycle whether or not further substituted in the heterocycle;
 - (ii) by substitution in the phenethyl group with alkyl, alkenyl, alkoxy, hydroxy, halogeno, haloalkyl, amino or nitro groups;
 - (iii) by substitution in the piperidine ring with alkyl or alkenyl groups;
 - (iv) by substitution in the aniline ring with alkyl, alkoxy, alkylendioxy, halogeno or haloalkyl groups;
 - (v) by substitution at the 4-position of the piperidine ring with any alkoxy-carbonyl or alkoxyalkyl or acyloxy group;
 - (vi) by replacement of the *N*-propionyl group by another acyl group;
- (e) any compound (not being a compound for the time being specified in Schedule 2) structurally derived from pethidine by modification in any of the following ways, that is to say,
- (i) by replacement of the 1-methyl group by an acyl, alkyl whether or not unsaturated, benzyl or phenethyl group, whether or not further substituted;
 - (ii) by substitution in the piperidine ring with alkyl or alkenyl groups or with a propano bridge, whether or not further substituted;
 - (iii) by substitution in the 4-phenyl ring with alkyl, alkoxy, aryloxy, halogeno or haloalkyl groups;
 - (iv) by replacement of the 4-ethoxycarbonyl by any other alkoxy-carbonyl or any alkoxyalkyl or acyloxy group;
 - (v) by formation of an *N*-oxide or of a quaternary base.”.

(4) Schedule 2 shall be amended as follows—

(a) in paragraph 1—

 - (i) "Glutethimide" and "Lefetamine" shall be omitted; and
 - (ii) there shall be inserted, after "Bezitramide", "Carfentanil" and, after "Levorphanol", "Lofentanil"; and

(b) in paragraph 6, after "Ethylmorphine (3-ethylmorphine)" there shall be inserted "Fenethylline", "Glutethimide" and "Lefetamine".

(5) Schedule 3 shall be amended as follows—

(a) in paragraph 1(a), there shall be inserted, after "Benzphetamine", "Cathine"; and

(b) in paragraph 2, there shall be added at the end the words "not being phenylpropanolamine".

(6) Paragraph 1 of Schedule 4 shall be amended as follows—

(a) after "Ethyl loflazepate" there shall be inserted "Fencamfamin" and "Fenproporex";

- (b) after "Medazepam" there shall be inserted "Mefenorex";
- (c) after "Prazepam" there shall be inserted "Propylhexedrine" and "Pyrovalerone"; and
- (d) after "Triazolam" there shall be inserted "N-Ethylamphetamine".

Douglas Hurd,
One of Her Majesty's Principal
Secretaries of State.

Home Office.
22nd December 1986.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Misuse of Drugs Regulations 1985.

The principal amendments are contained in Regulation 2(3), (4), (5) and (6). Those paragraphs add to the Schedules to the 1985 Regulations certain drugs which are made subject to control under the Misuse of Drugs Act 1971 by virtue of the Misuse of Drugs Act 1971 (Modification) Order 1986 (S.I. 1986/2230): to Schedule 1 are added Cathinone and two classes of compounds, namely certain fentanyl derivatives and certain pethidine derivatives (other than members of those classes which are specified in Schedule 2); to Schedule 2 are added Carfentanil, Fenethylline and Lofentanil; to Schedule 3 is added Cathine (except the phenylpropanolamine stereoisomers); and to Schedule 4 are added Fencamfamin, Fenproporex, Mefenorex, Propylhexedrine, Pyrovalerone and N-Ethylamphetamine.

The other amendments (namely, the substitution of a new paragraph for Regulation 9(3) of the 1985 Regulations and the removal of Glutethimide and Lefetamine from paragraph 1 to paragraph 6 of Schedule 2 to those Regulations) are made for the purpose of clarification and do not effect a change of substance.

E/NL.1987/20

1986 No. 2332

DANGEROUS DRUGS

**The Misuse of Drugs (Safe Custody) (Amendment)
Regulations 1986**

Made - - - - - 22nd December 1986
Laid before Parliament 13th January 1987
Coming into Operation 1st April 1987

In pursuance of sections 10(2)(a) and 31 of the Misuse of Drugs Act 1971 1/, after consultation with the Advisory Council on the Misuse of Drugs, I hereby make the following Regulations:—

1. These Regulations may be cited as the Misuse of Drugs (Safe Custody) (Amendment) Regulations 1986 and shall come into operation on 1st April 1987.

2. For Schedule 1 to the Misuse of Drugs (Safe Custody) Regulations 1973(b) there shall be substituted the following Schedule:—

“SCHEDULE 1

EXEMPTED DRUGS

1. Any controlled drug specified in Schedule 4 or 5 to the Misuse of Drugs Regulations 1985(c).

2. Any liquid preparation designed for administration otherwise than by injection which contains any of the following substances and products, that is to say:—

- (a) Amphetamine
- (b) Benzphetamine
- (c) Chlorphentermine
- (d) Fenethylline
- (e) Mephentermine
- (f) Methaqualone
- (g) Methylamphetamine
- (h) Methylphenidate
- (i) Phendimetrazine

1/ Note by the Secretariat: E/NL.1971/42.

- (j) Phenmetrazine
 - (k) Pipradrol
 - (l) Any stereoisomeric form of a substance specified in any of paragraphs (a) to (k) above.
 - (m) Any salt of a substance specified in any of paragraphs (a) to (l) above.
3. Any of the following substances and products, that is to say:—
- (a) Any 5,5 disubstituted barbituric acid
 - (b) Cathine
 - (c) Ethchlorvynol
 - (d) Ethinamate
 - (e) Mazindol
 - (f) Meprobamate
 - (g) Methylphenobarbitone
 - (h) Methyprylone
 - (i) Pentazocine
 - (j) Phentermine
 - (k) Any stereoisomeric form of a substance specified in any of paragraphs (a) to (j) above.
 - (l) Any salt of a substance specified in any of paragraphs (a) to (k) above.
 - (m) Any preparation or other product containing a substance or product specified in any of paragraphs (a) to (l) above.”.

Home Office.

Douglas Hurd,
One of Her Majesty's Principal
Secretaries of State.

22nd December 1986.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Misuse of Drugs (Safe Custody) Regulations 1973 by substituting a new Schedule 1 (which specifies those drugs which are exempted from the requirements of the Regulations). The only change of substance is the addition of fenethylamine (when in the form of a liquid preparation designed for administration otherwise than by injection) and cathine.