



UNITED NATIONS

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10 November 1988

ENGLISH ONLY*

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.*

NETHERLANDS ANTILLES

Communicated by the Government of the Netherlands

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 [...].

E/NL.1986/42 Ministry of Public Health and Environmental Hygiene.
Ministerial decree of January 16, 1985 pursuant to
the Opium National Ordinance 1960 concerning the
dispensing and prescribing of medicines.

*) Note by the Secretariat: The present document is a direct reproduction
of the text received by the Secretariat.

MINISTERIAL DECREE of January 16 1985 pursuant to article 3, paragraph 2, article 5, paragraphs 1 and 2, and article 7, paragraph 2 of the Opium National Ordinance 1960 (O.G. 1960, no. 65), concerning the provision of regulations in regard to the dispensing and prescribing of medicines referred to in article 3 and article 4 of the aforementioned national ordinance.

THE MINISTER OF PUBLIC HEALTH
AND ENVIRONMENTAL HYGIENE;

Having regard to:

Article 3, paragraph 2, article 4, paragraphs 1 and 2, and article 7, paragraph 2 of the Opium National Ordinance (O.G. 1960, no. 65), as amended;

H A S R E S O L V E D :

Article 1

In this Ministerial Decree, the following terms shall have the following meanings:

- a. National Ordinance : the Opium National Ordinance 1960 ^{1/} (O.G. 1960, no. 65), as amended; ^{2/}
- b. Director : the Director of Pharmaceutical Affairs;
- c. Medicines : all substances or any preparation of such substances, as referred to in article 3 and article 4 of the national ordinance or designated pursuant to the first paragraph sub g of article 3 of the national ordinance.

Article 2

1. Established pharmacists may dispense medicines only on prescription given by a medical practitioner, dental surgeon or veterinary surgeon, and this only if such prescription meets the requirements stated in article 3 of this decree.
2. The first paragraph shall not apply in cases in which such dispensing cannot be delayed and the pharmacist shall have adequately satisfied himself that danger of abuse does not exist nor can it arise. The pharmacist shall keep an accurate register on such dispensing, stating the medicine, the quan-

^{1/} Note by the Secretariat: E/NL.1985/9

^{2/} Note by the Secretariat: E/NL.1980/134
E/NL.1985/15

tity and the party to whom it was dispensed.

3. Dispensing physicians may dispense medicines for use by the persons pertaining to their medical practice also, only and exclusively on a prescription that shall meet the requirements stated in article 3 of this decree.

Article 3

1. The selling, dispensing or supplying of any medicine on prescription shall only be permitted if the prescription contains the following information:

A. if the prescription serves for a medicine to be dispensed to a person for whose use it has been prescribed, or to the owner or caretaker of an animal, for whose use it has been prescribed:

- 1°. the name and initials, as also the full address and telephone number of the person who gives the prescription;
- 2°. the date on which the medicine is prescribed;
- 3°. the name of the medicine as also, stated in full and written in letters, the quantity of the medicine;
- 4°. the name, the initials as also the full address of the person for whose use the medicine is prescribed, or the name and initials, as also the full address of the owner or caretaker of the animal, for whose use the medicine is prescribed, with indication of the animal;
- 5°. clear instructions for use, including the maximum quantity to be used in 24 hours, it being understood that instructions "as directed", "as before" and the like shall not be deemed to indicate the mode of employment.

B. In case of a medicine being prescribed for use by a person or animal, but such medicine having to be dispensed through the medium of the person who gives the prescription, provided the person who gives the prescription is established on the same island of establishment of the pharmacist or dispensing physician, to whom the prescription is submitted for preparation:

- 1°. the information listed sub A, 1°-4°;
- 2°. the words: "in manu medici" or an indication of similar meaning.

C. In case of a medicine destined for application in the practice of the person who prescribes:

- 1°. the information listed sub A, 1°-3°;
- 2°. the words: "for medical practice", "for dental practice" or "for veterinarian practice".

2. A prescription as referred to in the first paragraph shall be written in ink by the person who gives the prescription, and shall be signed by such person in full.

3. A prescription as referred to in the first paragraph shall contain and may prescribe only and exclusively one medicine.

4. A prescription as referred to in the first paragraph of this article shall only be valid for one single supply. For any and all subsequent supplies of the medicines referred to in article 1 of the decree, a new prescription shall be required.

Article 4

The persons stated in article 7, paragraph 2 sub a and b of the national ordinance shall observe the following regulations on dispensing the medicines referred to in article 1 of this decree:

The labels, under which any medicine, or preparation containing a medicine is offered for sale or is supplied, shall state the weight and the percentage of the medicine, this without prejudice to the provisions of article 18 of the National Ordinance concerning the Dispensing of Medicines (O.G. 1969, no. 24).

These labels shall also state the name in conformity with the denomination of the medicine in the national ordinance or in a ministerial decree on the strength of article 3, paragraph 1 sub g of the ordinance.

Article 5

1. Established pharmacists shall have the obligation to keep separately in their pharmacy, for a period of at least six years, the prescriptions on which they dispensed a medicine, which prescriptions shall be subsequently arranged according to the name of the person who gave such prescriptions, the name of the medicine, and the date on which it was dispensed; in case of a preparation involving more than one medicine, the necessary copies shall be made of the prescription in order to meet the aforesaid requirement.

2. The first paragraph shall not apply in respect of prescriptions prescribing a preparation containing none other than one or more of the following medicines:

acetyldihydrocodeine and its salts

codeine and its salts

dihydrocodeine and its salts

ethylmorphine and its salts

norcodeine and its salts

pholcodine and its salts

pulvis ipecacuanhae et opii compositus

nicocodine and its salts

diphenoxylate, insofar as the preparation per dosage unit contains no more than 2,5 mg, calculated as base and such a quantity of atropine sulphate equal to a minimum of one percent of the quantity of diphenoxylate.

3. The established pharmacists shall keep the prescriptions referred to in the first paragraph readily available for

access and inspection by the Director and the technical officials of the Bureau of Pharmaceutical Affairs during the period prescribed in said paragraph.

4. On the first day of each quarter, established pharmacists shall have the obligation to send to the Director, by registered mail, copies of the prescriptions referred to in the first paragraph, which prescriptions relate to such cases as referred to in the first paragraph sub B and C of article 3.

5. Dispensing physicians shall have the obligation to conduct an administration, set up and kept to the satisfaction of the Director, of the medicines dispensed by them, with the exception of preparations as referred to in the second paragraph; such administration shall indicate the medicines dispensed, and the person to whom they were dispensed.

The records concerning the administration referred to in the first sentence, and the prescriptions on which the medicines referred to in said sentence were prescribed, shall be kept by the dispensing physicians for at least six years, and during such period they shall be kept readily available for access and inspection by the Director and the technical officials of the Bureau of Pharmaceutical Affairs.

Article 6

1. Established pharmacists shall be obliged to keep registers of each of the medicines indicated in article 3 and article 4 of the National Ordinance, separately, stating:

- a. the purchase, along with the date, name, supplier and quantity;
- b. the dispensing, along with the date, name, residence of the medical practitioner, dental surgeon or veterinary surgeon, the name and residence of the patient or the owner of the animal, the form in which the medicine has been dispensed, the quantity and the number of the prescription.

The registers shall be set up and kept to the satisfaction of the Director, readily available in the pharmacy for access and inspection at all times by the Director and the technical officials.

2. The provisions contained in the preceding paragraph sub b shall not apply to medicines and the preparations indicated in the second paragraph of article 5 of this decree.

Article 7

The ordering as referred to in the second paragraph of article 5 of the national ordinance may only be effected by presentation of a writing, stating:

- 1°. the date;
- 2°. the name and quantity of the medicine or of the medicines;
- 3°. the words: "for the purposes of pharmaceuticals";

- 4°. the name of the enterprise for which the order is made;
- 5°. the name, residence and signature of the person making the order on behalf of the enterprise referred to sub 4°.

Article 8

1. Established pharmacists and dispensing physicians shall accept a quantity of a medicine only against receipt, a copy of which they shall keep themselves.
In case of a postal packet, the receipt shall be sent to the party who supplied the medicine within three days - excluding Saturdays, Sundays and official holidays - from the date of receipt.
2. The receipt, which shall be signed and dated by the established pharmacists, the dispensing physician or by a person authorized to the effect by the dispensing physician, shall state:
 - 1°. the name and the address of the established pharmacist or the dispensing physician, as the case may be;
 - 2°. the name and the quantity of the medicine, as also the pharmaceutical form, in case of a preparation;
 - 3°. the name and the address of the party who supplied the medicine.
3. Beneath the signature on the receipt, the signatory's name shall be stated clearly and legibly.
4. Combination of the writing referred to in article 7 and the receipt referred to in the first paragraph of this article shall be allowed.
5. Established pharmacists and dispensing physicians shall be obliged to check personally within three days - not including Saturdays, Sundays and official holidays - from the date of receipt of a quantity of a medicine, whether the goods delivered to him correspond with the statement contained in the receipt; if such is not in conformity, they shall notify the party who delivered the quantity, in writing, within the period of time stated in the first sentence. In case of a postal packet the unsigned receipt shall accompany the written notice.
6. Established pharmacists and dispensing physicians shall have the obligation to keep copies of the writing referred to in article 7 and the receipt referred to in article 8, separately and according to the name of the medicine or, as the case may be, according to the name of the medicine containing the preparation, in chronological order according to the date of receipt, and this for at least 6 years; during such period these copies shall be kept readily available for inspection by the Director.
7. Paragraphs 1 to 6, inclusive shall apply analogously in respect of established veterinary surgeons.

1.a. Established pharmacists, dispensing physicians and established veterinary surgeons and holders of a licence as referred to in the first paragraph of article 6 and the first paragraph of article 7 of the national ordinance shall be bound to state in writing, in the manner to be prescribed by the Director, the inventory of medicines kept by them on January 30 of each calendar year.

At the same time they shall thereby state separately each medicine or each preparation that contains a medicine as referred to in article 3 and article 4 of the national ordinance, and this in such a manner that the written statement shall specify the quantity of the purchase and dispensing or sale during the preceding calendar year. Statement shall also be made of those quantities of medicine, preparation or compounding lost or destroyed during the preceding calendar year, giving the reason and circumstance.

b. as to the medicines referred to in the second paragraph of article 5 of this decree, statement need only be made of the quantity as at January 30 of the calendar year, and the total purchase of these medicines during the preceding calendar year.

Article 10

To provide that the Ministerial Decrees of April 29 1964^{3/} (O.G. 1964, no. 70) pursuant to the second paragraph of article 7 of the Opium National Ordinance 1960 (O.G. 1960, no. 65) and of April 29 1964 (O.G. 1964, no. 71) pursuant to the first and second paragraphs of article 5 of the Opium National Ordinance 1960 (O.G. 1960, no. 65) shall become null and void at the time this decree shall take effect.

Article 11

This decree, which shall be inserted in the Official Gazette, shall take effect as and from the first day of the third month after that of its proclamation.

Willemstad, January 16 1985.
The aforesaid Minister,
M. Ph. LIBERIA-PETERS.

Issued on February 15 1985.
The Minister of General Affairs,
M. Ph. LIBERIA-PETERS.