FOURTH SCHEDULE.

Drugs and Preparations exempted from these Regulations.

Pasta Arsenicalis, B.P.C. 1934.
Pil. Ipecac. c. Scilla, B.P.C. 1934.
Pil. Digitalis et Opii Co., B.P.C. 1923.
Pil. Hydrarg. c. Cret. et Opii, B.P.C. 1934.
Pulv. Cretæ Aromat. c. Opio, B.P. 1932.
Pulv. Ipecac. et Opii, B.P. 1932.
Suppos. Plumbi c. Opio, B.P. 1932.
Tabellæ Plumbi c. Opio, B.P.C. 1934.
Elixir Diamorphinæ et Terpini c. Apomorphina, B.P.C. 1934.
Linctus Diamorphinæ Camphoratus, B.P.C. 1923 and 1934.
Linctus Diamorphinæ c. Ipecacuanha, B.P.C. 1934.
Linctus Diamorphinæ et Scillæ, B.P.C. 1923 and 1934.
Linctus Diamorphinæ et Thymi, B.P.C. 1923 and 1934.
Mixtures of Pulv. Ipecac. et Opii, B.P. 1932 with any of the following:—
Hydrarg. c. Cret., B.P., 1914 and 1932.
Acetylsalicylic Acid.
Phenacetin.
Quinine and its Salts.
Sodium Bi-carbonate.
Cocaine Eyedrops—a preparation consisting of an admixture of cocaine in castor oil with mercuric chloride in a proportion of not more than one part in 200 of cocaine and not less than one part in 3,000 of mercuric chloride.

FIFTH SCHEDULE.

Regulations repealed.

The Dangerous Drugs (Consolidation) Regulations, 1928 (a).
The Dangerous Drugs Regulations (Northern Ireland), 1929 (b).
The Dangerous Drugs (Consolidation) (No. 2) Amendment Regulations (Northern Ireland), 1931 (c).
The Dangerous Drugs Amendment Regulations (Northern Ireland), 1932 (d).
The Dangerous Drugs (Consolidation) Amendment Regulations (Northern Ireland), 1935 (e).

(a) S.R. & O. 1928 (No. 981).
(b) S.R. & O. (N.I.) 1929 (No. 21).
(c) S.R. & O. (N.I.) 1931 (No. 60).
(d) S.R. & O. (N.I.) 1932 (No. 120).
(e) S.R. & O. (N.I.) 1935 No. 13).

Raw Opium.

THE RAW OPIUM, ETC., REGULATIONS, DATED 16TH DAY OF MAY, 1938, MADE BY THE MINISTER OF HOME AFFAIRS IN PURSUANCE OF SECTION 3 OF THE DANGEROUS DRUGS ACT, 1920 (10 & 11 GEO. 5, C. 46), AND SECTION 1 OF THE DANGEROUS DRUGS ACT (NORTHERN IRELAND), 1925 (15 & 16 GEO. 5, C. 16), FOR CONTROLLING AND RESTRICTING THE POSSESSION, SALE AND DISTRIBUTION OF RAW OPIUM, COCA LEAVES, INDIAN HEMP AND RESINS OBTAINED FROM INDIAN HEMP AND ALL PREPARATIONS, OTHER THAN EXTRACT OR TINCTURE OF INDIAN HEMP, OF WHICH SUCH RESINS FORM THE BASE.

In pursuance of Section 3 of the Dangerous Drugs Act, 1920, as amended by Section 1 of the Dangerous Drugs Act, 1925, I hereby make the following Regulations :—

Supply, procuring and advertising of drugs.

1.—(1) A person shall not, unless he is duly authorised so to do or otherwise than in accordance with the terms and conditions of his authority, supply or procure, or offer to supply or procure, to or for any person (including himself), or advertise for sale, a drug.

(2) A person shall not in Northern Ireland supply or procure, or offer to supply or procure, a drug to or for any person in the United Kingdom or the Isle of Man unless that person is authorised to be in possession of the drug and the drug is to be supplied or procured in accordance with the terms and conditions of that person's authority.

For the purpose of this paragraph of this Regulation " authority " means in the case of a person in Great Britain or the Isle of Man any licence or authority issued or granted in that behalf by the Secretary of State or the Lieutenant-Governor of the Isle of Man, as the case may be, and the expression " authorised " shall be construed accordingly.

Possession of drugs.

2.—(1) A person shall not be in possession of a drug unless he is duly so authorised.

(2) For the purposes of these Regulations, a person shall be deemed to be in possession of a drug if it is in his actual custody or is held by any other person subject to his control or for him or on his behalf.

Restriction on delivery of drugs to messengers.

3.—(1) Where a drug is to be lawfully supplied to any person (hereinafter referred to as " the recipient "), the person supplying the drug (hereinafter referred to as " the supplier ") shall not deliver it to a person who purports to be sent by or on behalf of the recipient, unless that person either—

(*a*) is a person authorised under these Regulations to be in possession of that drug ; or

(*b*) produces to the supplier a statement in writing signed by the recipient to the effect that he is authorised by the recipient to receive the drug in question on behalf of the recipient and the supplier is reasonably satisfied that the document is a genuine document.

(2) A person to whom a drug is lawfully delivered in the circumstances mentioned in paragraph (1) (*b*) of this Regulation shall be deemed to be a person authorised to be in possession thereof,

but for such a period only as in the circumstances of the case is reasonably sufficient to enable the delivery to the recipient to be effected.

General authority for certain classes of persons to possess and supply drugs.

4.—Persons who are members of the following classes, that is to say—

(*a*) duly qualified medical practitioners :

(*b*) registered veterinary surgeons :

(*c*) pharmaceutical chemists, chemists and druggists and druggists who are licensed to keep open shop under the Pharmacy and Poisons Act (Northern Ireland), 1925 :

(*d*) pharmaceutical chemists who are employed or engaged in dispensing medicines at a public hospital or other public institution :

(*e*) persons who are in charge of a laboratory used for purposes of research or instruction and attached to a university, university college, public hospital or other institution approved for the purpose of this Regulation by the Minister of Home Affairs :

(*f*) persons duly appointed by a local authority as analysts of articles of food and drugs under The Sale of Food and Drugs Acts, 1875-1907 :

(*g*) persons acting as sampling officers under The Sale of Food and Drugs Acts, 1875-1907 :

(*h*) pharmacy inspector appointed under Section 8 of the Pharmacy and Poisons Act (Northern Ireland), 1925 :

are hereby authorised, so far as may be necessary for the practice or exercise of their respective professions, functions or employments, in their capacity as members of their respective classes to be in possession of and to supply drugs.

Withdrawal of authority.

5.—If any person, being an authorised person, is convicted of an offence against the principal Act or of an offence under the enactments relating to the Customs as supplied by the principal Act, the Minister of Home Affairs may, if he is of opinion that that person cannot properly be allowed to remain an authorised person, by notice in the Belfast Gazette; withdraw the authority of that person :

Provided that nothing in this Regulation shall be taken to prejudice any power otherwise vested in the Minister of Home Affairs of withdrawing any authority granted by him.

Keeping of records.

6.—Every person authorised to supply drugs shall comply with the following provisions—

(*a*) he shall, in accordance with the provisions of this Regulation, keep a register in the form set out in the Schedule to these Regulations and enter therein true

particulars with respect to every quantity of any drug obtained by him and with respect to every quantity of any drug supplied by him, whether to persons within or to persons outside Northern Ireland :

(*b*) a separate register or a separate part of the register shall be used with respect to each of the following drugs—

(i) raw opium,

(ii) coca leaves,

(iii) Indian hemp and resins obtained from Indian hemp and all preparations (other than extract and tincture of Indian hemp) of which such resins form the base :

(*c*) the required entry must be made on the day on which the drug is received or on which the transaction with respect to the supply by him of the drug takes place, or, if that is not reasonably practicable, on the day next following the said day :

(*d*) a separate register shall be kept in respect of each set of premises at which the authorised person carries on business and, subject to the approval of the Minister of Home Affairs, an authorised person may, if he thinks fit, keep a separate register for each department of the business carried on by him :

(*e*) no cancellation, obliteration or alteration shall be made of an entry in the register and any correction of an entry must be made by way of a marginal note or a footnote which must specify the date on which the correction is made :

(*f*) the authorised person shall, on demand by the Minister of Home Affairs or by any person empowered in that behalf by order in writing by the Minister of Home Affairs, furnish to the Minister of Home Affairs or that person, as the case may be, such particulars as the Minister of Home Affairs or that person may require with respect to the obtaining or supplying by the authorised person of any drug or with respect to any stocks of drugs in the possession of the authorised person :

(*g*) the register shall be kept in some part of the premises to which it relates and so as to be at all times available for inspection :

(*h*) every entry required to be made under this Regulation and every correction of such an entry must be made in ink or otherwise so as to be indelible.

Drugs consigned to places outside Great Britain not to be diverted to other destinations.

7.—(1) If any drugs authorised under the law of any country outside Northern Ireland to be exported therefrom to any destination outside Northern Ireland are brought into Northern Ireland, no person shall, without authority in that behalf from the Minister of Home Affairs, cause or procure those drugs to be diverted to any other destination.

(2) For the purposes of this Regulation the destination to which any drugs are authorised to be exported shall be taken to be the destination stated in the authority for the export thereof from the country of export.

Preservation of documents

8.—All registers, records, books and other documents which are kept, issued or made in pursuance of the requirements or for the purposes of these Regulations shall be preserved in the case of a register, book or other like record for a period of two years from the date on which the last entry is made therein, and in the case of any other document for a period of two years from the date on which it is issued or made.

Interpretation.

9.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

"Authority" means—

(*a*) any licence issued by the Minister of Home Affairs under Section 12 of the principal Act as adapted by the General Adaptation of Enactments (Northern Ireland) Order, 1921;

(*b*) any authority granted by the Minister of Home Affairs under that section; and

(*c*) any general authorisation conferred by these Regulations;

and the expression "authorised" shall be construed accordingly:

"Drug" means any drug, resin or preparation, other than extract or tincture of Indian hemp, to which Part I of the principal Act applies:

"Principal Act" means the Dangerous Drugs Act, 1920, and references in these Regulations to that Act shall be construed as references to that Act as amended by any subsequent enactment:

"Register" means a bound book and does not include any form of loose leaf register or card index.

(2) The Interpretation Act, 1889, as applied to Northern Ireland by the Interpretation Act, 1921, shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Citation, commencement, and repeal.

10.—(1) These Regulations may be cited as the Raw Opium, etc., Regulations, 1938.

(2) These Regulations shall come into operation on the first day of July, nineteen hundred and thirty-eight.

(3) The Raw Opium, Coca Leaves and Indian Hemp Regulations (Northern Ireland), 1929, are hereby repealed :

Provided that this repeal shall not affect any order made or any direction or authority given under the said Regulations, and every such order, direction or authority shall continue in force and, so far as it could have been made or given under these Regulations, shall have effect as if made or given thereunder.

(Signed) R. DAWSON BATES,
Minister of Home Affairs
for Northern Ireland.

Stormont, Belfast.
16th day of May, 1938.

SCHEDULE.

FORM OF REGISTER.

PART I.

Entries to be made in case of drugs obtained.

The kind of drug to which the entries relate to be specified at the head of each page in the Register.

Date on which supply received.	Name of person or firm from whom obtained.	Address of person or firm from whom obtained.	Amount obtained.

PART II.

Entries to be made in case of drugs supplied.

The kind of drug to which the entries relate to be specified at the head of each page in the Register.

Date on which the transaction was effected.	Name of person or firm supplied.	Address of person or firm supplied.	Authority for supply to be in possession.	Amount supplied.

DESTRUCTIVE INSECTS AND PESTS.

Chrysanthemum Midge, p. 94.
Fruit Tree Pests, p. 97.
Importation of Plants, p. 100.

Chrysanthemum Midge.

ORDER, DATED 20TH DECEMBER, 1938, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DESTRUCTIVE INSECTS AND PESTS ACTS (NORTHERN IRELAND), 1877 TO 1934, (40 AND 41 VICT., C. 68, 7 EDW. 7, C. 4, AND 24 AND 25 GEO. 5, C. 4.).

1938. No. 139.

The Ministry of Agriculture for Northern Ireland in exercise of the powers conferred upon it by the Destructive Insects and Pests Acts (Northern Ireland), 1877 to 1934, and of every other power enabling it in that behalf, hereby makes the following Order, that is to say :—

Short Title.

1.—This Order shall be known as the Chrysanthemum Midge (Northern Ireland) Order, 1938.

Definitions.

2.—In this Order unless the context shall require a different construction :—

(1) The expression "Inspector" means an Inspector of the Ministry of Agriculture for Northern Ireland;

(2) The expression "authorised officer" means an officer authorised by the Ministry of Agriculture for Northern Ireland;

(3) The expression "plant" includes leaves, roots, cuttings, flowers, or other parts of a plant.

Restriction on Keeping, Planting and Movement of Chrysanthemum Plants.

3.—(1) For the prevention of the spread of the Chrysanthemum Midge (Diarthronomyia Species) the keeping or planting of any living chrysanthemum plant within the area described in the Schedule to this Order (hereinafter referred to as the scheduled area) or the movement out of such area of any plant which has been grown, planted or produced within such area is hereby prohibited except under and in accordance with the terms of a licence issued by an Inspector or authorised officer.

(2) Nothing in this Article shall be deemed to prohibit the keeping within the scheduled area of chrysanthemum flowers which have been severed from the parent plant.

Disposal of Chrysanthemum Plants Kept, Planted or Moved in contravention of the Order.

4.—If any chrysanthemum plant is kept, planted or moved in contravention of this Order an Inspector or authorised officer may remove or destroy or cause to be removed or destroyed or, by notice served on the occupier of the land or premises on which such plant is kept or planted, or on the consignee or person in charge or in possession of such plant, require him to destroy the whole or any part of such plant within such time and in such manner as the Inspector or authorised officer may think fit, or as may be specified in the notice.

Production of Licences and Giving of Names and Addresses.

5.—(1) The occupier of any lands or premises within the scheduled area on which any living chrysanthemum plant is kept or planted, or the person in charge or in possession of any such plant which is being planted in such area, or which being a plant grown or produced within

such area, is being moved thereout, shall, on demand of a constable or of an Inspector or any authorised officer, produce the licence authorising such keeping, planting or movement, and shall allow it to be read, and a copy of or extract from it to be taken by the person to whom it is produced.

(2) If a constable, Inspector or authorised officer has reason to suspect that any chrysanthemum plant has been, or is being kept or planted on or moved out of any land or premises in contravention of this Order or of the conditions of any licence issued thereunder, the occupier of such land or premises or the person in charge or in possession of such plant, or any person deemed by such constable, Inspector or authorised officer to be in possession of any information as to such plant, shall, on demand, give his name and address and all the information within his knowledge relative to such plant as may be demanded by such officer.

Power of Entry.

6.—An Inspector or authorised officer upon production if so required of his authority may enter on any lands or premises for the purpose of examination, removal or destruction of any chrysanthemum plant infected with chrysanthemum midge or of any chrysanthemum plant to or by means of which such insect is in his opinion likely to spread, or for the purpose of ascertaining whether any chrysanthemum plant is kept or planted thereon, or for any other purpose of this Order, and the occupier or person in charge or in possession of such lands, premises or plant, shall give all reasonable facilities for such examination, removal or destruction.

Service of Notices.

7.—For the purpose of this Order a notice shall be deemed to be served on any person if it is delivered to him personally or left for him at his last known place of abode or business or sent through the post in a letter addressed to him there; and a notice purporting to be signed by an Inspector or authorised officer shall be *prima facie* evidence that it was signed by him.

Penalties.

8.—Every person shall be liable on conviction to a penalty not exceeding ten pounds, or in respect of a second or subsequent offence to a penalty not exceeding fifty pounds, who does any act in contravention of this Order or the terms or conditions of any notice or licence served or issued thereunder, or fails to do any act which he is required to do by this Order or any such notice or licence or who wilfully obstructs or impedes an Inspector or authorised officer in the exercise of his powers under this Order.

Commencement.

9.—This Order shall come into operation on the twentieth day of December, 1938.

SCHEDULE.

Scheduled Area.

All that area in the County Borough of Belfast comprised within the following boundaries:—
Newtownards Road from Connswater Bridge to Holywood Arches; Holywood Road from Holywood Arches to Station Road, Sydenham; Station Road, Sydenham; Belfast and County Down Railway line (Bangor Branch) from Station Road, Sydenham to the Connswater River; Connswater River from Belfast and County Down Railway line (Bangor Branch) to Connswater Bridge, Newtownards Road.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland, this twentieth day of December, Nineteen hundred and Thirty-eight, in the presence of

(L.S.) (Signed) G. S. ROBERTSON,
Secretary.

Fruit Tree Pests.

ORDER, DATED 30TH DECEMBER, 1938, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DESTRUCTIVE INSECTS AND PESTS ACTS (NORTHERN IRELAND), 1877 TO 1934 (40 & 41 VICT. c.68, 7 EDW.7. c.4, AND 24 & 25 GEO.5. (N.I.), c.4.).

1938. No. 140.

The Ministry of Agrculture for Northern Ireland by virtue and in exercise of the powers vested in it under the Destructive Insects and Pests Acts (Northern Ireland), 1877 to 1934, and of every other power enabling it in that behalf, orders and it is hereby ordered as follows:

Examination of Fruit Trees.

1.—If it appears to the Ministry that there is reason to suspect that any fruit trees growing on any premises are so affected with any of the pests mentioned in the Schedule to this Order that any such pest is likely to spread to fruit trees growing on other premises, the Ministry may cause an Inspector to examine as soon as may be practicable the fruit trees suspected of being so affected.