DANGEROUS DRUGS

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1. MORPHINE, COCAINE, ETC.

The Dangerous Drugs Regulations, 1948

1948 No. 2653

Made - - - -	*6th December*, 1948
Laid before Parliament	*8th December*, 1948
Coming into Operation	*1st January*, 1949

In pursuance of the powers conferred upon me by section seven of the Dangerous Drugs Act, 1920(a), I hereby make the following Regulations:—

1.—(1) In Regulation 5 of the Dangerous Drugs Regulations, 1937(b) (hereinafter referred to as " the principal Regulations "), at the end of paragraph (*c*) (which authorises registered veterinary surgeons to be in possession of, and to supply, drugs for certain purposes) there shall be added the words " and persons registered in the Supplementary Veterinary Register in pursuance of the Veterinary Surgeons Act, 1948(c) ".

(2) In paragraph (1) of Regulation 8 of the principal Regulations (which defines the expression " prescription " as meaning, amongst other things, a prescription given by a registered veterinary surgeon for the purposes of animal treatment) after the words " registered veterinary surgeon " there shall be inserted the words " or person registered in the Supplementary Veterinary Register in pursuance of the Veterinary Surgeons Act, 1948 ".

(3) In sub-paragraphs (*c*) and (*d*) of paragraph (2) of the said Regulation 8 (which specify certain requirements as to prescriptions given by, amongst other persons, a veterinary surgeon) after the words " by a veterinary surgeon " there shall be inserted the words " or person registered in the Supplementary Veterinary Register in pursuance of the Veterinary Surgeons Act, 1948 ".

2.—(1) For paragraph (*d*) of Regulation 5 of the principal Regulations (which authorises pharmacists employed or engaged in dispensing medicines at a public hospital or other public institution to be in possession of, and to supply, drugs for certain purposes) there shall be substituted the following paragraph:—

" (*d*) persons employed or engaged in dispensing medicines at a hospital, infirmary, health centre or dispensary wholly or mainly maintained by a public authority out of public funds or by a charity or by voluntary subscriptions who are—

(i) registered pharmacists,

(ii) persons who hold the certificate of the Society of Apothecaries of London as assistant to an apothecary and who were employed or engaged as aforesaid on the thirty-first day of December, 1948,

(iii) dispensers duly qualified in accordance with regulations for the Royal Army Medical Corps and who were employed or engaged as aforesaid on the said date,

(a) 10 & 11 Geo. 5. c. 46.
(b) S.R. & O. 1937 (No. 560) p. 630.
(c) 11 & 12 Geo. 6. c. 52.

(iv) persons duly registered under the Pharmacy and Poisons Act (Northern Ireland), 1925(a), as pharmaceutical chemists, chemists and druggists, or druggists and who were employed or engaged as aforesaid on the said date, or

(v) matrons or acting matrons of hospitals or infirmaries in which no person of any of the foregoing descriptions mentioned in this sub-paragraph is employed or engaged as aforesaid: ".

(2) After the proviso to the said Regulation 5 there shall be added the following proviso:—

" Provided further that a matron or acting matron of a hospital or infirmary shall not be deemed by virtue of this Regulation to be authorised to procure any drug or preparation otherwise than on an order signed by a duly qualified medical practitioner employed in the hospital or infirmary."

(3) Regulation 15 of the principal Regulations (which provides that the Secretary of State may exempt any hospital or other public institution from any provision of the Regulations) is hereby revoked.

3.—(1) For paragraphs (*f*) and (*g*) of Regulation 5 of the principal Regulations (which authorise analysts and sampling officers under the Food and Drugs (Adulteration) Act, 1928(b), to be in possession of, and to supply, drugs for certain purposes) there shall be substituted the following paragraphs:—

" (*f*) public analysts under and within the meaning of the Food and Drugs Act, 1938(c):

(*g*) persons acting as sampling officers under and within the meaning of the said Act: ".

(2) In sub-paragraph (ii) of paragraph (*b*) of Regulation 16 of the principal Regulations (which provides that nothing in the Regulations shall apply to a prescription issued to a sampling officer for the purposes of the said Act of 1928) for the words " to a sampling officer for the purposes of the Food and Drugs (Adulteration) Act, 1928 " there shall be substituted the words " for the purposes of the Food and Drugs Act, 1938, to a sampling officer under and within the meaning of that Act ".

4. At the end of Regulation 5 of the principal Regulations (which authorises members of certain classes of person specified in the Regulation to be in possession of, and to supply, drugs for certain purposes) there shall be added the following paragraph:—

" (2) Every drug or preparation in the actual custody of a person authorised by virtue of this Regulation shall, except when the necessities of the practice of the profession, function or employment by virtue of which that person is authorised as aforesaid otherwise require, be kept in a locked receptacle which can be opened only by him or by some other person authorised by virtue of this Regulation."

5.—(1) In paragraph (*i*) of Regulation 5 and in sub-paragraph (i) of paragraph (*b*) of Regulation 16 of the principal Regulations for the words " the National Health Insurance Acts, 1936 and 1937 " there shall be substituted the words " the National Health Service Act, 1946(d), or the National Health Service (Scotland) Act, 1947(e) ".

(2) In sub-paragraph (*e*) of paragraph (2) of Regulation 8 of the principal Regulations for the words " the Drug Tariff issued by the Minister of Health for the purposes of national health insurance " there shall be substituted the words " any formulary issued by the Minister of Health for the purposes of

(a) 15 & 16 Geo. 5. c. 8 (N.I.). (b) 18 & 19 Geo. 5. c. 31.
(c) 1 & 2 Geo. 6. c. 56. (d) 9 & 10 Geo. 6. c. 67.
(e) 10 & 11 Geo. 6. c. 27.

the National Health Service Act, 1946, or, as the case may be, by the Secretary of State for the purposes of the National Health Service (Scotland) Act, 1947 ".

(3) In paragraph (1) of Regulation 17 of the principal Regulations, in the definition of " Health prescription ", for the words " the Acts relating to national health insurance " there shall be substituted the words " the National Health Service Act, 1946, or the National Health Service (Scotland) Act, 1947 ".

6. In paragraph (2) of Regulation 6 of the principal Regulations (which provides that every drug in the custody by virtue of the Regulations of an authorised seller of poisons shall be kept in a locked receptacle which can be opened only by him or by some assistant of his being a pharmacist) for the words " being a pharmacist " there shall be substituted the words " who is a pharmacist and is not a person whose authority has been withdrawn under Regulation 7 of these Regulations ".

7. At the end of Regulation 8 of the principal Regulations (which relates to prescriptions directing the supply of a drug and requires, in sub-paragraph (*a*) of paragraph (2), that a prescription must be signed by the person giving it with his usual signature, and, in sub-paragraph (*c*) of paragraph (2), that a prescription shall specify the name and address of the person for whose treatment it is given) there shall be added the following paragraph:—

" (3) In the case of a prescription given for the treatment of a patient in a hospital or infirmary, sub-paragraph (*c*) of paragraph (2) of this Regulation shall be deemed to have been complied with if the prescription is written on the patient's bed-card or case sheet, and in such a case the initials of the person giving the prescription shall be deemed to be a sufficient signature for the purposes of sub-paragraph (*a*) of the said paragraph (2)."

8. In sub-paragraph (*b*) of paragraph (1) of Regulation 9 of the principal Regulations (which provides that a person shall not supply a drug on a prescription unless, in the case of a health prescription, he has no reason to suppose it is not genuine, or, in the case of any other prescription, he either is acquainted with the signature of the person by whom it purports to have been given and has no reason to suppose that it is not genuine or has taken reasonably sufficient steps to satisfy himself that it is genuine) the words " in the case of a health prescription, he has no reason to suppose that it is not genuine, or, in the case of any other prescription " shall be omitted.

9.—(1) In sub-paragraph (*a*) of paragraph (1) of Regulation 11 of the principal Regulations (which provides that every person authorised to supply drugs shall keep a register, and requires the entry of certain particulars in the register) after the words " and enter therein " there shall be inserted the words " in chronological sequence ".

(2) At the end of sub-paragraph (*b*) of the said paragraph (1) (which specifies the classes of drugs with respect to which every person authorised to supply drugs is required to keep a separate register or part of the register) there shall be added—

" (ix) pethidine (1 methyl-4-phenylpiperidine-4-carboxylic acid ethyl ester), and preparations containing pethidine,

(x) amidone (*dl*-2-dimethylamino-4:4-diphenyl-heptane-5-one), and preparations containing amidone: ".

10. In paragraph (5) of Regulation 13 of the principal Regulations (which authorises practising certified midwives to be in possession of, and to administer, preparations containing opium for certain purposes and subject to certain conditions) for the words " preparations containing opium " there shall be substituted the words " medicinal opium or tincture of opium ".

11. In paragraph (1) of Regulation 17 of the principal Regulations at the end of the definition of " Chief Officer of Police " there shall be added the words " and includes the chief constable of a police force maintained by virtue of any scheme under the Police Act, 1946(**a**), or under the Police (Scotland) Act, 1946(**b**) ".

12. These Regulations may be cited as the Dangerous Drugs Regulations, 1948, and shall come into operation on the first day of January, 1949.

J. Chuter Ede,
One of His Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
6th December, 1948.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

Regulations 1, 3, 5 and 11 make amendments consequential upon statutes passed since the date of the principal Regulations, and further minor amendments are made by Regulations 7, 8, 9 and 10. The amendment made by paragraph (1) of Regulation 2 extends the existing authority of pharmacists employed in dispensing medicines in certain institutions to the other classes of person specified. The new proviso added by paragraph (2) secures that this extension will not enable matrons or acting matrons to procure drugs without an order given by a medical practitioner. Regulation 4 requires that drugs in the custody of a person authorised under the Regulation shall be kept in a locked receptacle and Regulation 6 secures that where the authority of an assistant to an authorised seller of poisons to possess and supply drugs has been withdrawn, he shall not have access to the authorised seller's supplies of drugs.

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2. RAW OPIUM

The Raw Opium Regulations, 1948

1948 No. 2654

Made - - - -	*6th December,* 1948
Laid before Parliament	*8th December,* 1948
Coming into Operation	*1st January,* 1949

In pursuance of the powers conferred upon me by section three of the Dangerous Drugs Act, 1920(**c**), and section one of the Dangerous Drugs Act, 1925(**d**), I hereby make the following Regulations:—

1. In Regulation 4 of the Raw Opium, etc. Regulations, 1937(**e**) (hereinafter referred to as " the principal Regulations "), at the end of paragraph (*b*) (which authorises registered veterinary surgeons to be in possession of, and to supply, raw opium and certain other substances) there shall be added the words " and persons registered in the Supplementary Veterinary Register in pursuance of the Veterinary Surgeons Act, 1948(**f**) ".

(**a**) 9 & 10 Geo. 6. c. 46.
(**b**) 9 & 10 Geo. 6. c. 71.
(**c**) 10 & 11 Geo. 5. c. 46.
(**d**) 15 & 16 Geo. 5. c. 74.
(**e**) S.R. & O. 1937 (No. 559) p. 615.
(**f**) 11 & 12 Geo. 6. c. 52.