The Dangerous Drugs Regulations, 1950

1950 No. 380

Made - - - -	*20th March*, 1950
Laid before Parliament	*21st March*, 1950
Coming into Operation	*1st April*, 1950

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 paragraph (2) of Regulation 3 of the Dangerous Drugs Regulations, 1937(b) (hereinafter called " the principal Regulations "), after the words " registered veterinary surgeon ", in both places where those words occur in sub-paragraph (*a*) (which provides that a person to whom a drug is lawfully supplied by a registered veterinary surgeon who dispenses his own medicines or on a prescription given by a registered veterinary surgeon shall be deemed to be a person authorised to be in possession of the drug so supplied) there shall be inserted the words " or person registered in the Supplementary Veterinary Register in pursuance of the Veterinary Surgeons Act, 1948(c) ".

(2) In paragraph (2) of Regulation 7 of the principal Regulations (which provides that where a person whose authority is withdrawn under the Regulation is a registered veterinary surgeon the Secretary of State may direct that it shall not be lawful for that person to give prescriptions for the purposes of the Regulations) after the words " registered veterinary surgeon " there shall be inserted the words " or a person registered in the Supplementary Veterinary Register in pursuance of the Veterinary Surgeons Act, 1948 ".

2. For Regulation 5 of the principal Regulations as amended by the Dangerous Drugs Regulations, 1948(d) (which authorises certain classes of persons to be in possession of, and to supply, drugs or preparations to a specified extent and subject to certain safeguards), there shall be substituted the following Regulation :—

" 5.—(1) Persons who are members of the following classes, that is to say:—

(*a*) duly qualified medical practitioners ;

(*b*) registered dentists ;

(*c*) registered veterinary surgeons and persons registered in the Supplementary Veterinary Register in pursuance of the Veterinary Surgeons Act, 1948 ;

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

(*e*) sisters or acting sisters for the time being in charge of a ward or outpatients' department in such a hospital or infirmary as aforesaid ;

(*f*) persons who are in charge of a laboratory used for the 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 Secretary of State ;

(a) 10 & 11 Geo. 5. c. 46.
(b) S.R. & O. 1937 (No. 560) p. 630.
(c) 11 & 12 Geo. 6. c. 52.
(d) S.I. 1948 (No. 2653) I, p. 670.

(*g*) public analysts under and within the meaning of the Food and Drugs Act, 1938(**a**);

(*h*) persons acting as sampling officers under and within the meaning of the said Act;

(*i*) persons duly appointed by the Pharmaceutical Society of Great Britain as inspectors under section twenty-five of the Pharmacy and Poisons Act, 1933(**b**);

(*j*) persons who are employed or engaged in connection with a scheme for testing the quality and amount of the drugs, preparations and appliances supplied under the National Health Service Act, 1946(**c**), or the National Health Service (Scotland) Act, 1947(**d**), and the regulations made thereunder,

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 or preparations:

Provided that nothing in this paragraph shall—

(i) authorise a dentist to supply drugs or preparations unless the drugs or preparations are administered by him, or under his direct supervision and in his presence to persons receiving treatment from him, or

(ii) authorise a sister or acting sister in charge of a ward or outpatients' department in a hospital or infirmary to procure a drug or preparation except from a person employed or engaged in dispensing medicines at the hospital or infirmary and except upon a written order therefor signed by her, or to supply a drug or preparation except in accordance with the directions of a duly qualified medical practitioner in charge of any patients in the ward or, as the case may be, of the outpatients' department.

(2) A person who is not a registered pharmacist but who—

(*a*) not being the matron or acting matron thereof, was on the thirty-first day of December, 1948, employed in a hospital or infirmary wholly or mainly maintained by a public authority or out of public funds or by a charity or by voluntary subscriptions as sole or head dispenser of medicines;

(*b*) was in the course of his said employment on the said date lawfully entitled to be in possession of, and to supply, drugs and preparations;

(*c*) had on the said date had not less than three years' experience in such said employment during which he was lawfully entitled as aforesaid; and

(*d*) is employed as sole or head dispenser of medicines in the same hospital or infirmary in which he was employed on the said date, or in another such hospital or infirmary as aforesaid, in which, if he had been so employed therein on the said date, he would have been lawfully entitled to be in possession of, and to supply, drugs and preparations,

is hereby authorised, so far as may be necessary for the practice or exercise of his said employment as sole or head dispenser, and in his capacity as such, to be in possession of, and to supply, drugs and preparations.

(**a**) 1 & 2 Geo. 6. c. 56.
(**b**) 23 & 24 Geo. 5. c. 25.
(**c**) 9 & 10 Geo. 6. c. 81.
(**d**) 10 & 11 Geo. 6. c. 27.

(3) The matron or acting matron of a hospital or infirmary wholly or mainly maintained by a public authority or out of public funds or by a charity or by voluntary subscriptions in which no registered pharmacist and no person authorised by virtue of paragraph (2) of this Regulation to be in possession of, and to supply, drugs and preparations, is employed or engaged in dispensing medicines, is hereby authorised, so far as may be necessary for the purposes of the hospital or infirmary, and in her capacity as matron or acting matron thereof, to be in possession of, and to supply, drugs or preparations:

Provided that nothing in this paragraph shall authorise a matron or acting matron of a hospital or infirmary to procure a drug or preparation except on an order signed by a duly qualified medical practitioner employed in the hospital or infirmary.

(4) 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."

3.—(1) For paragraph (5) of Regulation 13 of the principal Regulations as amended by the Dangerous Drugs Regulations, 1948(**a**), there shall be substituted the following paragraph:—

"(5) A certified midwife, who has in accordance with the provisions of the Midwives Act, 1902(**b**), or the Midwives (Scotland) Act, 1915(**c**), notified to the local supervising authority her intention to practise, is hereby authorised to be in possession of, and to administer, medicinal opium, tincture of opium and pethidine (1 methyl-4-phenylpiperidine-4-carboxylic acid ethyl ester) so far as is necessary for the practice of her profession or employment as a midwife, subject to the following conditions, that is to say:—

(*a*) she shall, on each occasion on which a supply of the drug or preparation is obtained—

(i) produce to the person supplying it a book (hereafter in this paragraph referred to as "the drugs book") to be kept and used solely for the purposes of this paragraph,

(ii) produce to the said person the personal register of cases required to be kept by her under the rules framed by the Central Midwives Board under the Midwives Act, 1902, and approved by the Minister of Health or, as the case may be, framed by the Central Midwives Board for Scotland under the Midwives (Scotland) Act, 1915, and approved by the Secretary of State,

(iii) enter in the drugs book the name of the drug or preparation obtained, the date, the name and address of the person supplying it, the amount obtained and the form in which it was obtained, and

(iv) obtain the signature of the person supplying the drug or preparation to the entry in the drugs book made by her in accordance with this sub-paragraph;

(*b*) she shall, on administering a drug or preparation to any woman, as soon as practicable enter in the drugs book the name of the drug or preparation administered, the name and address of the

(a) S.I. 1948 (No. 2653) I, p. 670. (b) 2 Edw. 7. c. 17. (c) 5 & 6 Geo. 5. c. 91.

woman to whom it was administered, the amount administered and the form in which it was administered;

(*c*) she shall not at any time be in possession of a quantity of pethidine exceeding the quantity which would be required for the administration of two hundred milligrams to each woman whose case of pregnancy is entered in the said personal register of cases and who has not since the last entry relating to her was made ceased to be pregnant; and

(*d*) she shall, except when the necessities of the practice of her profession of midwife otherwise require, keep every drug or preparation in her possession in a locked receptacle which can be opened only by her."

(2) In the proviso to paragraph (2) of Regulation 2 of the principal Regulations (which, for the purposes of the prohibition of supplying a drug except to a person authorised to be in possession thereof, provides that the administration of a drug by, or under the direct supervision of, a duly qualified medical practitioner or, in the course of dental treatment, a registered dentist, shall not be deemed to be the supplying of the drug) after the words "a registered dentist in the course of dental treatment" there shall be inserted the words "or by a certified midwife under and in accordance with Regulation 13 of these Regulations".

4. After paragraph (6) of Regulation 11 of the principal Regulations (which Regulation relates to the keeping of records of drugs obtained and supplied) there shall be inserted the following paragraphs, that is to say:—

"(6A) Nothing in the foregoing paragraphs of this Regulation shall apply—

(*a*) to a certified midwife in relation to drugs or preparations obtained or administered by her by virtue of and in accordance with Regulation 13 of these Regulations, or

(*b*) to a sister or acting sister in a hospital or infirmary in relation to drugs or preparations obtained or supplied by her by virtue of and in accordance with sub-paragraph (*e*) of paragraph (1) of Regulation 5 of these Regulations.

(6B) A written order signed by a sister or acting sister in a hospital or infirmary in accordance with the requirements of proviso (ii) to paragraph (1) of Regulation 5 of these Regulations upon which she procures a drug or preparation shall be marked, in such manner as to show that it has been complied with, by the person employed or engaged in dispensing medicines who complies with the order, and shall be kept in the dispensary, and a copy or note thereof shall be kept by the sister or acting sister for the time being in charge of the ward, theatre or other section of the hospital or infirmary for use in which the drug or preparation was procured."

5. In the Fourth Schedule to the principal Regulations (which sets out the drugs and preparations exempted from the Regulations) the following items shall be omitted, that is to say:—

"Linctus Diamorphinae Camphoratus, B.P.C. 1923 and 1934,

Linctus Diamorphinae c. Ipecacuanha, B.P.C. 1934,

Linctus Diamorphinae et Scillae, B.P.C. 1923 and 1934, and

Linctus Diamorphinae et Thymi, B.P.C. 1923 and 1934."

6. These Regulations may be cited as the Dangerous Drugs Regulations, 1950, and shall come into operation on the first day of April, 1950.

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

Home Office,
Whitehall.
20th March, 1950.

EXPLANATORY NOTE

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

The amendments made by Regulation 1 are consequential on the passing of the Veterinary Surgeons Act, 1948. Regulation 2 consolidates the existing provisions as to the classes of persons authorised to possess and supply drugs, and amends them in relation to hospitals by further restricting the class of persons employed as dispensers who are not registered pharmacists, and by adding, subject to specified safeguards, sisters in charge of wards or outpatients' departments. The amendment made by Regulation 3 (1) authorises midwives to possess and administer pethidine for the purposes of their profession, subject to specified conditions and requirements. Regulations 3 (2) and 4 are consequential. Regulation 5 removes certain preparations of diamorphine from the list of drugs exempted from the Regulations.

DEATH DUTIES

The Double Taxation Relief (Estate Duty) (Netherlands) Order, 1950

1950 No. 1197

Made - - - - 21*st July,* 1950

At the Court at Buckingham Palace, the 21st day of July, 1950

Present,

The King's Most Excellent Majesty in Council

Whereas it is provided by subsection (1) of section seventy-seven of the Finance Act, 1948(a) that if His Majesty by Order in Council declares that arrangements specified in the Order have been made with the Government of any territory outside the United Kingdom, the laws of which do not provide for a duty similar to estate duty, with a view to affording relief from double taxation in relation to estate duty payable under the laws of the United Kingdom and any duty leviable on or by reference to death imposed

(a) 11 & 12 Geo. 6. c. 49.