STATUTORY INSTRUMENTS

1961 No. 277

DANGEROUS DRUGS

The Dangerous Drugs Regulations, 1961

Made - - - -	16*th February*, 1961
Laid before Parliament	23*rd February*, 1961
Coming into Operation	1*st March*, 1961

In pursuance of the powers conferred upon me by section nine of the Dangerous Drugs Act, 1951(**a**), I hereby make the following Regulations:—

1. In paragraph (1) of Regulation 6 of the principal Regulations (which provides that Part II of the Regulations shall apply to the drugs to which Part III of the Dangerous Drugs Act, 1951, applies, other than certain specified drugs) for the words " other than methylmorphine, ethylmorphine, morpholinylethylmorphine, dihydrocodeine and their salts " there shall be substituted the words " other than a drug specified in the Fifth Schedule to these Regulations ".

2. For Regulation 19 of the principal Regulations (which specifies the drugs to which Part III of those Regulations applies) there shall be substituted the following Regulation, that is to say:—

" 19. This Part of these Regulations shall apply to the drugs specified in the Fifth Schedule to these Regulations, and hereafter in this Part of these Regulations the expression 'drug' means any such drug as aforesaid.".

3. For paragraph (*b*) of Regulation 24 of the principal Regulations (which relates to the form of the register required to be kept with respect to drugs to which Part III of those Regulations applies) there shall be substituted the following paragraph, that is to say:—

" (*b*) a separate register or separate part of the register shall be used with respect to each of the classes of drugs specified in the Fifth Schedule to these Regulations, and for this purpose the drugs comprised in each paragraph of the said Schedule shall constitute a class.".

4. After Regulation 34 of the principal Regulations there shall be inserted the following Regulation, that is to say:—

" 34A. For the purposes of these Regulations a person shall not be treated as procuring or offering to procure a drug for any person by reason only that he, in the course of his business, as agent for another, offers for transfer, or acts in the transfer of, a business and stock-in-trade therewith which comprises a drug.".

5. In the Second Schedule to the principal Regulations (which specifies the drugs to which Part III of the Dangerous Drugs Act, 1951, applies but to which Part II of the principal Regulations does not apply) for the words " methylmorphine, ethylmorphine, morpholinylethylmorphine, dihydrocodeine or their salts " there shall be substituted the words " any drug specified in the Fifth Schedule to these Regulations.".

6. In the Third Schedule to the principal Regulations as set out in the Dangerous Drugs Regulations, 1957(**b**), (which Schedule specifies the drugs to which Part II of the principal Regulations applies) the references to acetyldihydrocodeine and propoxyphene shall be omitted, and accordingly sub-paragraphs (5) and (40) of paragraph 1 of that Schedule are hereby revoked.

7. After the Fourth Schedule to the principal Regulations there shall be added the Schedule set out in the Schedule to these Regulations.

8. In these Regulations the expression "the principal Regulations" means the Dangerous Drugs Regulations, 1953(a).

9. These Regulations may be cited as the Dangerous Drugs Regulations, 1961, and shall come into operation on the first day of March, 1961.

R. A. Butler,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
16th February, 1961.

Regulation 7 SCHEDULE

Regulations 6, 19 and 24 "FIFTH SCHEDULE

DRUGS TO WHICH PART III OF THESE REGULATIONS APPLIES AND CLASSES OF DRUGS FOR THE PURPOSES OF THE REGISTER REQUIRED TO BE KEPT UNDER REGULATION 24

The drugs to which Part III of these Regulations applies are as follows, that is to say:—

(*a*) methylmorphine (also known as codeine) and its salts;

(*b*) ethylmorphine (also known as dionin) and its salts;

(*c*) pholcodine (also known as morpholinylethylmorphine) and its salts;

(*d*) dihydrocodeine and its salts;

(*e*) acetyldihydrocodeine and its salts;

(*f*) propoxyphene and its salts.".

EXPLANATORY NOTE

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

By Regulations 2, 6 and 7 of these Regulations and the Schedule thereto the drugs acetyldihydrocodeine and propoxyphene cease to be subject to the control imposed by Part II of the Dangerous Drugs Regulations, 1953, and are instead made subject to the control imposed by Part III of those Regulations, which is less strict, in particular in that the control of sale and distribution applies only in the case of wholesale dealers, and in that there is no restriction on possession of a drug in a quantity not exceeding one pound. There is no change in the control over the other drugs named in the new Fifth Schedule. Regulations 1, 3 and 5 make drafting changes consequential on the foregoing. By Regulation 4 an agent acting in the transfer of a business and its stock-in-trade will not, merely because the stock includes drugs controlled under the Regulations, require a licence under the Regulations on the ground that he is procuring or offering to procure the drug for another person.

(a) S.I. 1953/499 (1953 I, p. 540).