
STATUTORY INSTRUMENTS

1976 No. 1214

Poisons (Northern Ireland) Order 1976

PART II

THE POISONS BOARD

The Poisons Board

3. There shall continue to be a Poisons Board and the provisions of Schedule 1 shall have effect with respect to the constitution of the Poisons Board and other matters relating to that Board and its members.

Functions of Poisons Board

4.—(1) The Poisons Board shall advise the Department on the substances which are to be treated as non-medicinal poisons for the purposes of this Order and on such other matters (if any) as may be referred to it by the Department.

(2) The Poisons Board shall prepare and submit to the Department for confirmation a list of the substances which are to be treated as non-medicinal poisons for the purposes of this Order.

(3) The said list shall consist of two parts of which—

- (a) Part I shall contain those substances which are, by virtue of and subject to the provisions of this Order, prohibited from being sold except by a person lawfully conducting a retail pharmacy business; and
- (b) Part II shall contain those substances which are, by virtue of and subject to the provisions of this Order, prohibited from being sold except by a person lawfully conducting a retail pharmacy business or a person whose name is entered in a register kept under this Order by a district council (“a district council's register”).

(4) In determining the distribution of poisons as between Part I and Part II of the said list, regard shall be had to the desirability of restricting the said Part II to non-medicinal poisons which are in common use, or likely to come into common use and which it is reasonably necessary to include in the said Part II if the public are to have adequate facilities for obtaining them.

(5) The Department shall forthwith take into consideration the list submitted by the Poisons Board and may by order confirm it, with or without modifications, as the Department may think proper, so however that, where the Department proposes to confirm the list with modifications, the Department shall inform the Poisons Board of the proposed modifications and give to the Poisons Board a reasonable opportunity of making any observations with respect thereto, and shall, before finally confirming the list, take into consideration any observations so made.

(6) The Department may, after consultation with or on the recommendation of the Poisons Board, by order amend or vary the said list as the Department thinks proper.

(7) An order made under paragraph (5) or (6) shall—

- (a) be subject to negative resolution; and

(b) come into operation on a date to be specified therein, which date shall not be earlier than one month from the making of the order.

(8) The said list as in force by virtue of orders made by the Department under this Article shall be known as “the Poisons List” for the purposes of this Order and this Order shall have effect as if references in this Order to the Poisons List were construed as references to the said list as so in force, so however that the Poisons Schedule in force under the Pharmacy and Poisons Acts (Northern Ireland) 1925 to 1955 at the commencement of this Order shall remain in full force and effect until the coming into operation of the first order made by the Department after the commencement of this Order confirming a list under paragraph (5).

Changes to legislation:

There are currently no known outstanding effects for the Poisons (Northern Ireland) Order 1976, PART II.