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STATUTORY INSTRUMENTS

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**1973 No. 798**

**The Misuse of Drugs (Safe Custody) Regulations 1973**

4.—(1) Paragraph (3) of Regulation 3 of these Regulations shall not have effect in relation to a safe, cabinet or room situated on any premises occupied for the purposes of his business by a person lawfully conducting a retail pharmacy business (hereafter in this Regulation referred to as “the occupier”) if a certificate has been issued in pursuance of paragraph (2) of this Regulation (hereafter in this Regulation referred to as a “certificate”) in respect of that safe, cabinet or room and the certificate is for the time being in force.

(2) On receiving written application in that behalf from the occupier, the chief officer of police for the police area in which the premises in question are situated may—

- (a) cause the said premises and, in particular, any safe, cabinet or room in which controlled drugs are to be kept, to be inspected; and
- (b) if satisfied that, in all the circumstances of the case, the safes, cabinets or rooms in which controlled drugs (other than those specified in Schedule 1 to these Regulations) are to be kept provide an adequate degree of security, issue a certificate in respect of those safes, cabinets or rooms.

(3) Every certificate shall specify—

- (a) every safe, cabinet or room to which the certificate relates; and
- (b) any conditions necessary to be observed if the safes, cabinets and rooms to which the certificate relates are to provide an adequate degree of security.

(4) Where a certificate is in force in respect of any safe, cabinet or room on any premises, the chief officer of police may cause the premises to be inspected at any reasonable time for the purpose of ascertaining whether any conditions specified in the certificate are being observed and whether as a result of any change of circumstances the safes, cabinets and rooms to which the certificate relates have ceased to provide an adequate degree of security.

(5) A certificate may be cancelled by the chief officer of police if it appears to him that—

- (a) there has been a breach of any condition specified in the certificate; or
- (b) as a result of any change of circumstances, the safes, cabinets and rooms to which the certificate relates no longer provide an adequate degree of security; or
- (c) the occupier has refused entry to any police officer acting in pursuance of paragraph (4) of this Regulation.

(6) A certificate shall, unless previously cancelled in pursuance of paragraph (5) of this Regulation, remain in force for a period of one year from the date of issue thereof, but may from time to time be renewed for a further period of one year.