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STATUTORY INSTRUMENTS

2006 No. 2178

DANGEROUS DRUGS, ENGLAND AND WALES

DANGEROUS DRUGS, SCOTLAND

The Misuse of Drugs (Amendment No. 3) Regulations 2006

Made - - - - 3rd August 2006

Laid before Parliament 11th August 2006

Coming into force in accordance with regulation 1

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 7, 10 and 31 of the Misuse of Drugs Act 1971(a).

In accordance with section 31(3) of that Act, he has consulted with the Advisory Council on the Misuse of Drugs.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Misuse of Drugs (Amendment No. 3) Regulations 2006 and subject to paragraph (2), shall come into force on 1st September 2006.

(2) Regulation 4 shall come into force in Wales on 1st January 2007.

(3) These Regulations extend to England, Wales and Scotland.

Amendment of the Misuse of Drugs Regulations 2001

2. The Misuse of Drugs Regulations 2001(b) shall be amended in accordance with regulations 3 to 6.

3. In regulation 2—

(a) in the definition of “private prescribing”, for the words from “, where the definition of” to the end, substitute “or veterinary prescriptions;”;

(b) after the definition of “supplementary prescriber” insert—

““veterinary prescription” means a prescription issued by a veterinary surgeon or veterinary practitioner for the purposes of animal treatment;”.

4.—(1) In regulation 15(1)—

(a) 1971 c.38.

(b) S.I. 2001/3998, to which there are a number of amendments, the relevant ones being made by S.I. 2006/1450.

- (a) in paragraph (aa), after “health prescription” insert “or a veterinary prescription”;
- (b) after paragraph (aa), insert—
 - “(ab) except in the case of a health prescription or a veterinary prescription, specify the prescriber identification number of the person issuing it;”
- (c) in paragraph (c), omit “prescriber identification number and the”.

(2) In regulation 15(1A), after “health prescription” insert “or a veterinary prescription”.

5. In regulation 16(2), for “unless it is a health prescription,” substitute “if it is a veterinary prescription,”.

6.—(1) In regulation 23(3)—

- (a) for “or prescription (other than a health prescription)”, substitute “and veterinary prescription”;
- (b) after “regulations”, insert “, and every prescription (other than a health prescription) on which a controlled drug specified in Schedules 4 or 5 is so supplied,”.

(2) In regulation 23(4), after “health prescription” insert “or a veterinary prescription”.

Amendment of the Misuse of Drugs (Amendment No. 2) Regulations 2006

7. In regulation 2(2) of the Misuse of Drugs (Amendment No. 2) Regulations 2006(a), for “1 January 2007” substitute “1st January 2008”.

Home Office
3rd August 2006

Joan Ryan
Parliamentary Under-Secretary of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Misuse of Drugs Regulations 2001 (“the 2001 Regulations”) to correct defects in the amendments made to those Regulations by the Misuse of Drugs (Amendment No. 2) Regulations 2006 (“the 2006 Regulations”). The 2006 Regulations introduced requirements that all private prescriptions containing controlled drugs in Schedules 1, 2 or 3 to the 2001 Regulations must be issued on a standard form which includes the prescriber identification number of the person issuing it, and that all such prescriptions must be submitted to the relevant National Health agency after the drug has been supplied. The 2006 Regulations omitted however to exclude veterinary prescriptions from these requirements and regulations 3, 4 and 6(2) of these Regulations amend the 2001 Regulations to make the necessary exclusions. Regulation 4 comes into force in Wales on 1st January 2007 as this is the date on which the relevant amendments in the 2006 Regulations also come into force in Wales.

Regulation 5 amends regulations 16(2) and 23 of the 2001 Regulations, which contain requirements relating to the retention of private prescriptions, to remove from these requirements prescriptions (other than veterinary prescriptions) containing controlled drugs in Schedules 1, 2 or 3 to the 2001 Regulations.

Regulation 7 amends the commencement date in regulation 2(2) of the 2006 Regulations so that regulations 7(1) and 10 of those Regulations will come into force on 1st January 2008.

(a) S.I. 2006/1450.

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