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STATUTORY INSTRUMENTS

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**1976 No. 1214**

**Poisons (Northern Ireland) Order 1976**

**PART V**

**MISCELLANEOUS AND GENERAL**

**Evidence in, and commencement of proceedings for, certain offences**

**15.**—(1) In any proceedings for a contravention of this Order, a document purporting to be a certificate signed by a public analyst, and stating the result of an analysis made by him, shall be admissible as evidence of the matters stated therein, but any party to the proceedings may require the person by whom the analysis was made to be called as a witness.

(2) Notwithstanding any provision in any Act prescribing the period within which summary proceedings may be commenced, proceedings for an offence under Article 7(8) or 10(1) may be commenced at any time within the period of twelve months next after the date of the commission of the offence.

**Poisons Inspectors, etc.**

**16.**—(1) The Department may appoint one (or, subject to the approval of the Department of Finance, more than one) fit and proper person (being a registered pharmacist) as a Poisons Inspector for the purposes of this Order ( “the Poisons Inspector”).

(2) The Poisons Inspector shall discharge such duties as may be assigned to him by the Department and the duties so assigned may include the duty of taking all reasonable steps to enforce the provisions of Article 11 and to secure compliance, by pharmacists, persons carrying on a retail pharmacy business and persons registered by a district council under Article 7, with the provisions of Articles 5, 7 and 8 and regulations under Article 9.

(3) The Poisons Inspector, on producing his authority (if requested to do so), may—

- (a) for the purposes of enforcing the provisions of Article 11 and of securing compliance with the provisions of Articles 5, 7 and 8 and of regulations under Article 9 by such persons as are mentioned in paragraph (2), enter, at all reasonable times, any registered pharmacy or any premises in respect of which a person's name is entered in a district council's register; and
- (b) for the purpose of securing compliance with the said provisions by persons other than those mentioned in paragraph (2), enter any premises in which he has reasonable cause to suspect that an offence has been committed in relation to any substances included in Part I or Part II of the Poisons List;

and, in any such case, the Poisons Inspector may make such examination and inquiry and do such other things (including the taking, on payment therefor, of samples) as may be necessary for ascertaining whether the provisions aforesaid are being complied with.

(4) If any person—

- (a) wilfully delays or obstructs the Poisons Inspector in the exercise of any powers under this Article; or
- (b) refuses to allow any sample to be taken in accordance with the provisions of this Article; or
- (c) fails without reasonable excuse to give any information which he is duly required under this Article to give;

such person shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding<sup>F1</sup> level 3 on the standard scale].

(5) Nothing in paragraphs (1) to (4) shall authorise the Poisons Inspector to enter or inspect the premises, not being a shop, of a duly qualified medical practitioner, a registered dentist or a registered veterinary surgeon.

(6) The divisional commander of each police division shall report to the Poisons Inspector any offence against the provisions of Part III committed within his division.

**F1** 1984 NI 3

*Art. 17(1), with Schedule 2, effects amendments; para. (2), with Schedule 3, effects repeals*

**Changes to legislation:**

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