
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 225

**The Controlled Drugs (Supervision of Management
and Use) Regulations (Northern Ireland) 2009**

PART 1

Preliminary

Citation and commencement

1. These Regulations may be cited as the Controlled Drugs (Supervision of Management and Use) Regulations (Northern Ireland) 2009 and shall come into operation on 1st October 2009.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954⁽¹⁾ shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(2) In these Regulations—

“the 2003 Order” means the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003⁽²⁾;

“the 2006 Act” means the Health Act 2006;

“the 2009 Act” means the Health and Social Care (Reform) Act (Northern Ireland) 2009⁽³⁾;

“accountable officer” means a person nominated or appointed under regulation 4;

“the Department” means the Department of Health, Social Services and Public Safety;

“designated body” shall be construed in accordance with regulation 3;

“general dental services” has the meaning given in Article 2(2) of the Health and Personal Social Services (Northern Ireland) Order 1972⁽⁴⁾;

“health care” means any services designed to secure improvement in the physical and mental health and prevention, diagnosis and treatment of illness in the people of Northern Ireland;

“HSC Trust” means a Health and Social Care Trust established under Article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991⁽⁵⁾;

“Independent hospital” means a hospital which is not vested in the Department or managed by a HSC trust and excludes dental practices;

“Local Intelligence Network” shall be construed in accordance with regulation 18(2);

(1) 1954 c.33 (N.I.)

(2) S.I. 2003/431 (N.I. 9)

(3) 2009 c.1

(4) S.I. 1972/1265 (N.I. 14)

(5) S.I. 1991/194 (N.I. 1), and renamed by s. 1(3) of 2009 c.1 (N.I.)

“misuse of drugs legislation” means the Misuse of Drugs Act 1971(6) and any subordinate legislation made under that Act;

“NIAS” means the Northern Ireland Ambulance Service Health and Social Care Trust (7);

“nursing home” shall be construed in accordance with Article 11 of the 2003 Order;

“pilot scheme” has the meaning given in Article 3 of the Health Services (Primary Care) (Northern Ireland) Order 1997(8);

“piloted services” has the meaning given in Article 3 of the Health Services (Primary Care) (Northern Ireland) Order 1997;

“RBSO” means the Regional Business Services Organisation established under section 14 of the 2009 Act;

“Regional Board” means the Regional Health and Social Care Board established under section 7 of the 2009 Act;

“registered dentist” means a person who is registered in the dentists register kept under section 14 of the Dentists Act 1984(9);

“registered medical practitioner” means a person who is registered in the register of medical practitioners under Section 2(2) of the Medical Act 1983(10);

“registered pharmacist” means a person registered in the register of pharmacists maintained by the Pharmaceutical Society of Northern Ireland under Article 6 of the Pharmacy (Northern Ireland) Order 1976(11);

“registered pharmacy” means a retail pharmacy business in Northern Ireland that is for the time being entered in the register kept under section 75, (registration of premises), of the Medicines Act 1968(12);

“regulatory body” means a body referred to in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002 (the Council for the Regulation of Health Care Professionals)(13);

“relevant individual” shall be construed in accordance with section 17(8)(b) of the 2006 Act;

“relevant premises” shall be construed in accordance with regulation 20;

“residential care home” shall be construed in accordance with Article 10 of the 2003 Order;

“responsible body” shall be construed in accordance with regulation 22;

“retail pharmacy business” has the meaning given in section 132 of the Medicines Act 1968;

“RQIA” means the Health and Social Care Regulation and Quality Improvement Authority(14).

(3) Where, by virtue of these Regulations, a person or body is required to ensure a matter, the requirement is to be construed as a requirement to take all reasonable steps to ensure that matter.

(4) Where reference is made in these Regulations to arrangements to provide services, the reference is to be construed as a reference to arrangements to provide services that involve, or may involve, the management or use of controlled drugs.

(6) 1971 c.38

(7) S.R. 1995/143

(8) S.I. 1997/1177 (N.I. 7)

(9) 1984 c.24

(10) 1983 c.54. Section 2 was amended by S.I. 1996/1591 and S.I. 2002/3135

(11) S.I. 1976/1213 (N.I. 22)

(12) 1968 c.67

(13) 2002 c.17

(14) Established by Article 3 of S.I. 2003/431 (N.I. 9) and renamed by s 1(2) of 2009 c.1 (N.I.).

