
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 278

The Controlled Drugs (Supervision of Management and Use) (Amendment) Regulations (Northern Ireland) 2015

Amendment of regulation 4

6. For regulation 4 (appointment of accountable officers) substitute—

“Appointment of and support for accountable officers

4.—(1) Each designated body shall nominate or appoint, or in a group with one or more other designated bodies shall jointly nominate or appoint, a fit, proper and suitably experienced person to be its accountable officer.

(2) Where more than one part of an undertaking is a designated body, an aggregate of parts of that undertaking jointly appointing or nominating an accountable officer is a group of designated bodies for the purposes of this regulation, whether or not the aggregate is, or is part of, a single legal person.

(3) All the designated bodies in a group of designated bodies that are jointly nominating or appointing an accountable officer shall be in Northern Ireland.

(4) A person appointed under paragraph (1) (P) shall satisfy Conditions 1, 2 and 3.

(5) Condition 1 is that P shall be—

(a) in the case of the headquarters of regular or reserve forces, or headquarters of regular or reserve forces acting jointly, a senior officer (that is, a lieutenant colonel or a person of equivalent or superior rank) of the regular or reserve forces (and sub-paragraphs (b) to (d) do not apply in such cases);

(b) a senior manager of P’s designated body;

(c) where designated bodies are jointly acting—

(i) unless head (ii) applies, a senior manager of one of the designated bodies jointly acting,

(ii) if the designated bodies jointly acting are part of the same undertaking, a senior manager of that undertaking; or

(d) answerable to a senior manager who satisfies sub-paragraph (b) or (c).

(6) Condition 2 is that P shall be an officer or employee—

(a) of the designated body that nominates or appoints P; or

(b) if P is nominated or appointed by designated bodies jointly acting—

(i) of one of the designated bodies jointly acting, or

(ii) where those bodies are part of the same undertaking, of that undertaking.

(7) Condition 3 is that P does not, or does only exceptionally, prescribe, supply, administer or dispose of controlled drugs as part of P’s duties as an employee or officer—

(a) of P’s designated body; or

(b) if P is nominated or appointed by designated bodies jointly acting and those bodies are part of the same undertaking, of that undertaking.

(8) Two or more designated bodies may only jointly nominate or appoint a person to be their accountable officer if they are satisfied that P is capable of properly discharging P's functions under these Regulations in relation to each and all of them.

(9) A designated body of a description given in paragraph (b) or (d) of regulation 3 may only jointly nominate or appoint a person to be their accountable officer with another designated body of the same description.

(10) Each designated body that has an accountable officer shall provide P with the funds and other resources necessary for enabling P to discharge P's responsibilities as accountable officer (in the case of joint nominations or appointments, this obligation may be discharged through joint arrangements for provision of funds and other resources).

(11) The other resources may include access to and use of information systems, accommodation and staff."