

STATUTORY INSTRUMENTS

2001 No. 3998

The Misuse of Drugs Regulations 2001

Destruction of controlled drugs

27.—(1) No person who is required by any provision of, or by any term or condition of a licence having effect under, these Regulations to keep records with respect to a drug specified in Schedule 1, 2, 3 or 4 shall destroy such a drug or cause such a drug to be destroyed except in the presence of and in accordance with any directions given by a person authorised (whether personally or as a member of a class) for the purposes of this paragraph by the Secretary of State [^{F1}or, subject to paragraph (1A), an accountable officer] (hereafter in this regulation referred to as an “authorised person”).

[^{F2}(1A) An accountable officer shall not be an authorised person.]

(2) An authorised person may, for the purposes of analysis, take a sample of a drug specified in Schedule 1, 2, 3 or 4 which is to be destroyed.

(3) Where a drug specified in Schedule 1, 2, 3 or 4 is destroyed in pursuance of paragraph (1) by or at the instance of a person who is required by any provision of, or by any term or condition of a licence having effect under, these Regulations to keep a record in respect of the obtaining or supply of that drug, that record shall include particulars of the date of destruction and the quantity destroyed and shall be signed by the authorised person in whose presence the drug is destroyed.

(4) Where the master or owner of a ship or installation manager of an offshore installation has in his possession a drug specified in Schedule 2 which he no longer requires, he shall not destroy the drug or cause it to be destroyed but shall dispose of it to a constable, or to a person who may lawfully supply that drug to him.

(5) Nothing in paragraph (1) or (3) shall apply to any person who is required to keep records only by virtue of [^{F3}regulation 22(2), (3) or (5) or 24(3)].

(6) Nothing in paragraph (1) or (3) shall apply to the destruction of a drug which has been supplied to a practitioner or pharmacist for that purpose in pursuance of regulation 6(2) or (3).

Textual Amendments

F1 Words in reg. 27(1) inserted (16.8.2007) by [The Misuse of Drugs and Misuse of Drugs \(Safe Custody\) \(Amendment\) Regulations 2007 \(S.I. 2007/2154\)](#), regs. 2(1), **4(12)(a)**

F2 Reg. 27(1A) inserted (16.8.2007) by [The Misuse of Drugs and Misuse of Drugs \(Safe Custody\) \(Amendment\) Regulations 2007 \(S.I. 2007/2154\)](#), regs. 2(1), **4(12)(b)**

F3 Words in reg. 27(5) substituted (10.4.2013) by [The Misuse of Drugs \(Amendment No. 2\) \(England, Wales and Scotland\) Regulations 2013 \(S.I. 2013/625\)](#), regs. 1(1), **5**

Changes to legislation:

There are currently no known outstanding effects for the The Misuse of Drugs Regulations 2001, Section 27.