

1977/135



THE MISUSE OF DRUGS REGULATIONS 1977,
AMENDMENT NO. 1

DENIS BLUNDELL, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 30th day of May 1977

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Misuse of Drugs Act 1975, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Misuse of Drugs Regulations 1977, Amendment No. 1, and shall be read together with and deemed part of the Misuse of Drugs Regulations 1977* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of June 1977.

2. Commencement of principal regulations—Regulation 1 (2) of the principal regulations is hereby amended by omitting the word “These”, and substituting the words “Except as provided in regulation 28 (6) of these regulations, these”.

3. Custody of controlled drugs—(1) Regulation 28 of the principal regulations is hereby amended by revoking subclause (4), and substituting the following subclause:

“(4) Nothing in this regulation shall apply with respect to—

“(a) An exempted drug:

“(b) Any of the following preparations, namely:

“Codeine phosphate syrup:

“Codeine phosphate linctus:

“Pholcodine linctus:

“Pholcodine linctus, strong:

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“(c) A controlled drug that is contained in a first-aid outfit provided in accordance with the Shipping Lifesaving Appliances Rules 1968*.”

(2) The said regulation 28 is hereby further amended by adding the following subclause:

“(6) Subclauses (1) to (5) of this regulation shall not apply to any controlled drug for the time being named or described in Part IV or Part V of the Third Schedule to the Act until the 1st day of April 1978.”

4. Restrictions on supply on prescription—(1) Regulation 31 of the principal regulations is hereby amended by omitting from subclause (1) the words “(not being a Class C controlled drug)”.

(2) The said regulation 31 is hereby further amended by revoking subclauses (2) and (3), and substituting the following subclauses:

“(2) If the medical practitioner signing a prescription so directs on the prescription,—

“(a) Any controlled drug (not being a Class C controlled drug) may be supplied on not more than 2 occasions, at an interval to be specified by the medical practitioner on the prescription, the first such occasion being not more than 4 days after the date of the prescription and the second such occasion being not more than 4 days after the termination of that interval:

“Provided that in no case shall the total quantity supplied, having regard to the dose and frequency of the dose or the directions given by the prescriber, be greater than a quantity sufficient for use for a period of 1 month:

“(b) Any Class C controlled drug may be supplied on not more than 3 occasions, at such intervals as may be specified by the medical practitioner on the prescription or, if no intervals are so specified, at monthly intervals:

“Provided that in no case shall the total quantity supplied, having regard to the dose and frequency of the dose or the directions given by the prescriber, be greater than a quantity sufficient for use for a period of 3 months.

“(3) A prescription for a Class C controlled drug shall not be dispensed on any occasion after 6 months have elapsed from the date on which it was written.”

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Misuse of Drugs Regulations 1977.

Regulation 1 relates to the Title and commencement. The regulations come into force on 1 June 1977, the date of the commencement of the principal regulations.

Regulation 2 is consequential upon regulation 3 (2).

Regulation 3: subclause (1) exempts from the requirements of regulation 28 of the principal regulations (relating to the custody of controlled drugs) exempted drugs, and the preparations specified in the new paragraph (b). The exemption provided for in the new paragraph (c) is presently provided for by the revoked subclause (4).

Subclause (2) defers until 1 April 1978 the operation of regulation 28 in respect of controlled drugs for the time being named or described in Part IV or Part V of the Third Schedule to the Act.

Regulation 4 relaxes the present provisions of regulation 31 of the principal regulations relating to the dispensing of prescriptions on more than 1 occasion. Under the present provisions controlled drugs, other than Class C drugs, cannot be dispensed on more than 1 occasion, except in certain cases. The present amendment increases this to 2 occasions. In respect of Class C controlled drugs the present limit is 2 occasions, and this is increased to 3.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 31 May 1977.

These regulations are administered in the Department of Health.