



**THE MISUSE OF DRUGS REGULATIONS 1977, AMENDMENT  
NO. 3**

KEITH HOLYOAKE, Governor-General

**ORDER IN COUNCIL**

At the Government House at Wellington this 17th day of December 1979

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. 3, 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 14th day after the date of their notification in the *Gazette*.

**2. Conditions of supply to agents**—Regulation 23 (1) of the principal regulations is hereby amended by inserting, after the words “supply any”, the words “Class A controlled drug or Class B”.

**3. Labelling of containers**—Regulation 25 (1) of the principal regulations is hereby amended by inserting, after subclause (3), the following subclause:

“(3A) Subclause (1) of this regulation shall not apply in respect of any controlled drug supplied pursuant to a prescription signed by a medical practitioner or a dentist or a veterinary surgeon.”

**4. Custody of controlled drugs**—(1) Regulation 28 of the principal regulations is hereby amended by adding to paragraph (c) of subclause (1) the following proviso:

\*S.R. 1977/37  
Amendment No. 1: S.R. 1977/135  
Amendment No. 2: S.R. 1978/142

“Provided that this paragraph shall not apply if the cupboard or compartment is fitted with a combination lock and is of an approved type.”

(2) The said regulation 28 is hereby further amended by inserting in subclause (2), after the expression “paragraph (a)”, the expression “and paragraph (c)”.

**5. Exemption from Part VI**—(1) Regulation 48 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclause:

“(2) Nothing in this Part of the regulations shall apply in respect of any exempted drug, or any controlled drug for the time being named or described in any of Parts II to V of the Third Schedule to the Act.”

(2) Regulation 6 of the Misuse of Drugs Regulations 1977, Amendment No. 2 is hereby consequentially revoked.

**6. Amendment of First Schedule**—Form 2 in the First Schedule to the principal regulations is hereby amended by omitting the expression “1976”, and substituting the expression “1977”.

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

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#### EXPLANATORY NOTE

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

These regulations are made pursuant to the Misuse of Drugs Act 1975, and amend the Misuse of Drugs Regulations 1977.

Regulation 1 relates to the Title and commencement.

Regulation 2 amends regulation 23 of the principal regulations. This provides that no person shall supply any controlled drug unless he holds a written authority setting out the information specified in subclause (1). The amendment provides that this requirement shall not apply in respect of Class C controlled drugs.

Regulation 3 exempts from the present labelling requirements in regulation 25 of the principal regulations controlled drugs supplied pursuant to a prescription.

Regulation 4 amends regulation 28 of the principal regulations relating to the custody of controlled drugs that are not required for immediate use. The present provision requires the drugs to be kept in a locked cupboard or compartment, and the key to that cupboard or compartment to be kept in a different place if the place in which the cupboard or compartment is situated is left unattended. The amendments provide, in effect, that a combination lock may be fitted to the cupboard or compartment as an alternative to the use of a key.

Regulation 5 amends regulation 48 of the principal regulations relating to the keeping of detailed records in respect of the supply of controlled drugs. The amendment excludes these requirements in respect of most Class C controlled drugs.

Regulation 6 corrects a typographical error in the principal regulations.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 20 December 1979.

These regulations are administered in the Department of Health.