

1966/82



THE NARCOTICS REGULATIONS 1966

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 25th day of May 1966

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Narcotics Act 1965, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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REGULATIONS

PART I—PRELIMINARY

1. Title and commencement—(1) These regulations may be cited as the Narcotics Regulations 1966.

(2) These regulations shall come into force on the commencement of the Narcotics Act 1965.

2. Interpretation—(1) In these regulations, unless the context otherwise requires,—

“The Act” means the Narcotics Act 1965:

“Pharmacist” means any person for the time being registered as a pharmaceutical chemist under the Pharmacy Act 1939:

“Dealer’s licence” means a licence authorising a person to deal in narcotics:

“To deal in” means to manufacture, to supply, or to administer:

“Dentist” means a person for the time being registered as a dentist under the Dental Act 1963:

“Director-General” means the Director-General of Health within the meaning of the Health Act 1956:

“Exempted preparation” means a narcotic for the time being named or described in clause 6 of the First Schedule to the Act:

“Inspector” means a person authorised by the Minister under subsection (1) of section 13 of the Act:

“Licence” means a licence granted under these regulations, and “licensed” and “licensee” have corresponding meanings:

“Manufacture” means any process by which narcotics may be obtained, other than the separation of opium, coca leaves, cannabis, and cannabis resin from plants, and includes refining and the transformation of narcotics into other narcotics:

“Medical Officer of Health” means a Medical Officer of Health within the meaning of the Health Act 1956:

“Medical practitioner” means a person for the time being registered as a medical practitioner under the Medical Practitioners Act 1950 and, subject to the limitations imposed by that Act, includes a person conditionally registered and a holder of a certificate of temporary registration under that Act:

“Minister” means the Minister of Health:

“Name”, in relation to a narcotic, means the name, if any, used or approved by the World Health Organisation in respect of that narcotic, and, if there is no such name, means the name by which the narcotic is commonly known:

“Practitioner” means a medical practitioner, dentist, or veterinary surgeon:

“Private hospital” means a hospital licensed under Part V of the Hospitals Act 1957, and “manager”, in relation to a private hospital, includes an acting manager:

“To supply” includes to distribute, to give, and to sell:

“Veterinary surgeon” means a person for the time being registered as a veterinary surgeon under the Veterinary Surgeons Act 1956; and includes a person who uses the title or description of a “veterinary practitioner” under the authority of that Act.

(2) Any person, who is authorised by or under these regulations to deal in narcotics or to import or export narcotics or to possess narcotics, is entitled to procure and receive those narcotics from a person so authorised to supply those narcotics to him, and thereafter to use or dispose of those narcotics in the manner and for the purposes expressed or implied in the authority so conferred on him but not otherwise.

3. Search—The narcotics to which subsection (2) of section 12 of the Act applies are cannabis, heroin, and opium.

PART II—LICENCES

4. Application for and issue of licences—(1) Every person who desires to obtain a licence under section 5 or section 6 of the Act shall apply therefor to the Director-General on a form to be provided by the Department of Health, or, with the approval of the Medical Officer of Health, otherwise in writing.

(2) The Director-General or the Medical Officer of Health may require any applicant for a licence to furnish information, by statutory declaration or otherwise, as to the nature of his business, the extent to which he proposes to deal in or otherwise utilise narcotics, and any other matter which appears to the Director-General or the Medical Officer of Health to be relevant.

(3) Subject to section 8 of the Act and to subclauses (2) to (4) of regulation 8 of these regulations, the Director-General, if he is satisfied as to the propriety of the application, and, in the case of an applicant other than a Government Department or a corporate body, as to the character of the applicant, and if he is also satisfied that the granting of a licence will not conflict with the international obligations of New Zealand, shall, upon the payment of a licence fee of 10s., grant to the applicant a licence, for the purposes stated in the application, in terms required or permitted by these regulations and subject to such conditions, in addition to the conditions prescribed by, or inserted in the licence pursuant to, these regulations, as the Director-General sees fit to impose:

Provided that the Director-General may, at his discretion, remit the whole or part of such fee in any particular case or class of cases or in relation to any particular licence or class of licences.

(4) Particulars of every licence shall be entered in a register kept for the purpose in the Department of Health.

(5) Subject to these regulations, every licence shall be in such form as the Director-General may from time to time determine generally or in relation to any particular licence or class of licences.

(6) Every licence shall be subject to the condition that the licensee will not contravene any provision of regulations 23 to 47 of these regulations, and will comply with every such provision so far as it is applicable.

(7) For the purposes of subsection (5) of section 8 of the Act and of subclause (6) of this regulation, every contravention of or failure to comply with regulations 23 to 47 of these regulations shall be a separate offence.

5. Dealers' licences—(1) Without prejudice to the generality of the expression, "the propriety of the application", in subclause (3) of regulation 4 of these regulations, the following matters shall be relevant to the propriety of any application for a dealer's licence:

- (a) The necessity or expediency of the applicant holding a dealer's licence for the purpose of carrying on his lawful affairs;
- (b) The situation and construction of the premises at which the applicant intends to deal in narcotics;
- (c) The conditions under which the applicant intends to deal in narcotics;
- (d) The kind or class of narcotics in which the applicant intends to deal and also, if he intends to manufacture narcotics, the amounts of the narcotics which he intends to manufacture.

(2) Every dealer's licence—

- (a) Shall specify the kind or kinds of dealing authorised by the licence; and
- (b) Shall state that the licensee is authorised to deal in all narcotics, or, if that is not the case, shall specify the narcotics in which the licensee is authorised to deal; and
- (c) Shall specify, where the licence confers authority to manufacture narcotics, the amounts of the narcotics which the licensee is entitled to manufacture; and
- (d) Shall specify the full address of the premises at which the licensee may deal in narcotics.

(3) No dealer's licence shall have the effect of authorising any manner of dealing in narcotics other than the manner specified or described in the licence, and no licence in which any narcotic is specified shall have the effect of authorising the licensee to deal in any narcotic not so specified.

(4) A separate dealer's licence shall be necessary in respect of each different address at which the licensee intends to deal in narcotics.

(5) The scope of every licence authorising the licensee to supply or administer narcotics shall be limited by regulation 22 of these regulations.

6. Endorsements on dealer's licences—(1) Every holder of a dealer's licence who wishes to deal in any narcotic not specified in his licence or in a manner not specified in his licence shall apply in that behalf to the Director-General, and shall deliver his licence for endorsement.

(2) Every holder of a dealer's licence who wishes to deal in narcotics at any premises instead of the premises named in his licence shall apply in that behalf to the Director-General, specifying in his application the full address of the proposed substituted premises, and shall deliver his licence for endorsement.

(3) If the Director-General approves an application under subclause (1) or subclause (2) of this regulation, he shall endorse the licence accordingly and enter particulars of the endorsement in the register referred to in subclause (4) of regulation 4 of these regulations and the licence thereafter shall have effect according to the tenor of the endorsement.

(4) No fee shall be payable in respect of an application under this regulation.

7. Duration and renewal of dealer's licences—(1) Unless sooner revoked under regulation 12 of these regulations, every dealer's licence shall continue in force until the close of the 31st day of March following the date of its issue:

Provided that—

(a) Any licence granted at any time during the months of February or March in any year shall continue in force until the close of the 31st day of March in the next ensuing year:

(b) Where at any time during the months of January or February in any year the holder of a dealer's licence applies for another licence in accordance with subclause (2) of this regulation, and the application is not disposed of before the existing licence is due to expire, the existing licence shall continue in force until the application is disposed of.

(2) Every holder of a dealer's licence who desires to be licensed after the expiration of a current licence shall apply in that behalf to the Director-General and pay a licence fee of 10s. at least one month before the expiration of his current licence, but it shall not be necessary to specify in the application the narcotics to which it is desired that the licence shall relate:

Provided that the Director-General may, at his discretion, remit the whole or part of the licence fee in any particular case or class of cases or in relation to any particular licence or class of licences.

8. Import and export licences—(1) Without prejudice to the generality of the expression, "the propriety of the application", in subclause (3) of regulation 4 of these regulations, the purpose specified in any application for a licence to import or a licence to export narcotics as the purpose for which the narcotics are intended to be used after they have been imported or exported shall be relevant to the propriety of the application.

(2) Except with the written approval of the Minister given in relation to a particular case, no licence to import or export cannabis, desomorphine, heroin, ketobemidone, or the salts of any of those substances or any substance, preparation, or mixture containing any of those substances or their salts, shall be granted.

(3) A licence to export narcotics shall be granted only on production of a certificate from the competent authority of the country to which the narcotics are to be exported to the effect that the importation into that country of the narcotics specified therein is approved.

(4) A licence to export narcotics for the purpose of placing them in a bonded warehouse shall be granted only if the Government of the importing country certifies on the certificate referred to in subclause (3) of this regulation that it has approved the importation for the purpose of being placed in a bonded warehouse.

(5) Every licence to import and every licence to export narcotics shall specify the name of the narcotic which is the subject of the licence, the quantity of the narcotic permitted to be imported or exported, the name and address of the importer and exporter, the period within which the importation or exportation must be effected, and the address (not being a post office box or other accommodation address) to which the narcotics are to be consigned.

(6) Every licence to export narcotics shall identify the import certificate referred to in subclause (3) of this regulation by reference to the number and date of the certificate and the authority by whom it was issued and, in every case where the narcotics are being exported for the purpose of being placed in a bonded warehouse, the licence shall specify that the narcotics are being exported for that purpose.

(7) Every licence to export narcotics shall be subject to the condition that a copy of the licence will accompany each consignment of the narcotics to which the licence relates.

(8) Every licence to import and every licence to export narcotics shall cease to have effect on the expiration of the period stated therein as the period within which importation or exportation must be effected.

9. Licences to cultivate—(1) Every licence to cultivate a prohibited plant shall—

- (a) Specify the kind of plant which the licensee may cultivate; and
- (b) Describe, and specify the area of, the land on which such cultivation is authorised; and
- (c) Require the licensee to deliver the crop to such person within such period as may be specified or described in the licence:

Provided that, in a case when cannabis is to be cultivated exclusively for industrial or horticultural purposes, the inclusion of any such requirement in the licence shall be at the discretion of the Director-General.

(2) No licence to cultivate a prohibited plant shall have the effect of authorising any person other than the licensee to take any part in such cultivation.

(3) A licence to cultivate a prohibited plant shall cease to have effect on the expiration of the period, if any, specified therein in that behalf, but any such licence may be granted for an indefinite period.

10. Licences to possess narcotics—(1) A licence to possess narcotics may be granted—

- (a) To any person, specified by name or office, in charge of or employed in a laboratory maintained for the purpose of research and study at a university or other institution; or
- (b) To any other person if the Director-General is of the opinion that the applicant may not be entitled by or under any other provision of these regulations to possess narcotics, but that such possession by the applicant is expedient pending disposal of the narcotics in a manner and by a person authorised in that behalf by or under the Act or these regulations.

(2) A licence granted pursuant to paragraph (a) of subclause (1) of this regulation shall not have the effect of authorising the possession of narcotics of a kind other, or in greater quantity than, the kind or quantity required for the purposes of the laboratory.

(3) A licence to possess narcotics shall cease to have effect on the expiration of the period, if any, specified therein in that behalf, but any such licence may be granted for an indefinite period.

11. Licences not to be assigned—Subject to subclause (3) of regulation 17 of these regulations, no licence, and no right thereby conferred, shall be exercised by any person other than the licensee, or be assigned, charged, or alienated to or in favour of, or be capable of devolving upon, any person, whether by act of the parties or by operation of law.

(2) Notwithstanding anything in subclause (1) of this regulation, where a licence is granted to an officer of a Government Department or other instrument of the Crown, or to a person pursuant to paragraph (a) of subclause (1) of regulation 10 of these regulations, in the name of his office, any person holding or acting in that office for the time being, but no other person, shall be the licensee.

12. Revocation of licences—(1) The Minister may at any time, by notice in the *Gazette*, revoke a licence—

- (a) If the licensee is convicted of an offence against the Act or these regulations; or
- (b) If the Minister is satisfied that the licensee has contravened or failed to comply with any condition contained in the licence whether imposed by these regulations or by the terms of that licence; or
- (c) If it appears to the Minister that the licence has been granted in error or through any misrepresentation or fraud, or has been granted without his approval to a person to whom, or in respect of a narcotic in relation to which, the licence should not have been granted without the approval of the Minister.

(2) Every person whose licence is revoked shall deliver his licence to the Director-General within one month after that revocation.

(3) Every person who fails to comply with subclause (2) of this regulation commits an offence against these regulations.

PART III—PERMISSIONS

13. Effect of this Part—(1) The several permissions conferred by this Part of these regulations may be exercised without any licence in that behalf, but nothing herein contained shall prevent the grant of a licence to any person.

(2) Subject to regulation 14 and to subclause (3) of regulation 15 of these regulations, every person, other than a licensee, who contravenes any provision of regulations 23 to 47 of these regulations, or fails to comply with any such provision to the extent that it is applicable, commits an offence against these regulations.

14. General authority—Any person may supply, administer, import, or export any exempted preparation, and for this purpose nothing in Parts IV, V, or VI, other than regulations 26 and 27, of these regulations shall apply.

15. Authority to supply or administer—(1) This regulation applies to—

- (a) Every pharmacist who keeps an open shop or place of business for the compounding or dispensing of prescriptions, and is so engaged—
 - (i) On his own account and is a contractor within the meaning of the Social Security (Pharmaceutical Benefits) Regulations 1965*; or
 - (ii) As an enrolled manager under the Pharmacy Act 1939 of a pharmacy of which the proprietor is a contractor within the meaning of those regulations:
- (b) Every pharmacist employed by a Hospital Board, or in a private hospital, or in an institution within the meaning of the Mental Health Act 1911, as a chief pharmacist, or as a pharmacist in charge of a dispensary, or in a similar capacity:
- (c) Every practitioner:
- (d) Every manager of a private hospital:
- (e) The manager of an institution for the care of the sick or aged (including any separate institution under Part IV of the Hospitals Act 1957) that is approved by the Director-General in writing for the purposes of this regulation.

(2) Subject to regulation 22 of these regulations and to subclause (4) of this regulation, any person to whom this regulation applies may supply narcotics, and, if he is a practitioner, may administer narcotics, for the purposes of his profession, business, or calling, but not otherwise.

(3) Subject to subclause (4) of this regulation, nothing in Parts IV or V, other than regulation 26, of these regulations shall apply in respect of the supply or administration, under the authority of this regulation, of a narcotic for the time being specified in the First Schedule to these regulations by a person to whom this regulation applies.

(4) The permission conferred by subclause (2) of this regulation applies, in the case of a pharmacist, only to the supply of narcotics at the place or places where he carries on business and, in the case of any other person, only to the supply, or, if he is a practitioner, the administration of narcotics at the place or places where he practises or carries on his profession or calling.

16. Further authority to administer—(1) Without prejudice to regulation 15 of these regulations, but subject to subclause (2) of this regulation,—

- (a) Any person for whose benefit a narcotic is supplied by a medical practitioner, or is prescribed and dispensed in accordance with these regulations, may administer that narcotic to himself subject to and in accordance with the advice of the medical practitioner who supplied or prescribed it:
- (b) Any person having the care of a patient, elsewhere than in a hospital or other institution to which regulation 36 of these regulations applies, for whose benefit a narcotic is supplied by a medical practitioner, or is prescribed and dispensed in accordance with these regulations, may administer that narcotic to that patient subject to and in accordance with the advice of the medical practitioner who supplied or prescribed it:

- (c) Any person may administer, under the direct personal supervision of a medical practitioner or dentist acting in the course of his practice, or subject to and in accordance with the instructions of any such medical practitioner and an entry made by him in a clinical record under subclause (1) of regulation 36 of these regulations, a narcotic to another person:
- (d) Any person may administer, subject to and in accordance with subclause (2) of regulation 36 of these regulations and any instruction given thereunder, a narcotic to a maternity patient:
- (e) Any person may administer a narcotic to an animal under his care subject to and in accordance with the advice of the practitioner who supplied or prescribed the narcotic for the treatment of that animal.

(2) Paragraph (a) of subclause (1) of this regulation shall have no application if the person, for whose benefit the narcotic is supplied or prescribed, is in the course of being supplied with the same narcotic for the same purpose by another practitioner, or pursuant to a prescription given by another practitioner, and does not disclose that fact to the practitioner referred to in that paragraph before the supply of the narcotic, or the giving of the material prescription, by that practitioner.

17. General authority to possess—(1) Every person authorised by or under these regulations to deal in narcotics or to import or export narcotics or to cultivate a prohibited plant may possess those narcotics, or the narcotics derived from that plant, to the extent expressed or implied in such authority.

(2) Without prejudice to any Order in Council made under subsection (2) of section 3 of the Act, any member of the Police, or of the New Zealand Naval Forces, or the New Zealand Army, or the Royal New Zealand Air Force, and any officer of the Departments of Health, Customs, or Scientific and Industrial Research, and any analyst appointed under the Food and Drugs Act 1947, may possess narcotics for the purposes of and in connection with his official duties.

(3) Any person may possess narcotics on behalf of a person authorised to possess those narcotics by subclause (1) or subclause (2) of this regulation, subject to the same restrictions and conditions as those to which possession by the last-mentioned person is subject.

18. Special authority for masters of vessels—(1) The master of any vessel for the time being within the territorial limits of New Zealand, and any person acting under his directions and on his behalf, may possess, import, export, and administer any narcotics, authorised or required to be carried on that vessel by any law to which that vessel is subject, and lawfully supply to him.

(2) Nothing in subclause (1) of this regulation shall authorise the master of a vessel or any other person to possess narcotics, elsewhere than on the vessel of which the first-mentioned person is the master, except while the narcotics are being conveyed from the place where they were procured by either of those persons to that vessel, or to import, export, administer, or otherwise use narcotics except for the purpose of treating sick or injured persons on that vessel.

19. Special authority for captains of aircraft—(1) The person in charge of any aircraft for the time being within the territorial limits of New Zealand, and any person acting under his directions and on his behalf, may possess, import, export, and, in any case where the administration of a narcotic is expedient for the purpose of treating a sick or injured person in an emergency, administer to that person any narcotics, authorised or required to be carried on the aircraft by any law to which that aircraft is subject, and lawfully supplied to him.

(2) Nothing in subclause (1) of this regulation shall authorise the person in charge of an aircraft or any other person to possess narcotics, elsewhere than on the aircraft of which the first-mentioned person is in charge, except while the narcotics are being conveyed from the place where they were procured by either of those persons to that aircraft or while the aircraft is being surveyed, examined, or overhauled, or to import, export, administer or otherwise use narcotics except for the purpose of treating sick or injured persons in an emergency as aforesaid.

20. First-aid kits—(1) Subject to the provisions of this regulation and to any conditions that may from time to time be imposed by the Medical Officer of Health in any particular case, any person for the time being having control of an approved first-aid kit may possess and administer to any person any narcotic lawfully contained in that kit.

(2) Nothing in subclause (1) of this regulation shall authorise any person to administer narcotics except for the purpose of treating a sick or injured person in an emergency arising in the locality for which the narcotics were supplied.

(3) The permission conferred by subclause (1) of this regulation shall extend to any person nominated in writing in that behalf by the person having the approved first-aid kit under his control.

(4) Every person in possession of narcotics by virtue of subclause (1) of this regulation who, except as may be permitted by the Medical Officer of Health, keeps those narcotics, or causes or permits them to be kept, elsewhere than in an approved first-aid kit under his control or under the control of a person nominated in that behalf pursuant to subclause (3) of this regulation, or who contravenes or fails to comply with any condition imposed by the Medical Officer of Health under subclause (1) of this regulation, commits an offence against these regulations.

(5) Every nomination under subclause (3) of this regulation, and any narcotic possessed by virtue of this regulation, shall be available at any time for inspection by any member of the Police or any Inspector.

(6) Any person having control of an approved first-aid kit, and wishing to obtain narcotics for the purposes of that kit, shall apply in writing to the Medical Officer of Health in that behalf, specifying—

- (a) The name and quantity of the narcotics required;
- (b) In the case of a first-aid kit in a place where workers are employed, the number of workers to be served;
- (c) Details of the locality where the work is to be performed, or of the area in which a rescue organisation kit is likely to be used, and the period for which the supply is required;
- (d) Such other particulars as the Medical Officer of Health may require.

(7) For the purposes of this regulation, the expression "approved first-aid kit" means a first-aid kit which is held for ready use in the event of emergency in a place, locality, or vehicle approved in writing by the Medical Officer of Health, and which is—

- (a) Under the control of a person in an isolated locality where workers are employed; or
- (b) Under the control of a registered nurse appointed as an occupational health nurse in any place where a first-aid post or similar post is established for the benefit of workers employed there; or
- (c) Under the control of a person representing an organisation established for search and rescue in mountainous or isolated areas; or
- (d) Under the control of a person belonging to a class approved by the Director-General or under the control of any person in a place, locality, or vehicle so approved.

(8) Any approval under subclause (7) of this regulation shall be deemed to be given upon and subject to such terms and conditions as may be specified therein, and may at any time be revoked by the Director-General whether or not the approval was given by him.

21. Termination of permission—(1) The Minister may at any time, by notice in the *Gazette*, terminate, in respect of the person specified in the notice, all or any of the permissions conferred on that person by this Part of these regulations:

Provided that the Minister shall not revoke any permission conferred on a medical practitioner by regulations 14 or 15 of these regulations except on the recommendation of the Medical Council.

(2) If the Minister, pursuant to subclause (1) of this regulation, terminates the permission conferred on any person by any provision of this Part, that provision shall forthwith cease to apply with respect to that person.

(3) The Minister may, by a like notice, revoke any notice under subclause (1) of this regulation, and thereupon the material provision of this Part of these regulations shall again apply in respect of the person whose permission thereunder was terminated.

PART IV—RESTRICTIONS AND CONDITIONS

22. Restrictions on supply and administration—Neither any licence nor anything in regulation 15 of these regulations shall have the effect of authorising the supply of narcotics to or for any person, who is not authorised by or under these regulations to deal in or export those narcotics, or the administration of narcotics, except—

- (a) Where the narcotic is supplied pursuant to a prescription that, in the case of a narcotic not specified in the First Schedule to these regulations, conforms with the requirements of regulation 29 of these regulations:
- (b) Where the narcotic is supplied by way of dispensing by a practitioner who dispenses his own medicines:
- (c) Where the narcotic is administered by or under the direct supervision of a medical practitioner or dentist acting in the course of his practice, or by or in accordance with the advice of a veterinary surgeon so acting in the treatment of any animal:

- (d) Where the narcotic is supplied in cases of emergency in accordance with regulation 34 of these regulations:
- (e) Where the narcotic is supplied to a person licensed to possess that narcotic under regulation 10 of these regulations or permitted to possess that narcotic by subclause (2) of regulation 17 or regulation 18 of these regulations:
- (f) Where the narcotic is supplied to a person permitted to possess that narcotic by regulation 19 of these regulations by a person who has been authorised in writing by the Medical Officer of Health to supply that narcotic for the purposes of that regulation:
- (g) Where the narcotic is supplied to a person permitted to possess that narcotic by regulation 20 of these regulations by a person who has been authorised in writing by the Medical Officer of Health to supply that narcotic to that person on the particular occasion.

23. Conditions of supply to agents—(1) No person other than a practitioner shall supply any narcotic, not being a narcotic supplied pursuant to a prescription under these regulations, to any other person, unless the person supplying the narcotic holds a written authority—

- (a) Setting out the name and address of the person for whom the narcotic is supplied; and
- (b) Specifying by name and quantity the narcotic to be supplied; and
- (c) Specifying or describing the intended method of delivery to the person for whom the narcotic is to be supplied; and
- (d) Signed by the last-mentioned person:

Provided that in cases of emergency a narcotic may be supplied without the written authority but in that event the person to whom the narcotic is supplied shall give the supplier the written authority within 48 hours after delivery and, if the supplier fails to receive the authority within that period, he shall report the circumstances forthwith in writing to the Medical Officer of Health.

(2) Every person supplying a narcotic pursuant to subclause (1) of this regulation shall:

- (a) Before supplying the narcotic (except where it is supplied pursuant to the proviso to that subclause), satisfy himself that the authority referred to in that subclause has been duly completed and in particular that it has been signed by the person for whom the narcotic is to be supplied;
- (b) Endorse on the face of that authority at the time of supply or at the time when he receives the authority, as the case may require, above the signature of the person for whom the narcotic is to be supplied, the name and address of the premises from which, and the date on which, the narcotic is supplied; and
- (c) Sign that endorsement; and
- (d) Retain that authority or cause that authority to be retained in an orderly and consecutive manner in relation to other such authorities at the premises from which the narcotic was supplied for a period of three years from the date on which that narcotic was supplied; and
- (e) Permit any member of the Police and any Inspector to examine that authority and make copies thereof.

(3) No person shall supply any narcotic for delivery through the post except for delivery by registered post.

24. Supply on prescription—No person shall supply any narcotic dispensed pursuant to a prescription otherwise than by personal delivery, or delivery by registered post, or delivery through a common carrier, unless the person to whom he makes delivery gives to him a written authority in the terms required by subclause (1) of regulation 23 of these regulations in a case where the narcotic is not dispensed pursuant to a prescription, or the licensee is otherwise satisfied that the person to whom he makes delivery has the care of the person for whom the narcotic is intended or is authorised by the last-mentioned person to accept delivery of the narcotic.

25. Labelling of packages—Except where the narcotic is supplied by way of dispensing by a practitioner who dispenses his own medicines or pursuant to a prescription which conforms with the requirements of regulation 29 of these regulations, no person shall supply any narcotic unless the package containing the narcotic is plainly marked, in letters of a colour contrasting strongly with the colour of the background, with the name of the narcotic and with the exact amount of the narcotic expressed by weight or as a percentage of the weight so marked of the article contained in the package.

26. Restrictions on supply to particular persons—(1) In this regulation “restricted person” means a person who is the subject of a notice given under subclause (4) or subclause (5) of this regulation and for the time being in force.

(2) No person shall knowingly prescribe for or supply to a restricted person any narcotic in contravention of a notice which has been served on the first-mentioned person pursuant to subclause (4), or subclause (5), or subclause (6) of this regulation or which has otherwise come to his attention.

(3) Without prejudice to any liability under the Act, every restricted person who knowingly procures or attempts to procure a prescription or a narcotic from any person, who is for the time being prohibited, pursuant to subclause (4) or subclause (5) of this regulation, from issuing that prescription for or supplying that narcotic to him, commits an offence against these regulations.

(4) Where the Director-General is satisfied that a person has become dependent on or is likely to become dependent on any narcotic, he may from time to time, by notice in such form as he thinks fit, given generally or to any practitioner or other person authorised by or under these regulations to supply narcotics, prohibit, except upon such conditions as the Director-General may prescribe in the notice, every practitioner from issuing prescriptions for the supply of, and every person from supplying, that narcotic to or for the first-mentioned person.

(5) Where a Medical Officer of Health is satisfied that any person has been obtaining any narcotic, named or described in clauses 1 to 5 of the First Schedule to the Act, over a prolonged period, and is likely to seek further supplies of any such narcotic, or prescriptions for the supply of any such narcotic, he may from time to time, by notice in such form as he thinks fit, given generally or to any practitioner or other person authorised by or under these regulations to supply narcotics,

prohibit every practitioner from issuing prescriptions for the supply of, and every person from supplying, the narcotics so named or described to the first-mentioned person, subject to such exceptions relating to particular practitioners or sources of supply, or particular narcotics, or the frequency or quantity of prescriptions or supply, as may be specified in the notice.

(6) The Director-General or the Medical Officer of Health, as the case may require, may at any time by a like notice revoke, or vary, or modify any prohibition, condition, or exception contained in, a notice given by him under this regulation.

(7) A copy of any notice under subclauses (4), (5), or (6) of this regulation shall be served, either personally or by registered post, on the restricted person, but failure to comply with this requirement shall not invalidate the notice.

27. Narcotics used for exempted preparations—No person who is licensed to deal in any narcotic named or described in clauses 1 to 5 of the First Schedule to the Act for the purpose of manufacturing an exempted preparation, other than a pharmacist dispensing an exempted preparation pursuant to the prescription of a practitioner, shall use any such narcotic in any such manufacture in contravention of a direction given under subclause (2) of this regulation.

(2) The Director-General may by notice in writing, served either personally or by registered post, on a person licensed as aforesaid, direct that person not to use any such narcotic in the manufacture of an exempted preparation unless—

- (a) Notice has been given to the Medical Officer of Health specified in the direction, at least seven days before the date on which it is intended to manufacture the exempted preparation, of the time and place of the proposed manufacture; and
- (b) The use of such narcotic in the manufacture is supervised by an Inspector.

28. Custody of narcotics—Subject to regulations 19 and 20 of these regulations, every person in possession of a narcotic shall keep it in a locked cupboard or other place of safe custody to which unauthorised persons have no access.

PART V—PRESCRIPTIONS FOR NARCOTICS

29. General requirements—(1) Every prescription for the supply of a narcotic, shall, except in the case of emergency as provided by regulation 34 of these regulations,—

- (a) Be legibly and indelibly written, in his own handwriting, by the practitioner giving it (not being a practitioner for the time being prohibited by notice under regulation 35 of these regulations from issuing prescriptions for the supply of narcotics), and be indelibly signed by him with his usual signature, personally and directly handwritten and not affixed by means of any stamping, stencilling, duplicating, or other contrivance:
- (b) Set out the date on which it is written:
- (c) Set out the address of the person by whom it is signed:
 Provided that the address may be printed on the prescription:

- (d) Set out the surname, initials of the first names, and address of the person to whom the narcotic is intended to be administered, or, in the case of a prescription given by a veterinary surgeon, of the person having the custody of the animal to which the narcotic is intended to be administered:
 - (e) If given by a dentist, bear the words "for local dental treatment only":
 - (f) If given by a veterinary surgeon, bear the words "for animal treatment only":
 - (g) Set out the name, or a commonly known descriptive name, of the narcotic to be supplied:
 - (h) Not be written in cipher or abbreviated, otherwise than by abbreviations recognised in *the British Pharmacopoeia*, *the British Pharmaceutical Codex*, or other standard reference books on materia medica or pharmacy:
 - (i) Indicate the total amount of the narcotic that may be sold or dispensed on the one occasion, or on each of the two occasions, authorised by that prescription:
 - (j) Set out the dose and frequency of dose, or, in the case of a narcotic for external use, directions for use:
 - (k) Where it prescribes an unusual dose, or what may be regarded as a dangerous dose, of any narcotic, have the amount of the dose emphasised by being underlined, with the initials of the practitioner set out in the margin opposite thereto.
- (2) No person, except a medical practitioner acting in a case of emergency under regulation 34 of these regulations, shall give a prescription for the supply of a narcotic that does not conform to the requirements of subclause (1) of this regulation.
- (3) No medical practitioner shall give a prescription for the supply of a narcotic otherwise than when required for the purpose of medical treatment of a human being under his care.
- (4) No medical practitioner shall give a prescription for the supply of more than 16 oral doses of any preparation containing heroin; and no medical practitioner shall write more than one such prescription for the same person within any period of 24 hours.

30. Prescriptions of dentists or veterinary surgeons—(1) No dentist shall give a prescription for the supply of a narcotic otherwise than for the purposes of local dental treatment.

(2) No veterinary surgeon shall give a prescription for the supply of a narcotic otherwise than for the purposes of treatment of an animal under his care.

(3) No dentist or veterinary surgeon shall give a prescription for the supply of any preparation containing heroin.

31. Restrictions on supply on prescription—(1) No person shall supply any narcotic on more than one occasion on the same prescription or more than four days after the date of the prescription:

Provided that if the medical practitioner signing a prescription (other than a prescription to which subclause (4) of regulation 29 of these regulations applies) so directs on the prescription, it may be supplied on not more than two occasions, at an interval to be specified on the prescription, the first such occasion being not more than four days after the date of the prescription:

Provided also that if the Director-General or a Medical Officer of Health has issued to a person a notice under regulation 26 of these regulations authorising him to supply a narcotic for a named patient on more than two occasions on any prescription, that person may supply the narcotic in such quantity, at such frequency, and for such period as the notice shall specify.

(2) No person shall dispense a prescription for the supply of more than 16 oral doses of any preparation containing heroin or shall dispense more than one such prescription for the same person within any period of 24 hours.

32. Verification of prescriptions—(1) No person shall supply any narcotic pursuant to a prescription purporting to be signed by a practitioner with whose signature he is not acquainted, until he has satisfied himself that the signature is genuine.

(2) No person shall alter any prescription appearing to be signed by a practitioner which purports to authorise the supply of any narcotic or alter any prescription in such a manner that it purports to authorise the supply of any narcotic:

Provided that this subclause shall not apply to any alteration made by a practitioner in a prescription given by him, if there is written beside the alteration the signature of the practitioner in accordance with paragraph (a) of subclause (1) of regulation 29 of these regulations.

(3) If any person authorised by or under these regulations to deal in narcotics has reasonable cause to believe that any signature purporting to be that of a practitioner and appearing on a prescription purporting to authorise the supply of a narcotic is not genuine, or that a prescription purporting to authorise the supply of a narcotic has been altered by an unauthorised person, he shall retain the prescription and forthwith notify the officer in charge of the nearest police station or the Medical Officer of Health.

33. Retention of prescriptions—(1) No person shall supply any narcotic pursuant to any written prescription except on condition that the prescription is retained by him.

(2) Every person so supplying any narcotic shall mark on the face of the prescription at the time of supply, above the signature of the prescriber, the name and address of the premises from which, and the date on which, the narcotic is supplied.

(3) Every person so supplying any narcotic shall retain the prescription for a period of three years from the date on which the narcotic is supplied. All such prescriptions shall be retained on the premises in orderly and consecutive manner, and shall at all times be available to any member of the Police or any Inspector, who may inspect them and make copies thereof.

34. Emergencies—(1) In cases of emergency, a pharmacist may, at the direction of a medical practitioner personally known to him, supply to any person a narcotic which is dispensed pursuant to a prescription communicated by that medical practitioner orally or by telephone.

(2) Every medical practitioner who communicates orally or by telephone to a pharmacist a prescription for the supply of a narcotic shall forthwith reduce the prescription to writing so as to comply with regulation 29 of these regulations, and shall within two business days deliver it

to the pharmacist whom he authorised to dispense it, with an indication written thereon to the effect that it is intended only in confirmation of a prescription already communicated orally or by telephone on a date to be stated in that indication; and thereupon the prescription, and the pharmacist in respect thereof, shall be subject to all the provisions of these regulations relating to prescriptions for the supply of narcotics and to the duties of persons in respect of such prescriptions.

35. Prohibition of prescriptions—(1) The Minister may at any time by notice in the *Gazette* prohibit a practitioner from issuing prescriptions for the supply of narcotics:

Provided that he shall not so prohibit a medical practitioner except on the recommendation of the Medical Council.

(2) If the Minister, pursuant to subclause (1) of this regulation, prohibits a practitioner from issuing prescriptions for the supply of narcotics, that practitioner shall not issue any such prescription, and no person shall supply a narcotic pursuant to a prescription signed by that practitioner, while the notice remains in force.

(3) The Minister may by a like notice revoke any notice given under subclause (1) of this regulation.

36. Special provisions for hospitals—(1) Where a narcotic is required for the treatment of a patient for the time being maintained in a hospital or other institution the medical superintendent or manager of which is authorised by or under these regulations to possess narcotics, the medical practitioner attending the patient may, instead of writing a prescription, enter on the patient's chart, or other clinical record appertaining to the patient, the particulars required by paragraphs (b), (g), and (j) of subclause (1) of regulation 29 of these regulations in the manner required and subject to the limitations imposed by paragraphs (a), (h), and (k) of that subclause, and such entry shall have the same effect as a prescription.

(2) In the case of a maternity hospital, the medical superintendent or manager of which is authorised as aforesaid, the medical superintendent, if any, may generally, and any medical practitioner attending a patient may in relation to any patient or patients attended by him, by an instruction in writing recorded in a book set aside for the purpose containing the same particulars and written in the like manner as are required in the case of an entry under subclause (1) of this regulation, authorise the administration, in the absence of complications requiring the presence of a medical practitioner, of a narcotic to a maternity patient between the commencement and the termination of labour.

(3) Every instruction given under subclause (2) of this regulation shall cease to have effect on the expiration of six months from the date on which it is given or renewed, as the case may require.

PART VI—REGISTERS, RECORDS, AND RETURNS

37. Pharmacists and dispensing practitioners—(1) This regulation shall apply to every person authorised by or under these regulations to deal in narcotics who is—

- (a) A pharmacist; or
- (b) A practitioner who dispenses his own medicines but does not deal in any narcotic except by retail sale and by the compounding and dispensing of prescriptions containing narcotics.

(2) Subject to these regulations, every person to whom this regulation applies shall keep—

- (a) A Narcotics Register consisting of a bound volume of consecutively numbered pages in form 1 in the Second Schedule to these regulations, in which each page shall have entries relating only to one form of one narcotic:
- (b) A Prescription Book described in subclause (3) of this regulation.

(3) The Prescription Book shall be a bound volume in which shall be entered a separate record of every prescription dispensed (including any repeated prescription) which contains any portion of a narcotic showing—

- (a) The surname, initials of the first names, and address of the person for whose use the narcotic is intended:
- (b) The surname, and the initials of the first names, and address of the person prescribing the narcotic:
- (c) The proportion and total amount of the narcotic so dispensed:
- (d) The date on which the narcotic was delivered to the person for whose use it was dispensed or to some other authorised person on his behalf.

(4) In the case of every shop or place of business in which the business of a pharmacist is carried on, the Narcotics Register and the Prescription Book kept under subclause (2) of this regulation shall be retained continuously, subject to regulation 42 of these regulations, on the premises as a permanent record of the business carried on there.

(5) Nothing in this regulation shall apply to narcotics in respect of which adequate records of acquisition and disposal are kept in accordance with the Poisons Act 1960 and the regulations thereunder.

38. Other dealers—(1) This regulation shall apply to every person, other than a person to whom regulation 16 or regulation 37 of these regulations applies, who is authorised by or under these regulations to deal in narcotics or is licensed to possess narcotics.

(2) Subject to these regulations, every person to whom this regulation applies shall keep in respect of any premises at which he is authorised by or under these regulations to deal in or possess narcotics a Narcotics Register in form 1 in the Second Schedule to these regulations in the manner required by paragraph (a) of subclause (2) of regulation 37 of these regulations.

39. Form of records—(1) Notwithstanding anything in subclauses (2) or (3) of regulation 37 or in subclause (2) of regulation 38 of these regulations, the Director-General may, either generally or specially, by notice in the *Gazette* or by notice in writing to the person to whom it applies, approve the use of such loose-leaf or other systems of recording as may be specified in the notice instead of the form of register or book prescribed by those subclauses.

(2) The Director-General may at any time withdraw any such approval by notice given in the same manner as the notice of approval.

40. Entries in Narcotics Register and Prescription Book—(1) Every person, who is required under this Part of these regulations to maintain a Narcotics Register or a Prescription Book, shall enter therein, legibly and indelibly, the particulars indicated in form 1 in the Second Schedule to these regulations or subclause (3) of regulation 37 of these regulations, as the case may require, in relation to all narcotics dealt in, possessed, or dispensed by him, and the appropriate entries relating to any matter shall be made therein not later than the ordinary business day next following the day on which that matter arose.

(2) No person shall make or cause or permit to be made in any Narcotics Register or Prescription Book any entry which is untrue in any particular, unless it is forthwith corrected as hereinafter provided, or obliterate, or cancel, or alter, or cause or permit to be obliterated, or cancelled, or altered, any entry made in any such register or book.

(3) Any mistake in an entry may be corrected by a marginal note or footnote giving the correct particulars and containing, as part of the note, the date on which the note is written.

41. Exemption of practitioners—(1) Notwithstanding anything in regulation 37 or regulation 38 of these regulations, neither of those regulations shall bind any practitioner until he is notified by the Director-General in writing that the appropriate regulation shall apply in his case.

(2) The Director-General may at any time withdraw any notification under subclause (1) of this regulation and thereupon the material regulation shall cease to bind that practitioner.

42. Retention of records—(1) Subject to the provisions of this Part of these regulations, every person who is required to maintain a Narcotics Register or a Prescription Book shall keep that register or book in a neat and orderly manner in some place of security at the premises at which he is for the time being authorised to deal in or possess narcotics, and shall so keep every such register and book for a period of three years following the date of the last entry made therein:

Provided that if he ceases to be so authorised he shall deliver every such register and book to, or deposit them at a place approved by, the Director-General for custody, or, after the expiration of the said period of three years, for destruction.

(2) Every person who is required to maintain a Narcotics Register or Prescription Book shall at all times permit any member of the Police or any Inspector to inspect that register or book and to make copies of any entries appearing therein.

43. Stocktaking—(1) Every person who is required to maintain a Narcotics Register under this Part of these regulations shall—

(a) As at the close of business on the 30th day of June and the 31st day of December in every year; and

(b) As at the date on which he transfers the stock in his possession at the place where he carries on his profession, calling, or business to any other person,—

record the actual stock of all narcotics in his possession at that date, and prepare a quantity stock account covering the period since the previous stocktaking, and enter in the stock account a proper explanation of any variation between the calculated balance and the actual stock.

(2) The stock record, quantity stock account, and explanation of variations shall be entered on the page of the Narcotics Register appropriate to the narcotic or form of narcotic to which the information refers, and shall be completed within 14 days after the date as at which stock is taken.

(3) Where any person transfers his stock to another person the record of stock shall, as far as is practicable, be verified by affixing thereto the initials of both such persons.

(4) An arrangement whereby a person, who is authorised by or under these regulations to deal in a narcotic, carries on a practice or business on behalf of another person so authorised, who is temporarily absent therefrom, shall not amount to a transfer of stock within the meaning of this regulation, but in any such case the first-mentioned person shall, for the purposes of these regulations, be deemed to be the servant of the last-mentioned person in respect of that practice or business during the currency of that arrangement.

44. Hospital records—(1) Every Medical Superintendent of an institution within the meaning of the Mental Health Act 1911 or the Hospitals Act 1957, and every manager or other person in charge of a private hospital or other institution, in which a pharmacist is employed, shall ensure that records are kept at that hospital or other institution in accordance with this regulation and regulations 45 and 46 of these regulations.

(2) Every such Medical Superintendent, manager, or other person in charge of a hospital or other institution, who is authorised by or under these regulations to deal in narcotics, and every pharmacist referred to in paragraph (b) of subclause (1) of regulation 15 of these regulations, shall keep, in respect of each store and dispensary of the hospital or other institution, a separate Main Narcotics Register in form 1 in the Second Schedule to these regulations, and, in respect of each ward of the hospital or other institution, a Ward Book in the like form.

45. Ward Books—Every person upon whom the duty of keeping a Ward Book is imposed by subclause (2) of regulation 44 of these regulations shall ensure that entries are made therein in accordance with the following requirements:

- (a) Entries recording disposal shall be made immediately following the administration of the narcotic:
- (b) Each Ward Book shall be kept and posted by the Ward Sister or person in charge of the ward, and the Medical Superintendent or manager, as the case may require, shall supervise the duties of that Sister or person in relation thereto:
- (c) The Ward Book shall at all times show entries of receipts corresponding to entries of disposals in the appropriate Main Narcotics Register, if any; the said entries shall be made, at the time of the issue and receipt of the narcotic, first in the Main Narcotics Register, if any, and immediately afterwards in the Ward Book; the entries in both cases shall be legibly initialled by both the person receiving and the person issuing the narcotic; and those persons shall be persons expressly authorised in that behalf by the Medical Superintendent or manager or other person in charge or pharmacist, as the case may require:

- (d) Once in every week the Ward Book shall be checked, and compared with any balance of the narcotics on hand, jointly by the person in charge of the ward and the Medical Superintendent, or the Matron as deputy for the Medical Superintendent, or the manager or other person in charge, as the case may be, and the Superintendent, or Matron, or manager, or other person shall signify, by initialling and entering the date, that the checking has been so done.

46. Application of other regulations to hospital records—Subclause (2) of regulation 38, and regulations 39, 40, 42, 43, and 47 of these regulations shall apply with any necessary modifications to the persons and records to whom or which regulations 44 and 45 of these regulations apply:

Provided that regulation 47 shall apply only in respect of narcotics disposed of from the store or dispensary of the hospital or other institution to a person outside that hospital or other institution.

47. Returns of wholesale transactions—(1) In this regulation “disposal by wholesale” means supply to any person who is authorised by or under these regulations to deal in narcotics or to import or export narcotics or is licensed under paragraph (a) of regulation 10, or is authorised by regulations 18, 19, or 20 of these regulations, to possess narcotics.

(2) Every person who is authorised by or under these regulations to supply narcotics shall, immediately upon the disposal by wholesale of any narcotic, and in addition to any entry required by these regulations to be made in a register, enter in two documents, each being in form 2 in the Second Schedule to these regulations, the particulars relating to that disposal indicated in that form, and shall, within seven days after the end of each month, forward one of those documents, verified by his signature or the signature of his servant, to the Medical Officer of Health in the manner set out in the note appended to the said form:

Provided that—

- (a) Where such disposal by wholesale is not a regular part of the business of that person, the information, instead of being recorded and furnished in the said form, may be recorded and furnished to the Medical Officer of Health in writing:
- (b) Where the narcotic is supplied with the intention that it shall be replaced within 15 days after the original transaction, it shall not be necessary for information of the transaction to be recorded in the said form, or furnished to the Medical Officer of Health, unless, on the expiration of the said period of 15 days, the said narcotic has not been replaced by or on behalf of the person to whom it was supplied.

PART VII—MISCELLANEOUS PROVISIONS

48. Communications through Medical Officer of Health—Every application, return, and other communication, required or intended to be made or delivered to the Director-General by any person under these regulations, shall be made through the Medical Officer of Health in charge of the health district in which are situated the premises to which the communication relates.

49. Application to Niue—(1) Subject to subclauses (2) and (3) of this regulation, these regulations shall extend to and be in force in Niue.

(2) In the application to Niue of the other provisions of these regulations, and of the provisions of any enactment applied by these regulations, unless the context otherwise requires,—

- (a) Every reference therein to New Zealand shall be read as a reference to Niue:
- (b) Every reference therein to the Minister of Health shall be read as a reference to the Minister of Health acting with the concurrence of the Minister of Island Territories:
- (c) Every reference therein to the Director-General of Health shall be read as a reference to the Resident Commissioner of Niue:
- (d) Every reference therein to the Medical Officer of Health shall be read as a reference to the Chief Medical Officer of Niue:
- (e) The term “medical practitioner” shall include any person qualified for appointment as a Medical Officer or to practise medicine or surgery in Niue under subsection (1) or subsection (2) of section 22 of the Cook Islands Amendment Act 1964:
- (f) The term “dentist” shall include any graduate in dentistry of the Medical School at Suva, Fiji, who is entitled to practise dentistry in Niue:
- (g) The term “pharmacist” shall include any person, other than a practitioner, who in the course of his duties dispenses medicines in a hospital in Niue:
- (h) Every reference therein to a constable or a member of the Police shall be read as a reference to an officer of police appointed under the provisions of Part III of the Cook Islands Amendment Act 1957.

(3) Regulation 15 of these regulations shall apply to every person who in the course of his duties dispenses medicines in a hospital in Niue as well as to the classes of persons mentioned in subclause (1) of that regulation.

(4) These regulations are hereby declared to be a reserved enactment for the purposes of section 38 of the Cook Islands Amendment Act 1964.

50. Penalty—Every person who commits an offence against these regulations shall be liable to a fine not exceeding £200, and, where the offence is a continuing one, to a further fine not exceeding £5 for every day or part of a day during which the offence has continued.

51. Other enactments not affected—Except as provided in regulations 49 and 52 of these regulations and except so far as these regulations limit or affect the provisions of the Act, nothing in these regulations shall limit or affect the provisions of any other enactment.

52. Revocations and savings—(1) The regulations specified in the Third Schedule to these regulations are hereby revoked.

(2) Notwithstanding the provisions of subclause (1) of this regulation and without limiting the provisions of the Acts Interpretation Act 1924—

SECOND SCHEDULE—*continued*

FORM 2

Reg. 47 (2)

RETURN OF NARCOTICS SUPPLIED BY WHOLESALE DEALER

For the month of19.....

Page No.

Date	To Whom Supplied	Profession or Business	Address	Name and Form of Each Narcotic Supplied	Quantity	Posting Tick	Remarks

NOTE—At the end of each calendar month the above return is to be forwarded to the Medical Officer of Health, with a covering letter as follows—

“To the Medical Officer of Health,

“The enclosed return, consisting of pages, being a correct account of our sales of narcotics for the month of is forwarded in accordance with regulation 47 (2) of the Narcotics Regulations 1966”.

“Signature”.

THIRD SCHEDULE

REGULATIONS REVOKED

Reg. 52 (1)

Title	Serial Number
The Dangerous Drugs Regulations 1951	1951/287
The Dangerous Drugs Regulations 1951, Amendment No. 1	1955/94
The Dangerous Drugs Regulations 1951, Amendment No. 2	1957/24
The Dangerous Drugs Regulations 1951, Amendment No. 3	1959/80
The Dangerous Drugs Regulations 1951, Amendment No. 4	1960/130
The Dangerous Drugs Regulations 1951, Amendment No. 5	1960/195

T. J. SHERRARD,
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 consolidate and amend the Dangerous Drugs Regulations 1951 consequent on the passing of the Narcotics Act 1965.

The changes made are principally of a drafting nature, but there are some new provisions.

The narcotics to which subsection (2) of section 12 of the Act applies, and in respect of which a power of search may be exercised in certain circumstances without warrant, are cannabis, heroin, and opium (regulation 3). The comparable previous provision in the Dangerous Drugs Act 1927 applied only in relation to opium on premises occupied by Chinese.

The absolute prohibition on the import and export of cannabis, desomorphine, heroin, and ketobemidone is replaced by a provision which allows the Minister to grant written approval in each particular case for such import or export (regulation 8 (2)).

Members of the Police, the Armed Forces, the Departments of Health, Customs, and Scientific and Industrial Research, and analysts under the Food and Drugs Act 1947 may possess narcotics for the purposes of and in connection with their official duties (regulation 17 (2)).

Narcotics sent by post must be sent by registered post (regulation 23 (3)).

Prescriptions for narcotics must be presented for dispensing within four days (regulation 31 (1)).

Hospital procedures are modified in line with current general practice.

An authorised person such as a practitioner or pharmacist who engages another equivalently authorised to relieve in his practice or business may elect to have the latter treated as his servant for the purpose of keeping records, and not as a separate authorised person (regulation 43 (4)).

The number of forms prescribed by the regulations is reduced.

Issued under the authority of the Regulations Act 1936.

Date of Notification in *Gazette*: 26 May 1966.

These regulations are administered in the Department of Health.