STATUTORY RULES OF NORTHERN IRELAND

2006 No. 214

DANGEROUS DRUGS

The Misuse of Drugs (Amendment) (No. 2) Regulations (Northern Ireland) 2006

Made - - - -	*11th May 2006*
Coming into operation	*1st June 2006*

The Department of Health, Social Services and Public Safety makes the following Regulations in exercise of the powers conferred by sections 7, 10, 22 and 31 of the Misuse of Drugs Act 1971(**1**), as adapted by section 38 of that Act and now vested in it(**2**).

In accordance with section 31(3) of that Act it has consulted with the Advisory Council on the Misuse of Drugs.

Citation and commencement

1.—(1) These Regulations may be cited as the Misuse of Drugs (Amendment) (No. 2) Regulations (Northern Ireland) 2006 and shall come into operation on 1st June 2006.

(2) In these Regulations, "the 2002 Regulations" means the Misuse of Drugs Regulations (Northern Ireland) 2002(**3**).

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(**4**) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of regulation 2 of the 2002 Regulations

3. In regulation 2 of the 2002 Regulations (interpretation), in paragraph (1)—

(a) omit the definition of "extended formulary nurse prescriber"(**5**);

(b) after the definition of "medicinal product" insert the following definition—

(**1**) 1971 c. 38. Section 22 of that Act was amended by Section 177(1) of, and paragraph 12 of Schedule 4 to, the Customs and Excise Management Act 1979 (c. 2)
(**2**) S.R. & O. (N.I.) 1973 No. 504; Article 5(a) and S.I.1999/283 (N.I.1); Article 3(6)
(**3**) S.R. 2002 No. 1; the relevant amending Regulations are S.R. 2003 No. 420 and S.R. 2005 No. 564
(**4**) 1954 c. 33 (N.I.)
(**5**) The definition of "extended formulary nurse prescriber" was inserted by regulation 3(2)(a) of S.R. 2003 No. 420 and substituted by regulation 4(1) of S.R. 2005 No. 564

""nurse independent prescriber" has the same meaning as in the Prescription Only Medicines (Human Use) Order 1997(**6**), and such a person may only prescribe controlled drugs in accordance with regulation 6B;" and

(c) in the definition of "prescription"(**7**) for "an extended formulary nurse prescriber" substitute "a nurse independent prescriber".

Amendment of regulation 6B of the 2002 Regulations

4. In regulation 6B(**8**) of the 2002 Regulations (Authority for Extended Formulary Nurse Prescribers to prescribe)—

(a) in the heading for the words "Extended Formulary Nurse Prescribers", substitute "Nurse Independent Prescribers" and

(b) for "An extended formulary nurse prescriber" substitute "A nurse independent prescriber".

(c) in sub-paragraph (a), omit "diazepam, lorazepam, midazolam,";

(d) in sub-paragagh (e), at the end insert ", and"; and

(e) after sub-paragraph (e) insert—

"(f) diazepam, lorazepam or midazolam for use in palliative care of treatment of tonic-clonic seizures".

Amendment of regulation 7 of the 2002 Regulations

5. In regulation (**9**) of the 2002 Regulations (Administration of drugs in Schedules 2, 3, 4 and 5)—

(a) in paragraph (4) for "an extended formulary nurse prescriber" substitute "a nurse independent prescriber"; and

(b) in paragraph (5)—

(i) for "an extended formulary nurse prescriber" substitute "a nurse independent prescriber", and

(ii) for "the extended formulary nurse prescriber" substitute "the nurse independent prescriber".

Amendment of regulation 8 of the 2002 Regulations

6. In regulation 8(7)(**10**) of the 2002 Regulations (Production and supply of drugs in Schedules 2 and 5), in paragraph (7) for "an extended formlary nurse prescriber" substitute "a nurse independent prescriber".

(**6**) S.I. 1997/1830, to which there are amendments not relevant to these Regulations. The definition of nurse independent prescriber was inserted into the 1997 Order by the Medicines for Human Use (Prescribing) (Miscellaneous Amendments) Order 2006 (S.I. 2006 No. 915) and came into force on 1st May 2006

(**7**) The definition of "prescription" was previously amended by regulation 3(2)(c) of S.R. 2003 No. 420, to include a reference to "extended formulary nurse prescriber". Other amendments were also made by regulation 3(2)(b) of S.R. 2005 No. 119

(**8**) Regulation 6B was inserted by regulation 6 of S.R 2005 No. 564

(**9**) Regulation 7 has been amended; paragraphs (4) and (5) were inserted by regulation 3(4) of S.R. 2003 No. 420 and substitued by regulation 7 of S.R. 2005 No. 564

(**10**) Regulation 8 has been amended; paragraph (7) was inserted by regulation 3(5) of S.R. 2003 No. 420 and substituted by regulation 8 of S.R. 2005 No. 564