STATUTORY RULES OF NORTHERN IRELAND

2005 No. 564

DANGEROUS DRUGS

The Misuse of Drugs and the Misuse of Drugs (Notification of and Supply to Addicts) (Amendment) Regulations (Northern Ireland) 2005

Made - - - -	*14th December 2005*
Coming into operation	*16th January 2006*

The Department of Health, Social Services and Public Safety makes the following Regulations in exercise of the powers conferred upon it 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. These Regulations may be cited as the Misuse of Drugs and the Misuse of Drugs (Notification of and Supply to Addicts) (Amendment) Regulations (Northern Ireland) 2005 and shall come into operation on 16th January 2006.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment of the Misuse of Drugs Regulations (Northern Ireland) 2002

3. The Misuse of Drugs Regulations (Northern Ireland) 2002(**4**) shall be amended in accordance with regulations 4 to 14.

(**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**) 1954 c. 33 (N.I.)
(**4**) S.R. 2002 No. 1; the relevant amending Regulations are S.R. 2003 Nos. 324 and 420

4.—(1) For the definition of "extended formulary nurse prescriber"(**5**) in regulation 2(2) (interpretation) substitute—

""extended formulary nurse 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;".

(2) For the definition of "register" in regulation 2(2) substitute—

""register" means either a bound book, which does not include any form of loose leaf register or card index, or a computerised system which is in accordance with best practice guidance endorsed by the Secretary of State under section 2 of the National Health Service Act 1977(**7**);".

5. In regulation 6A(1)(**8**) (supply of articles for administering or preparing controlled drugs) after sub-paragraph (e) insert—

"(f) ascorbic acid".

6. After regulation 6A there shall be inserted—

"**Authority for Extended Formulary Nurse Prescribers to prescribe**

6B. An extended formulary nurse prescriber may only prescribe—

(a) diamorphine, diazepam, lorazepam, midazolam, morphine or oxycodone for use in palliative care;

(b) buprenorphine or fentanyl for transdermal use in palliative care;

(c) diamorphine or morphine for pain relief in respect of suspected myocardial infarction or for relief of acute or severe pain after trauma including in either case post-operative pain relief;

(d) chlordiazepoxide hydrochloride or diazepam for treatment of initial or acute withdrawal symptoms caused by the withdrawal of alcohol from persons habituated to it;

(e) codeine phosphate, dihydrocodeine tartrate or co-phenotrope.".

7. For regulation 7(4) and (5)(**9**) (administration of drugs in Schedules 2, 3, 4 and 5) substitute—

"(4) Notwithstanding the provisions of paragraph (3), an extended formulary nurse prescriber may administer to a patient, without the directions of a doctor or dentist, any controlled drug which she may prescribe under regulation 6B provided it is administered for a purpose for which it may be prescribed under that regulation.

(5) Notwithstanding the provisions of paragraph (3), any person may administer to a patient in accordance with the specific directions of an extended formulary nurse prescriber any controlled drug which the extended formulary nurse prescriber may prescribe under regulation 6B provided it is administered for a purpose for which it may be prescribed under that regulation.".

8. For regulation 8(7)(**10**) (production and supply of drugs in Schedules 2 and 5) substitute—

"(7) Notwithstanding the provisions of section 4(1)(b) of the Act, an extended formulary nurse prescriber may, when acting in her capacity as such, supply or offer to supply—

(**5**) The definition of "extended formulary nurse prescriber" was inserted by regulation 3(2)(a) of the Misuse of Drugs (Amendment) (No. 3) Regulations 2003
(**6**) S.I. 1997/1830, to which there are amendments not relevant to these Regulations
(**7**) 1977 c. 49
(**8**) Regulation 6A was inserted by S.R. 2003 No. 324
(**9**) Regulation 7(4) and (5) was inserted by S.R. 2003 No. 420
(**10**) Regulation 8(7) was inserted by S.R. No. 420