FOURTH SCHEDULE.

Drugs and Preparations exempted from these Regulations.

Pasta Arsenicalis, B.P.C. 1934.
Pil. Ipecac. c. Scilla, B.P.C. 1934.
Pil. Digitalis et Opii Co., B.P.C. 1923.
Pil. Hydrarg. c. Cret. et Opii, B.P.C. 1934.
Pulv. Cretæ Aromat. c. Opio, B.P. 1932.
Pulv. Ipecac. et Opii, B.P. 1932.
Suppos. Plumbi c. Opio, B.P. 1932.
Tabellæ Plumbi c. Opio, B.P.C. 1934.
Elixir Diamorphinæ et Terpini c. Apomorphina, B.P.C. 1934.
Linctus Diamorphinæ Camphoratus, B.P.C. 1923 and 1934.
Linctus Diamorphinæ c. Ipecacuanha, B.P.C. 1934.
Linctus Diamorphinæ et Scillæ, B.P.C. 1923 and 1934.
Linctus Diamorphinæ et Thymi, B.P.C. 1923 and 1934.
Mixtures of Pulv. Ipecac. et Opii, B.P. 1932 with any of the following:—
Hydrarg. c. Cret., B.P., 1914 and 1932.
Acetylsalicylic Acid.
Phenacetin.
Quinine and its Salts.
Sodium Bi-carbonate.
Cocaine Eyedrops—a preparation consisting of an admixture of cocaine in castor oil with mercuric chloride in a proportion of not more than one part in 200 of cocaine and not less than one part in 3,000 of mercuric chloride.

FIFTH SCHEDULE.

Regulations repealed.

The Dangerous Drugs (Consolidation) Regulations, 1928 (a).
The Dangerous Drugs Regulations (Northern Ireland), 1929 (b).
The Dangerous Drugs (Consolidation) (No. 2) Amendment Regulations (Northern Ireland), 1931 (c).
The Dangerous Drugs Amendment Regulations (Northern Ireland), 1932 (d).
The Dangerous Drugs (Consolidation) Amendment Regulations (Northern Ireland), 1935 (e).

(a) S.R. & O. 1928 (No. 981).
(b) S.R. & O. (N.I.) 1929 (No. 21).
(c) S.R. & O. (N.I.) 1931 (No. 60).
(d) S.R. & O. (N.I.) 1932 (No. 120).
(e) S.R. & O. (N.I.) 1935 No. 13).

Raw Opium.

THE RAW OPIUM, ETC., REGULATIONS, DATED 16TH DAY OF MAY, 1938, MADE BY THE MINISTER OF HOME AFFAIRS IN PURSUANCE OF SECTION 3 OF THE DANGEROUS DRUGS ACT, 1920 (10 & 11 GEO. 5, C. 46), AND SECTION 1 OF THE DANGEROUS DRUGS ACT (NORTHERN IRELAND), 1925 (15 & 16 GEO. 5, C. 16), FOR CONTROLLING AND RESTRICTING THE POSSESSION, SALE AND DISTRIBUTION OF RAW OPIUM, COCA LEAVES, INDIAN HEMP AND RESINS OBTAINED FROM INDIAN HEMP AND ALL PREPARATIONS, OTHER THAN EXTRACT OR TINCTURE OF INDIAN HEMP, OF WHICH SUCH RESINS FORM THE BASE.

In pursuance of Section 3 of the Dangerous Drugs Act, 1920, as amended by Section 1 of the Dangerous Drugs Act, 1925, I hereby make the following Regulations :—

Supply, procuring and advertising of drugs.

1.—(1) A person shall not, unless he is duly authorised so to do or otherwise than in accordance with the terms and conditions of his authority, supply or procure, or offer to supply or procure, to or for any person (including himself), or advertise for sale, a drug.

(2) A person shall not in Northern Ireland supply or procure, or offer to supply or procure, a drug to or for any person in the United Kingdom or the Isle of Man unless that person is authorised to be in possession of the drug and the drug is to be supplied or procured in accordance with the terms and conditions of that person's authority.

For the purpose of this paragraph of this Regulation " authority " means in the case of a person in Great Britain or the Isle of Man any licence or authority issued or granted in that behalf by the Secretary of State or the Lieutenant-Governor of the Isle of Man, as the case may be, and the expression " authorised " shall be construed accordingly.

Possession of drugs.

2.—(1) A person shall not be in possession of a drug unless he is duly so authorised.

(2) For the purposes of these Regulations, a person shall be deemed to be in possession of a drug if it is in his actual custody or is held by any other person subject to his control or for him or on his behalf.

Restriction on delivery of drugs to messengers.

3.—(1) Where a drug is to be lawfully supplied to any person (hereinafter referred to as " the recipient "), the person supplying the drug (hereinafter referred to as " the supplier ") shall not deliver it to a person who purports to be sent by or on behalf of the recipient, unless that person either—

(*a*) is a person authorised under these Regulations to be in possession of that drug ; or

(*b*) produces to the supplier a statement in writing signed by the recipient to the effect that he is authorised by the recipient to receive the drug in question on behalf of the recipient and the supplier is reasonably satisfied that the document is a genuine document.

(2) A person to whom a drug is lawfully delivered in the circumstances mentioned in paragraph (1) (*b*) of this Regulation shall be deemed to be a person authorised to be in possession thereof,

but for such a period only as in the circumstances of the case is reasonably sufficient to enable the delivery to the recipient to be effected.

General authority for certain classes of persons to possess and supply drugs.

4.—Persons who are members of the following classes, that is to say—

(*a*) duly qualified medical practitioners :

(*b*) registered veterinary surgeons :

(*c*) pharmaceutical chemists, chemists and druggists and druggists who are licensed to keep open shop under the Pharmacy and Poisons Act (Northern Ireland), 1925 :

(*d*) pharmaceutical chemists who are employed or engaged in dispensing medicines at a public hospital or other public institution :

(*e*) persons who are in charge of a laboratory used for purposes of research or instruction and attached to a university, university college, public hospital or other institution approved for the purpose of this Regulation by the Minister of Home Affairs :

(*f*) persons duly appointed by a local authority as analysts of articles of food and drugs under The Sale of Food and Drugs Acts, 1875-1907 :

(*g*) persons acting as sampling officers under The Sale of Food and Drugs Acts, 1875-1907 :

(*h*) pharmacy inspector appointed under Section 8 of the Pharmacy and Poisons Act (Northern Ireland), 1925 :

are hereby authorised, so far as may be necessary for the practice or exercise of their respective professions, functions or employments, in their capacity as members of their respective classes to be in possession of and to supply drugs.

Withdrawal of authority.

5.—If any person, being an authorised person, is convicted of an offence against the principal Act or of an offence under the enactments relating to the Customs as supplied by the principal Act, the Minister of Home Affairs may, if he is of opinion that that person cannot properly be allowed to remain an authorised person, by notice in the Belfast Gazette; withdraw the authority of that person :

Provided that nothing in this Regulation shall be taken to prejudice any power otherwise vested in the Minister of Home Affairs of withdrawing any authority granted by him.

Keeping of records.

6.—Every person authorised to supply drugs shall comply with the following provisions—

(*a*) he shall, in accordance with the provisions of this Regulation, keep a register in the form set out in the Schedule to these Regulations and enter therein true

particulars with respect to every quantity of any drug obtained by him and with respect to every quantity of any drug supplied by him, whether to persons within or to persons outside Northern Ireland :

(*b*) a separate register or a separate part of the register shall be used with respect to each of the following drugs—

(i) raw opium,

(ii) coca leaves,

(iii) Indian hemp and resins obtained from Indian hemp and all preparations (other than extract and tincture of Indian hemp) of which such resins form the base :

(*c*) the required entry must be made on the day on which the drug is received or on which the transaction with respect to the supply by him of the drug takes place, or, if that is not reasonably practicable, on the day next following the said day :

(*d*) a separate register shall be kept in respect of each set of premises at which the authorised person carries on business and, subject to the approval of the Minister of Home Affairs, an authorised person may, if he thinks fit, keep a separate register for each department of the business carried on by him :

(*e*) no cancellation, obliteration or alteration shall be made of an entry in the register and any correction of an entry must be made by way of a marginal note or a footnote which must specify the date on which the correction is made :

(*f*) the authorised person shall, on demand by the Minister of Home Affairs or by any person empowered in that behalf by order in writing by the Minister of Home Affairs, furnish to the Minister of Home Affairs or that person, as the case may be, such particulars as the Minister of Home Affairs or that person may require with respect to the obtaining or supplying by the authorised person of any drug or with respect to any stocks of drugs in the possession of the authorised person :

(*g*) the register shall be kept in some part of the premises to which it relates and so as to be at all times available for inspection :

(*h*) every entry required to be made under this Regulation and every correction of such an entry must be made in ink or otherwise so as to be indelible.

Drugs consigned to places outside Great Britain not to be diverted to other destinations.

7.—(1) If any drugs authorised under the law of any country outside Northern Ireland to be exported therefrom to any destination outside Northern Ireland are brought into Northern Ireland, no person shall, without authority in that behalf from the Minister of Home Affairs, cause or procure those drugs to be diverted to any other destination.

(2) For the purposes of this Regulation the destination to which any drugs are authorised to be exported shall be taken to be the destination stated in the authority for the export thereof from the country of export.

Preservation of documents

8.—All registers, records, books and other documents which are kept, issued or made in pursuance of the requirements or for the purposes of these Regulations shall be preserved in the case of a register, book or other like record for a period of two years from the date on which the last entry is made therein, and in the case of any other document for a period of two years from the date on which it is issued or made.

Interpretation.

9.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

"Authority" means—

(*a*) any licence issued by the Minister of Home Affairs under Section 12 of the principal Act as adapted by the General Adaptation of Enactments (Northern Ireland) Order, 1921;

(*b*) any authority granted by the Minister of Home Affairs under that section; and

(*c*) any general authorisation conferred by these Regulations;

and the expression "authorised" shall be construed accordingly:

"Drug" means any drug, resin or preparation, other than extract or tincture of Indian hemp, to which Part I of the principal Act applies:

"Principal Act" means the Dangerous Drugs Act, 1920, and references in these Regulations to that Act shall be construed as references to that Act as amended by any subsequent enactment:

"Register" means a bound book and does not include any form of loose leaf register or card index.

(2) The Interpretation Act, 1889, as applied to Northern Ireland by the Interpretation Act, 1921, shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Citation, commencement, and repeal.

10.—(1) These Regulations may be cited as the Raw Opium, etc., Regulations, 1938.