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STATUTORY INSTRUMENTS

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**2012 No. 973**

**The Misuse of Drugs (Amendment No.2)  
(England, Wales and Scotland) Regulations 2012**

**Amendment of regulation 9**

**10.** In regulation 9 (production and supply of drugs in Schedules 3 and 4)—

(a) after paragraph (1)(c) insert—

“;

(d) a nurse independent prescriber acting in her capacity as such, or a supplementary prescriber acting under and in accordance with the terms of a clinical management plan, may compound any drug specified in Schedule 3 or 4 for the purposes of administration in accordance with regulation 7;

(e) any person acting in accordance with the written directions of a doctor, a dentist, a nurse independent prescriber, a pharmacist independent prescriber, or a supplementary prescriber acting under and in accordance with the terms of a clinical management plan, may compound any drug specified in Schedule 3 or 4 for the purposes of administration in accordance with regulation 7”.

(b) in paragraph (3) omit “which is contained in a medicinal product”;

(c) in paragraph (3)(ii) after “nurse independent prescriber” insert “or a pharmacist independent prescriber”;

(d) in paragraph (3)(iii) after “nurse independent prescriber” insert “or a pharmacist independent prescriber”;

(e) for paragraph (3A) substitute—

“(3A) The directions given by a nurse independent prescriber or a pharmacist independent prescriber referred to in paragraph (3)(d)(ii) and (iii) shall relate only to a controlled drug which such nurse independent prescriber or such pharmacist independent prescriber respectively may prescribe under regulation 6B and a purpose for which it may be prescribed under that regulation.”;

(f) in paragraph (5) omit “which is contained in a medicinal product”; and

(g) for paragraph (7) substitute—

“(7) Notwithstanding the provisions of section 4(1)(b) of the Act, a nurse independent prescriber may, when acting in her capacity as such, supply or offer to supply any controlled drug specified in Schedule 3 or 4 to any person who may lawfully have any of those drugs in his possession provided it is supplied or offered in circumstances where she may prescribe it under regulation 6B.”