

Explanatory Memorandum

The Misuse of Drugs (Amendment) Regulations (Northern Ireland) 2012

SR 2012 NO 168

Background and Purpose of this Statutory Rule

1. This Statutory Rule (SR) 2012 No 168 expands the prescribing of controlled drugs by nurse and pharmacist independent prescribers to enable them to prescribe all controlled drugs listed in Schedules 2-5 of the Misuse of Drugs Regulations (Northern Ireland) 2002, within their competence with the exception of cocaine, diamorphine and dipipanone, which are controlled drugs for the purpose of treating addiction.
 - 1.1 It will also implement changes to independent prescribing and correct anomalies relating to possession of controlled drugs by specific healthcare professionals under a Patient Group Direction (PGD).
 - 1.2 A PGD is a written instruction for the sale, supply and administration or administration of named medicines in an identified clinical situation. It applies to groups of patients who may not be individually identified before presenting for treatment. PGDs are drawn up locally by doctors, pharmacists and other health professionals signed by a doctor, dentist and pharmacist as appropriate and approved by an appropriate body.

Legislative content

2. This Statutory Rule makes amendments to the Misuse of Drugs Regulations (Northern Ireland) 2002 and has been made in exercise of the powers conferred by sections 7,10, 22 and 31 of the Misuse of Drugs Act 1971 as adapted by section 38 of that Act and now vested in it. The Statutory Rule is subject to negative resolution procedure.

Coming Into Operation Date

3. The date for this SR to come into operation is 10 May 2012. A similar change is being made in GB such that there will be harmonisation of the legislative controls applying across the UK. The GB Statutory Instrument will come into force on 23 April 2012.

Consultation

- 4 The Home Office consultation took place in 2007(sic) and was open to the general public but responses were mainly from the Healthcare sector. There were 200 responses which were generally supportive of the proposals.

Equality Impact

5. An equality screening exercise was carried out on this proposal and no equality issues were identified.

Financial Implications

6. These Regulations will not have any financial impact for Northern Ireland and funding is not required.

Section 24 of the Northern Ireland Act 1998

7. These Regulations are considered compliant with S24 of the Northern Ireland Act 1998

Territorial Extent and Application

8. This SR applies only to Northern Ireland.

This Statutory Rule has been laid in transcript and printed copies will be forwarded as soon as they are received.

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