

1959. No. 44

[NC]

## PHARMACY AND POISONS

## Methylated Ether

REGULATIONS DATED 19TH MARCH, 1959, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION NINE OF THE INTOXICATING LIQUOR AND LICENSING ACT (NORTHERN IRELAND), 1927.

The Ministry of Home Affairs (hereinafter referred to as "the Ministry") in exercise of the powers conferred on it by section nine of the Intoxicating Liquor and Licensing Act (Northern Ireland), 1927 (hereinafter referred to as "the Act of 1927")<sup>(a)</sup> hereby makes the following Regulations:—

*Citation and Commencement*

1. These Regulations may be cited as the Methylated Ether Regulations (Northern Ireland), 1959, and shall come into operation on the 1st day of April, 1959.

*Revocation*

2. The Methylated Spirits and Ether Regulations (Northern Ireland), 1928<sup>(b)</sup>, are hereby revoked.

*Interpretation*

3. In these Regulations the following expressions have the meaning hereby respectively assigned to them:

"ether" means methylated ether as defined by sub-section (6) of section 9 of the Act of 1927;

"health prescription" means a prescription given by a duly-qualified medical practitioner or registered dentist under and in accordance with the National Health Service Act, 1946<sup>(c)</sup>, the National Health Service (Scotland) Act, 1947<sup>(d)</sup>, the Health Services Act (Northern Ireland), 1948<sup>(e)</sup>, or the National Health Service (Isle of Man) Act, 1948 (an Act of Tynwald), or given by a duly-qualified medical practitioner or registered dentist upon a form issued by a local authority for use in connection with the health service of that authority.

*Wholesale Dealers*

4. Every wholesale dealer in ether shall keep, or cause to be kept, a record of all sales of ether and of all sales of preparations containing ether (save in the case of a medicine containing not more than five per centum of ether) in the form set forth in the First Schedule, omitting columns 3, 5, 6 and 7.

*General authority to sell ether*

5. Any person lawfully keeping open shop for the retailing of poisons in accordance with the provisions of the Pharmacy and Poisons Acts (Northern Ireland), 1925 to 1955, is hereby authorised:—

(a) To sell medicines containing not more than five per centum of ether.

(b) To sell any preparation containing ether, the formula of which has received the sanction of the Ministry.

(a) 17 & 18 Geo. 5. c. 21 (N.I.).

(b) S.R. & O. (N.I.) 1928, No. 17.

(c) 9 & 10 Geo. 6. c. 81.

(d) 10 & 11 Geo. 6. c. 27.

(e) 1948. c. 3.

- (c) To sell any preparation containing ether which is lawfully dispensed in pursuance of a prescription given by a duly-qualified medical practitioner, registered dentist or registered veterinary surgeon.

#### *Prescriptions*

6.—(1) Prescriptions containing ether shall not be supplied more than once on the same prescription.

(2) The prescription shall be marked with the date on which it is dispensed and (except in the case of a health prescription) shall be retained by the person, firm or body corporate by whom the prescription is dispensed, and shall be available for inspection for two years from the date thereof.

(3) Prescriptions containing ether shall not be supplied in pursuance of this paragraph unless the prescription complies with the following conditions:—

- (a) The prescription must be in writing, must be dated and signed by the medical practitioner, registered dentist or registered veterinary surgeon, as the case may be, with his usual signature and address (except in the case of a health prescription) and must specify the name and address of the person for whose use the prescription is given and the total amount of ether to be supplied on the prescription.
- (b) A prescription given by a registered dentist shall be marked "For local dental treatment only", and a prescription given by a registered veterinary surgeon shall be marked "For animal treatment only".

#### *Withdrawal of Authority*

7. The Minister of Home Affairs may at any time withdraw from any person (either in whole or in part) the authorisation given in the foregoing regulations.

#### *Hospitals*

8. Where, in pursuance of paragraph (b) of sub-section (2) of section nine of the Act of 1927, ether is supplied on the order of a medical practitioner or registered dentist for use in a hospital, infirmary, dispensary, or other similar institution, the retailer shall insert in column 2 of the First Schedule the name of the hospital, infirmary, dispensary or other similar institution, and in column 6 the signature to be obtained shall be that of the matron or other responsible official of the hospital, infirmary, dispensary or other similar institution to whom the ether is delivered.

#### *Sales for manufacturing or scientific purposes*

9. The Ministry may grant to any person lawfully keeping open shop for the retailing of poisons in accordance with the provisions of the Pharmacy and Poisons Acts (Northern Ireland), 1925 to 1955, a special authorisation entitling such person to sell ether to a person requiring it for manufacturing or scientific purposes and may attach to the said authorisation such conditions as may be deemed necessary.

#### *Records*

10.—(1) Every person lawfully keeping open shop for the retailing of poisons in accordance with the provisions of the Pharmacy and Poisons Acts (Northern Ireland), 1925 to 1955, who supplied ether shall comply with the following provisions:—

- (a) He shall enter or cause to be entered in a book to be kept for this purpose all supplies of ether and all supplies of preparations containing

ether (except supplies of medicines containing not more than five per centum of ether) purchased or otherwise obtained by him in the form and containing the particulars shown in the Second Schedule.

- (b) On every sale of ether and of a preparation containing ether (except medicines containing not more than five per centum of ether) he shall, before delivery, make or cause to be made an entry in the above-mentioned book in the form and containing the particulars shown in the First Schedule:

Provided that when ether or any preparation containing ether is supplied on the order or prescription of a medical practitioner, registered dentist or registered veterinary surgeon, and the purchaser is known to the seller, columns 3, 5, 6 and 7 of the First Schedule need not be completed.

(2) All entries in all books kept in pursuance of these Regulations shall be made in ink and all books, orders and records shall be available for inspection for a period of two years.

#### *Inspection*

11. The inspector appointed under section eight of the Pharmacy and Poisons Act (Northern Ireland), 1925, is hereby authorised to inspect all books, orders and records kept in pursuance of these regulations.

Sealed with the Official Seal of the Ministry of Home Affairs this 19th day of March, nineteen hundred and fifty-nine, in the presence of

(L.S.)

*J. B. O'Neill,*  
Assistant Secretary.

**FIRST SCHEDULE**

**SALES**

1	2	3	4	5	6	7
Date of Sale.	Name and Address of Purchaser.	Name, Address and Occupation of the person by whom the purchaser was introduced.	Quantity sold.	Purpose for which required.	Signature of Purchaser.	Signature of person by whom the purchaser was introduced.

**SECOND SCHEDULE**

**PURCHASES**

1	2	3	4
Date on which supply received.	Name of Person, Body or Firm from whom obtained.	Address of Person, Body or Firm from whom obtained.	Amount obtained.