



Misuse of Drugs Act 1971

1971 CHAPTER 38

Powers of Secretary of State for preventing misuse of controlled drugs

12 Directions prohibiting prescribing, supply etc. of controlled drugs by practitioners etc. convicted of certain offences.

- (1) Where a person who is a practitioner or pharmacist has after the coming into operation of this subsection been convicted—
- (a) of an offence under this Act or under the ^{M1}Dangerous Drugs Act 1965 or any enactment repealed by that act; or
 - (b) of an offence under section 45, 56 or 304 of the ^{M2}Customs and Excise Act 1952 [^{F1}or under section 50, 68 or 170 of the Customs and Excise Management Act 1979] in connection with a prohibition of or restriction on importation or exportation of a controlled drug having effect by virtue of section 3 of this Act or which had effect by virtue of any provision contained in or repealed by the ^{M3}Dangerous Drugs Act 1965,
- the Secretary of State may give a direction under subsection (2) below in respect of that person.
- (2) A direction under this subsection in respect of a person shall—
- (a) if that person is a practitioner, be a direction prohibiting him from having in his possession, prescribing administering, manufacturing, compounding and supplying and from authorising the administration and supply of such controlled drugs as may be specified in the direction;
 - (b) if that person is a pharmacist, be a direction prohibiting him from having in his possession, manufacturing, compounding and supplying and from supervising and controlling the manufacture, compounding and supply of such controlled drugs as may be specified in the direction.
- (3) The Secretary of State may at any time give a direction cancelling or suspending any direction given by him under subsection (2) above, or cancelling any direction of his under this subsection by which a direction so given is suspended.

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Misuse of Drugs Act 1971, Section 12. (See end of Document for details)

- (4) The Secretary of State shall cause a copy of any direction given by him under this section to be served on the person to whom it applies, and shall cause notice of any such direction to be published in the London, Edinburgh and Belfast Gazettes.
- (5) A direction under this section shall take effect when a copy of it is served on the person to whom it applies.
- (6) It is an offence to contravene a direction given under subsection (2) above.
- (7) In section 80 of the Medicines Act 1968 ^{M4} (under which a body corporate carrying on a retail pharmacy business may be disqualified for the purpose of Part IV of that Act and have its premises removed from the register kept under section 75 of that Act, where that body or any member of the board of that body or any officer or any employee of that body is convicted of an offence under any relevant Acts as defined in subsection (5)), for the words “and this Act” in subsection (5) there shall be substituted the words “this Act and the Misuse of Drugs Act 1971”.

Textual Amendments

- F1** Words inserted by [Customs and Excise Management Act 1979 \(c. 2, SIF 40:1\)](#), **Sch. 4 para. 8**

Modifications etc. (not altering text)

- C1** S. 12(1)(a) extended (E.W.) by [Criminal Attempts Act 1981 \(c. 47, SIF 39:1\)](#), s. 7(3) and (N.I.) by S.I. 1983/1120 (N.I. 13), **art. 6(3)(a)**
- C2** S. 12(6) saved by (E.W.) [Criminal Law Act 1977 \(c. 45\)](#), **Sch. 5 para. 1(2)(b)(v)** and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), **Sch. 7B para. 1(2)(b)(v)**
- C3** The text of ss. 12(7), 39(2) and Sch. 6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** 1965 c. 15.
M2 1952 c. 44.
M3 1965 c. 15.
M4 1968 c. 67

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