



# Misuse of Drugs Act 1971

## 1971 CHAPTER 38

### *Miscellaneous and supplementary provisions*

#### **37 Interpretation.**

- (1) In this Act, except in so far as the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

“the Advisory Council” means the Advisory Council on the Misuse of Drugs established under this Act;

[<sup>F1</sup>“cannabis” (except in the expression “cannabis resin”) means any plant of the genus *Cannabis* or any part of any such plant (by whatever name designated) except that it does not include cannabis resin or any of the following products after separation from the rest of the plant, namely—

- (a) mature stalk of any such plant,
- (b) fibre produced from mature stalk of any such plant, and
- (c) seed of any such plant;]

“cannabis resin” means the separated resin, whether crude or purified, obtained from any plant of the genus *Cannabis*;

“contravention” includes failure to comply, and “contravene” has a corresponding meaning;

“controlled drug” has the meaning assigned by section 2 of this Act;

“corresponding law” has the meaning assigned by section 36(1) of this Act;

“dentist” means a person registered in the dentists register under the [<sup>F2</sup>Dentists Act 1984 <sup>F3</sup>...;]

[<sup>F4</sup>“doctor” means a registered medical practitioner within the meaning of Schedule 1 to the Interpretation Act 1978;]

“enactment” includes an enactment of the Parliament of Northern Ireland;

“person lawfully conducting a retail pharmacy business”<sup>F5</sup>... means a person lawfully conducting such a business in accordance with section 69 of the <sup>M1</sup>Medicines Act 1968;

“pharmacist” has the same meaning as in the <sup>M2</sup>Medicines Act 1968;

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*Changes to legislation: There are currently no known outstanding effects for the Misuse of Drugs Act 1971, Section 37. (See end of Document for details)*

“practitioner” (except in the expression “veterinary practitioner”) means a doctor, dentist, veterinary practitioner or veterinary surgeon;

“prepared opium” means opium prepared for smoking and includes dross and any other residues remaining after opium has been smoked;

“prescribed” means prescribed by regulations made by the Secretary of State under this Act;

“produce”, where the reference is to producing a controlled drug, means producing it by manufacture, cultivation or any other method, and “production” has a corresponding meaning;

“supplying” including distributing;

“veterinary practitioner” means a person registered in the supplementary veterinary register kept under section 8 of the <sup>M3</sup>Veterinary Surgeons Act 1966;

“veterinary surgeon” means a person registered in the register of veterinary surgeons kept under section 2 of the <sup>M4</sup>Veterinary Surgeons Act 1966.

- (2) References in this Act to misusing a drug are references to misusing it by taking it; and the reference in the foregoing provision to the taking of a drug is a reference to the taking of it by a human being by way of any form of self-administration, whether or not involving assistance by another.
- (3) For the purposes of this Act the things which a person has in his possession shall be taken to include any thing subject to his control which is in the custody of another.
- (4) Except in so far as the context otherwise requires, any reference in this Act to an enactment shall be construed as a reference to that enactment as amended or extended by or under any other enactment.
- (5) <sup>F6</sup> ...

<sup>F7</sup> .....

#### Subordinate Legislation Made

- P1** S. 37: For other earlier exercises of power see Index to Government Orders
- P2** S. 31 (with ss. 30 and 37(1)) power exercised by [S.I. 1991/339](#)

#### Textual Amendments

- F1** Definition substituted by [Criminal Law Act 1977 \(c. 45\), s. 52](#)
- F2** Words substituted by virtue of [Dentists Act 1984 \(c. 24, SIF 83:1\), s. 54\(1\), Sch. 5 para. 3](#)
- F3** Words in [s. 37\(1\)](#) omitted (3.12.2007) by virtue of [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\), regs. 1\(2\), 152](#)
- F4** Definition substituted by [Medical Act 1983 \(c. 54, SIF 83:1\), ss. 54, 56\(1\), Sch. 5 para. 9](#)
- F5** Words in [s. 37\(1\)](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\), Sch. 1 Pt. 17 Group 7](#)
- F6** [S. 37\(5\)](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\), Sch. 1 Pt. 17 Group 7](#)
- F7** Words repealed by [S.I. 1976/1213 \(N.I. 22\), Sch. 6](#)

#### Modifications etc. (not altering text)

- C1** Reference to enactment of the Parliament of Northern Ireland to be construed as including reference to Measure of the Northern Ireland Assembly: [Northern Ireland Constitution Act 1973 \(c. 36\), Sch. 5 para. 1\(1\)](#)

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**Marginal Citations**

**M1** 1968 c. 67.

**M2** 1968 c. 67.

**M3** 1966 c. 36.

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