



# 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;

" cannabis " (except in the expression " cannabis resin ") means the flowering or fruiting tops of any plant of the genus *Cannabis* from which the resin has not been extracted, by whatever name they may be designated;

" 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 Dentists Act 1957;

" doctor " means a fully registered person within the meaning of the Medical Acts 1956 to 1969 ;

" enactment " includes an enactment of the Parliament of Northern Ireland;

" person lawfully conducting a retail pharmacy business ", subject to subsection (5) below, means a person lawfully conducting such a business in accordance with section 69 of the Medicines Act 1968 ;

" pharmacist " has the same meaning as in the Medicines Act 1968;

" 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;

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*Status: This is the original version (as it was originally enacted).*

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" 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 " includes distributing;

" veterinary practitioner " means a person registered in the supplementary veterinary register kept under section 8 of the Veterinary Surgeons Act 1966;

" veterinary surgeon " means a person registered in the register of veterinary surgeons kept under section 2 of the 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) So long as sections 8 to 10 of the Pharmacy and Poisons Act 1933 remain in force, this Act in its application to Great Britain shall have effect as if for the definition of " person lawfully conducting a retail pharmacy business " in subsection (1) above there were substituted—

“ person lawfully conducting a retail pharmacy business ' means an authorised seller of poisons within the meaning of the Pharmacy and Poisons Act 1933 ;”

and so long as sections 16 to 18 of the Medicines, Pharmacy and Poisons Act (Northern Ireland) 1945 remain in force, this Act in its application to Northern Ireland shall have effect as if for the definition of "person lawfully conducting a retail pharmacy business" in subsection (1) above there were substituted—

“ person lawfully conducting a retail pharmacy business ' means an authorised seller of poisons within the meaning of the Medicines, Pharmacy and Poisons Act (Northern Ireland) 1945 ;”