STATUTORY INSTRUMENTS

2001 No. 3998

The Misuse of Drugs Regulations 2001

Documents to be obtained by supplier of controlled drugs

14.—(1) Where a person (hereafter in this paragraph referred to as "the supplier"), not being a practitioner, supplies a controlled drug otherwise than on a prescription, the supplier shall not deliver the drug to a person who—

(a) purports to be sent by or on behalf of the person to whom it is supplied (hereafter in this paragraph referred to as "the recipient"); and

(b) is not authorised by any provision of these Regulations other than the provisions of regulation 6(6) and (7)(f) to have that drug in his possession,

unless that person produces to the supplier a statement in writing signed by the recipient to the effect that he is empowered by the recipient to receive that drug on behalf of the recipient, and the supplier is reasonably satisfied that the document is a genuine document.

(2) Where a person (hereafter in this paragraph referred to as "the supplier") supplies a controlled drug, otherwise than on a prescription or by way of administration, to any of the persons specified in paragraph (4), the supplier shall not deliver the drug—

(a) until he has obtained a requisition in writing which—

(i) is signed by the person to whom the drug is supplied (hereafter in this paragraph referred to as "the recipient");

(ii) states the name, address and profession or occupation of the recipient;

(iii) specifies the purpose for which the drug supplied is required and the total quantity to be supplied; and

(iv) where appropriate, satisfies the requirements of paragraph (5);

(b) unless he is reasonably satisfied that the signature is that of the person purporting to have signed the requisition and that that person is engaged in the profession or occupation specified in the requisition,

except that where the recipient is a practitioner and he represents that he urgently requires a controlled drug for the purpose of his profession, the supplier may, if he is reasonably satisfied that the recipient so requires the drug and is, by reason of some emergency, unable before delivery to furnish to the supplier a requisition in writing duly signed, deliver the drug to the recipient on an undertaking by the recipient to furnish such a requisition within the twenty-four hours next following.

(3) A person who has given such an undertaking as aforesaid shall deliver to the person by whom the controlled drug was supplied a signed requisition in accordance with the undertaking.

(4) The persons referred to in paragraph (2) are—

(a) a practitioner;

(b) the person in charge or acting person in charge of a hospital or nursing home;

(c) a person who is in charge of a laboratory;

(d) the owner of a ship, or the master of a ship which does not carry a doctor among the seamen employed in it;

(e) the master of a foreign ship in a port in Great Britain;

(f) the installation manager of an offshore installation.

(5) A requisition furnished for the purposes of paragraph (2) shall—

(a) where furnished by the person in charge or acting person in charge of a hospital or nursing home, be signed by a doctor or dentist employed or engaged in that hospital or nursing home;

(b) where furnished by the master of a foreign ship, contain a statement, signed by the proper officer of the port health authority, or, in Scotland, the medical officer designated under section 14 of the National Health Service (Scotland) Act 1978 by the Health Board, within whose jurisdiction the ship is, that the quantity of the drug to be supplied is the quantity necessary for the equipment of the ship.

(6) Where the person responsible for the dispensing and supply of medicines at any hospital or nursing home supplies a controlled drug to the sister or acting sister for the time being in charge of any ward, theatre or other department in that hospital or nursing home (hereafter in this paragraph referred to as "the recipient") he shall—

(a) obtain a requisition in writing, signed by the recipient, which specifies the total quantity of the drug to be supplied; and

(b) mark the requisition in such manner as to show that it has been complied with,

and any requisition obtained for the purposes of this paragraph shall be retained in the dispensary at which the drug was supplied and a copy of the requisition or a note of it shall be retained or kept by the recipient.

(7) Nothing in this regulation shall have effect in relation to—

(a) the drugs specified in Schedules 4 and 5 or poppy-straw;

(b) any drug specified in Schedule 3 contained in or comprising a preparation which—

(i) is required for use as a buffering agent in chemical analysis;

(ii) has present in it both a substance specified in paragraph 1 or 2 of that Schedule and a salt of that substance; and

(iii) is pre-mixed in a kit;

(c) any exempt product.