



STATUTORY INSTRUMENTS.

S.I. No. 99 of 2020



MISUSE OF DRUGS (AMENDMENT) REGULATIONS 2020

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I, SIMON HARRIS, Minister for Health, in exercise of the powers conferred on me by sections 4, 5 (as amended by section 3 of the Misuse of Drugs (Amendment) Act 2016 (No. 9 of 2016)), 18 and 38 of the Misuse of Drugs Act 1977 (No. 12 of 1977), and section 5 of the Misuse of Drugs Act 1984 (No. 18 of 1984), hereby make the following regulations:

1. (1) These Regulations may be cited as the Misuse of Drugs (Amendment) Regulations 2020.

(2) The Principal Regulations, the Misuse of Drugs (Amendment) Regulations 2017 (S.I. No. 532 of 2017), the Misuse of Drugs (Amendment) Regulations 2019 (S.I. No. 282 of 2019) and these Regulations may be cited together as the Misuse of Drugs Regulations 2017 to 2020.

2. In these Regulations “Principal Regulations” means the Misuse of Drugs Regulations 2017 (S.I. No. 173 of 2017).

3. Regulation 2(1) of the Principal Regulations is amended by inserting after the definition of “the Minister” the following definition:

“national electronic prescription transfer system” has the meaning assigned to it by the Medicinal Products (Prescription and Control of Supply) Regulations 2003 (S.I. No. 540 of 2003), as amended by the Medicinal Products (Prescription and Control of Supply) (Amendment) Regulations 2020 (S.I. No. 98 of 2020);”.

4. Regulation 15 of the Principal Regulations is amended—

(a) in paragraph (2)—

- (i) in subparagraph (a), by inserting “, or shall be transferred via the national electronic prescription transfer system” after “indelible”,
- (ii) in subparagraph (c), by inserting “, or, in the case of a prescription transferred via the national electronic prescription transfer system, clearly indicate the date of issuance and be traceable electronically back to the practitioner issuing it” after “dated by him or her”, and
- (iii) in subparagraph (g), by substituting “paragraphs (4) and (5)” for “paragraph (4)”, and

(b) by inserting after paragraph (4) the following paragraph:

“(5) In the case of a prescription transferred via the national electronic prescription transfer system, the information listed

paragraph (2)(g) is not required to be specified in the practitioner's handwriting.”.

5. Regulation 16 of the Principal Regulations is amended—

- (a) in paragraph (2), by substituting “paragraphs (4) and (7)” for “paragraph (4)”,
- (b) in paragraph (3), by substituting “Subject to paragraph (7), in the case” for “In the case”,
- (c) in paragraph (5), by substituting “Subject to paragraph (7), in the case” for “In the case”, and
- (d) by inserting after paragraph (6) the following paragraph:

“(7) In the case of a prescription transferred via the national electronic prescription transfer system, a person supplying a controlled drug on such prescription shall print a copy of the prescription and the requirements of paragraphs (2), (3)(c) and (d) and (5)(b), where applicable, shall apply in respect of that copy of the prescription as if it were the original prescription.”.



GIVEN under my Official Seal,
2 April, 2020.

SIMON HARRIS,
Minister for Health.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

The purpose of these Regulations is to amend the Misuse of Drugs Regulations 2017 to take account of the national electronic prescription transfer system established by the Medicinal Products (Prescription and Control of Supply) (Amendment) Regulations 2020 (S.I. No. 98 of 2020) in response to the Covid-19 emergency.

These Regulations may be cited as the Misuse of Drugs (Amendment) Regulations 2020.

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