



Misuse of Drugs Act 1971

1971 CHAPTER 38

Powers of Secretary of State for preventing misuse of controlled drugs

10 Power to make regulations for preventing misuse of controlled drugs.

- (1) Subject to the provisions of this Act, the Secretary of State may by regulations make such provision as appears to him necessary or expedient for preventing the misuse of controlled drugs.
- (2) Without prejudice to the generality of subsection (1) above, regulations under this section may in particular make provision—
 - (a) for requiring precautions to be taken for the safe custody of controlled drugs;
 - (b) for imposing requirements as to the documentation of transactions involving controlled drugs, and for requiring copies of documents relating to such transactions to be furnished to the prescribed authority;
 - (c) for requiring the keeping of records and the furnishing of information with respect to controlled drugs in such circumstances and in such manner as may be prescribed;
 - (d) for the inspection of any precautions taken or records kept in pursuance of regulations under this section;
 - (e) as to the packaging and labelling of controlled drugs;
 - (f) for regulating the transport of controlled drugs and the methods used for destroying or otherwise disposing of such drugs when no longer required;
 - (g) for regulating the issue of prescriptions containing controlled drugs and the supply of controlled drugs on prescriptions, and for requiring persons issuing or dispensing prescriptions containing such drugs to furnish to the prescribed authority such information relating to those prescriptions as may be prescribed;
 - (h) for requiring any doctor who attends a person who he considers, or has reasonable grounds to suspect, is addicted (within the meaning of the regulations) to controlled drugs of any description to furnish to the prescribed authority such particulars with respect to that person as may be prescribed;

Changes to legislation: There are currently no known outstanding effects for the Misuse of Drugs Act 1971, Section 10. (See end of Document for details)

- (i) for prohibiting any doctor from administering, supplying and authorising the administration and supply to persons so addicted, and from prescribing for such persons, such controlled drugs as may be prescribed, except under and in accordance with the terms of a licence issued by the [^{F1}appropriate authority] in pursuance of the regulations.

[^{F2}(2A) Regulations made in pursuance of subsection (2)(i) must secure that under any licence a doctor may—

- (a) administer, supply or prescribe a controlled drug, or
- (b) authorise the administration or supply of a controlled drug, only while at an address specified in the licence.

(2B) The appropriate authority for the purposes of subsection (2)(i) is—

- (a) where the specified address for the purposes of subsection (2A) is in Scotland, the Scottish Ministers;
- (b) otherwise, the Secretary of State.]

[^{F3}(3) In this section a reference to “controlled drugs” does not include a reference to temporary class drugs (see instead section 7A).]

Textual Amendments

- F1** Words in s. 10(2)(i) substituted (31.10.2012) by [Scotland Act 2012 \(c. 11\)](#), **ss. 19(2)(a)**, 44(5); S.I. 2012/2516, art. 2(d)
- F2** S. 10(2A)(2B) inserted (31.10.2012) by [Scotland Act 2012 \(c. 11\)](#), **ss. 19(2)(b)**, 44(5); S.I. 2012/2516, art. 2(d)
- F3** S. 10(3) inserted (15.11.2011) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 17 para. 10**; S.I. 2011/2515, art. 3(g)

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