L.N. 65 of 1986

MEDICAL AND KINDRED PROFESSIONS ORDINANCE

(CAP. 51)

Drugs (Control) (Amendment) Regulations, 1986

IN exercise of the powers conferred by section 35B of the Medical and Kindred Professions Ordinance, the Minister of Health on the advice of the Council of Health, has made the following regulations:—

Citation and commencement. L.N. 22 of 1985

1. (1) These regulations may be cited as the Drugs (Control) (Amendment) Regulations, 1986, and shall be read and construed as one with the Drugs (Control) Regulations, 1985, hereinafter referred to as "the principal regulations".

(2) These regulations shall come into force on the 1st February, 1987.

Addition of new regulation 8 to the principal regulations.

2. Immediately after regulation 8 of the principal regulations there shall be added the following new regulation:—

"Control Card.

8A. (1) Without prejudice to the provisions of regulation 7 of these regulations,

(a) no medical practitioner may prescribe any specified drug to any person unless such person is in possession of a Control Card, as per Ninth Schedule to these regulations, issued for the purpose by the Superintendent of Public Health;

(b) in prescribing any specified drug to any person, the prescriber shall enter in a clear, indelible and legible manner all the details set out in columns 1 to 4 of the Control Card, and shall then return the card to such person together with the prescription.

(2) The Superintendent shall issue such Control Card to the person concerned on receipt of a request, from a medical practitioner to this effect, made on the form as set out in the Tenth Schedule to these regulations.

(3) No Control Card shall be valid in excess of a period of one year from the date on which it is issued, unless it is renewed by the Superintendent following a request by a medical practitioner to this effect, on the form set out in the Tenth Schedule to these regulations.

(4) No apothecary shall dispense any specified drug to any person who is not in possession of a Control Card as set out in paragraph (1) of this regulation.

(5) On dispensing a specified drug, the apothecary shall, in addition to other duties laid down by these regulations or by any law, enter in a clear, indelible and legible manner all the details set out in columns 5 to 8 on the card, and shall then return the card to the person presenting the prescription.

(6) (i) Notwithstanding the provisions of this regulation, it shall be lawful for a medical practitioner to prescribe in urgent cases a drug to a patient who is not in possession of a Control Card provided that:—

(1) the prescription is labelled "URGENT";

(2) the amount prescribed does not exceed three days supply;

(3) it complies with other requirements of these regulations; and

(4) the prescriber notifies the Superintendent within 48 hours of issuing such prescription, giving full particulars of the patient, the name, form, dose and amount of drug prescribed, and the reason for the urgency.

(ii) It shall be lawful for an apothecary to dispense such a prescription complying with items (1), (2) and (3) of sub-paragraph (i) of this paragraph.

(7) The provisions of this regulation shall not apply to the prescription of specified drugs by a medical practitioner employed in a Government hospital, for administration to ward patients at that time under his care in such hospital, which prescription shall be controlled by hospital internal rules.

(8) Any request or notification in terms of this regulation may be made in person or sent by post in a sealed envelope addressed to the Superintendent of Public Health, Department of Health, Valletta, and marked "Public Health Notification — Confidential" for the purpose of exemption from postage.

(9) For the purpose of this regulation, the expression "medical practitioner" includes a dental surgeon and a dentist.".

Addition of ninth and tenth schedules to the principal regulations.

3. Immediately after the end of the Eighth Schedule to the principal regulations there shall be added the following:—

"NINTH SCHEDULE

(Regulation 8A)

DEPARTMENT OF HEALTH

CONTROL CARD FOR NARCOTIC/PSYCHOTROPIC DRUGS

Name and Surname of Patient .....
Identity Card No. (where available, or Passport No., in case of non-Maltese citizens who do not hold an Identity Card):

.....

Address .....

.....

Date of Issue of Card ..... Valid till .....

.....
Superintendent of Public Health

(Columns 1 — 4 to be filled by Prescriber)				(Columns 5 — 8 to be filled by Dispensing Apothecary)			
Date of Prescription	Name of Drug, Form and Dose	Amount Prescribed	Signature of Medical Practitioner	Amount Dispensed	Date of Dispensing	Signature of Apothecary	D.H. Licence No. of Dispensary

TENTH SCHEDULE

(Regulation 8A)

REQUEST FOR THE ISSUE/RENEWAL OF A CONTROL CARD FOR NARCOTIC AND PSYCHOTROPIC DRUGS

Superintendent of Public Health

I hereby request that Mr/Ms ..... aged ....

I.D. No. * ..... residing at .....

.....

(i) be issued with a Control Card for Narcotic/Psychotropic drugs (§)

(ii) have the Control Card for Narcotic/Psychotropic drugs renewed. (§)

(§) Delete whatever is inapplicable.

Signature of Medical Practitioner .....

Name and Address of Medical Practitioner .....

.....

.....

.....

Medical Council Reg. No. .....

Date .....

* In case of non-Maltese citizens not holding an I.D. Card, the Passport No. is to be inserted; in the case of a minor the particulars inserted are to be in relation to the I.D. Card or passport of the father, mother or guardian.".

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