



Misuse of Drugs Amendment Regulations 2016

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 20th day of June 2016

Present:

His Excellency the Governor-General in Council

These regulations are made under section 37 of the Misuse of Drugs Act 1975 on the advice and with the consent of the Executive Council.

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Regulations

1 Title

These regulations are the Misuse of Drugs Amendment Regulations 2016.

2 Commencement

These regulations come into force on 20 September 2016.

3 Principal regulations

These regulations amend the Misuse of Drugs Regulations 1977 (the **principal regulations**).

4 Regulation 2 amended (Interpretation)

- (1) In regulation 2(1), definition of **designated prescriber nurse**, replace “a nurse” with “a registered nurse”.
- (2) In regulation 2(1), revoke the definition of **nurse**.
- (3) In regulation 2(1), insert in its appropriate alphabetical order:

registered nurse means a health practitioner who—

- (a) is, or is deemed to be, registered with the Nursing Council of New Zealand continued by section 114(1)(a) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of nursing and whose scope of practice permits the performance of registered nurse functions; and
- (b) holds a current practising certificate.

5 Regulation 21 amended (Restrictions on application of section 8 of Act, etc)

- (1) Revoke regulation 21(4)(b).
- (2) In regulation 21(4)(c), replace “3” with “7”.

6 Schedule 1A replaced

Replace Schedule 1A with the Schedule 1A set out in the Schedule of these regulations.

7 Schedule 1B amended

In the Schedule 1B heading, replace “r 12C” with “r 12A(1)(b)”.

**Schedule
Schedule 1A replaced**

r 6

**Schedule 1A
Controlled drugs that designated prescriber nurses may prescribe in
certain circumstances**

r 12A(1)(a)

Alprazolam
Buprenorphine, transdermal only
Buprenorphine with naloxone, sublingual only
Clonazepam, for anxiety and panic disorder only
Codeine
Diazepam, oral only
Dihydrocodeine
Fentanyl, transdermal only
Lorazepam
Lormetazepam
Methadone, oral only
Morphine
Nitrazepam
Oxazepam
Temazepam
Triazolam
Zopiclone

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 20 September 2016, amend the Misuse of Drugs Regulations 1977.

The amendments—

- provide that only registered nurses may be designated prescriber nurses; and

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- insert a definition of registered nurse; and
 - increase from 3 days to 7 days the period of treatment for which a designated prescriber nurse may give a prescription for the supply of a controlled drug to a patient under his or her care, and remove the requirement that a prescription may be given only in emergency situations; and
 - replace Schedule 1A, which lists the controlled drugs that designated prescriber nurses may prescribe in certain circumstances; and
 - correct an error in the Schedule 1B heading.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 23 June 2016.

These regulations are administered by the Ministry of Health.