

Subsidiary Legislation made under s.25.

Gibraltar Health Authority (Transfer of Functions) (No.2) Regulations 1988

LN.1988/085

Commencement **1.2.1988**

ARRANGEMENT OF REGULATIONS

Regulation

1. Title and commencement.
2. Amendment of the Gibraltar Health Authority (Transfer of Functions) Regulations 1988.
3. Amendment of the Drugs (Misuse) Regulations.
4. Amendment of the Medical (Group Practice Scheme) Regulations.
5. Amendment of the Labour from Abroad (Accommodation) Rules.
6. Amendment of the Medicines (Prescription Only) Regulations, 1987.

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Title and commencement.

1.(1) These regulations may be cited as the Gibraltar Health Authority (Transfer of Functions) (No. 2) Regulations 1988.

(2) These regulations shall be deemed to have come into operation on the 1st day of February 1988.

Amendment of the Gibraltar Health Authority (Transfer of Functions) Regulations 1988.

2. Regulation 14 of the Gibraltar Health Authority (Transfer of Functions) Regulations 1988 is amended by inserting immediately after the word "NOTE" the expression "in Form I".

Amendment of the Drugs (Misuse) Regulations.

3. The Drugs (Misuse) Regulations are amended-

- (a) in regulations 9, 10, 12, 13 and 16 by deleting the word "Director" in each place where it appears and substituting in each such place the expression "Specialist in Community Medicine";
- (b) by deleting Schedule 5 and substituting the following additional schedule-

SCHEDULE 5.

Regulation 21.

FORM A.

DRUGS (MISUSE) ACT.

Licence No

File No.....

Applicant's

Refce No.....

LICENCE TO IMPORT CONTROLLED DRUGS.

In accordance with the provisions of the Drugs (Misuse) Act and of the powers delegated to him by the Governor, the Specialist in Community Medicine of the Gibraltar Health Authority (hereinafter called 'the Specialist') hereby grants to

(hereinafter called 'the licensee') a licence to import from the following controlled drugs, namely:

subject to the following conditions:

1. The licence does not authorise the licensee, to obtain, be in possession of or deal with, the controlled drugs named herein other than in accordance with the provisions of the Act.
2. The licence is available only for the controlled drugs of the exact quantity, kind and form specified above.
3. The licence does not relieve the importer from compliance with any regulations in force for the time being relating to the importation of goods into, or transshipment of goods in, Gibraltar or with any Post Office regulations for the time being in force in Gibraltar nor from any rules or regulations respecting the transmission of articles by post which may for the time being be in force, whether within Gibraltar or elsewhere.
4. The licence is valid only for the licensee and may be revoked at any time by the Specialist, to whom it shall in that event be immediately surrendered. It shall be produced for inspection when required by any duly authorised officer.
5. The licence, unless sooner revoked, shall continue in force for six calendar months from the date hereof. It shall be produced to the Specialist at the time of importation and when the last consignment of drugs is imported. If not used it shall be surrendered to the Specialist within seven days of its expiry.
6. The copy of the export licence, if any, which accompanies the drugs shall be forwarded to the Specialist immediately the importation of the drugs has been effected.

Date

Specialist in Community Medicine
Gibraltar Health Authority
St. Bernard's Hospital
Gibraltar

Note: If any alteration is desired in this licence it must be returned with request for amendment and a statement of the reason therefor. No unauthorised alteration is permissible.

FORM B.

DRUGS (MISUSE) ACT.

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Licence No
File No.....
Applicant's
Refce No

LICENCE TO EXPORT CONTROLLED DRUGS.

In accordance with the provisions of the Drugs (Misuse) Act and the powers delegated to him by the Governor, the Specialist in Community Medicine of the Gibraltar Health Authority (hereinafter called 'the Specialist') hereby authorises

(hereinafter called 'the licensee') a licence to export from: 'the port/airport of Gibraltar by Gibraltar by parcel post in

parcels from the General Post Office at Gibraltar
to

by virtue of Import Certificate No.: dated issued by
the following controlled drugs, namely:

subject to the following conditions-

1. The licence does not authorise the licensee to obtain, be in possession of or deal with the controlled drugs named herein other than in accordance with the provisions of the Act.
2. The licence is available only for controlled drugs of the exact quantity, kind and form specified above.
3. The licence does not relieve the licensee from compliance with any regulations in force for the time being relating to the exportation of goods from Gibraltar nor from any provision of the Post Office Act, or of any Post Office regulations for the time being in force, nor from any rules or regulations respecting the transmission of articles by post which may for the time being be in force, whether within Gibraltar or elsewhere.
4. If the drugs are authorised to be exported by ship the attached duplicate copy shall accompany the consignment to the place of destination and for this purpose the licensee shall cause it to be delivered to the master of the vessel by which the consignment is despatched. (See Note 2).
5. If the drugs are authorised to be exported by post the attached duplicate copy shall be placed inside the outer wrapper of the parcel containing the drugs. If the drugs are contained in more than one parcel, the duplicate copy shall be placed inside the outer wrapper of one of them; the parcels shall be consecutively numbered on the outer wrapper, and on each parcel there

shall be legibly stated the number of the parcel in which the duplicate copy is to be found. (See Note 3).

6. The licensee, if so required by the Specialist, shall produce to him within such time as he may allow, proof to his satisfaction that the drugs were at the destination named in this licence, and in the event of non-compliance with this condition the authorisation shall be deemed void and of no effect.

7. The licensee shall furnish to the Specialist such returns of the goods exported by him in pursuance of this licence as may from time to time be required.

8. The licence is valid only for the licensee and may be revoked at any time by the Specialist. It shall be produced for inspection when required by any duly authorised officer.

9. The licence, unless sooner revoked, shall continue in force for three calendar months from the date hereof. It must be produced at the time of export to

- *the customs officer at
- *the Director of Postal Services,

who will retain it. If not used it shall be surrendered to the Specialist within seven days of the date of its expiry.

Date

Specialist in Community Medicine
Gibraltar Health Authority
St. Bernard's Hospital
Gibraltar

**Strike out the words not applicable.*

Note: 1, If any alteration is desired in this licence it must be returned with a request for amendment and a statement of the reasons therefor. No unauthorised alteration is permissible.

2. In the case of drugs exported by ship, this document is required in pursuance of Article IS of the International Opium Convention 1925 and Article 31 of the Single Convention on Narcotic drugs 1961 to be produced to the competent authorities of any country through which the consignment passes, whether it is transhipped or not. Failure to comply with condition 4 of the licence may lead to delay or confiscation of the consignment.

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3. In the case of drugs exported by post, failure to comply with condition 5 of the licence may lead to delay or confiscation of the parcels in the country of destination.

ENDORSEMENT.

(by Government of Imparting Country).

Please return to:

THE SPECIALIST IN COMMUNITY MEDICINE
GIBRALTAR HEALTH AUTHORITY
ST, BERNARD'S HOSPITAL
GIBRALTAR.

Certified that the controlled drugs detailed in this licence have been duly imported.

Signed

Amendment of the Medical (Group Practice Scheme) Regulations.

4. The Medical (Group Practice Scheme)

- (a) in regulation 2, by inserting immediately before the definition of “entitled person” the following additional definition –

“ Authority” means the Gibraltar Health Authority; and

- (b) in Schedule 2, by deleting the expression “Minister for Medical and Health Services” and substituting the expression “Gibraltar Health Authority”.

Amendment of the Labour from Abroad (Accommodation) Rules.

5. The Labour from Abroad (Accommodation) Rules are amended

- (a) in regulation 10(1), by revoking the words “or his agent”;
- (b) in Form II in the schedule-
- (i) by deleting the words “Director of Medical and Health Services” and substituting the words “Chief Environmental Health Officer”; and
- (ii) by deleting the words “City Hall and substituting the expression “Environmental Health Department, Casemates”;

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- (c) in Form IV in the schedule, by deleting the words “Director of Medical and Health Services” and substituting the words “Chief Environmental Health Officer”;
- (d) in Form VI in the schedule, by deleting the expression “Director of Medical and Health Services, City Hall” and substituting the expression “Chief Environmental Health Officer, Environmental Health Department, Casemates”; and
- (e) in Form V in the schedule, by deleting the words “Director” and “Director of Medical and Health Services” in each place where they appear and substituting in each such place the words “Chief Environmental Health Officer”.

Amendment of the Medicines (Prescription Only) Regulations, 1987.

6. Regulation 5(2) of the Medicines (Prescription Only) Regulations 1987 is amended by deleting the words “Director of Medical and Health Services” and substituting the words “Specialist in Community Medicine”.