

Serial Number 1951/44

THE POISONS (LICENSING) REGULATIONS 1951

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 13th day of
March, 1951

Present :

THE RIGHT HON. S. G. HOLLAND PRESIDING IN COUNCIL

PURSUANT to the Poisons Act, 1934, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Poisons (Licensing) Regulations 1951.

(2) These regulations shall come into force on the 1st day of April, 1951.

2. In these regulations, unless the context otherwise requires,—

“The Act” means the Poisons Act, 1934 :

“Licence” means a storekeeper’s poison licence, a wholesaler’s poison licence, a wholesaler’s poison licence for a Rabbit Board, or a storekeeper’s extended poison licence.

APPLICATION FOR LICENCE OR RENEWAL OF LICENCE

3. Every application for a licence or for the renewal of a licence shall be made in writing signed by or on behalf of the applicant, and in such one of the forms numbered 1 to 6 in the First Schedule hereto as may be appropriate. Every application shall refer to only one place of business.

4. In the case of persons carrying on business in partnership, a single application may be made on behalf of both or all of the partners, and a joint licence may be issued to those persons accordingly.

5. (1) Every application for a licence or for the renewal of a licence shall, after payment of the prescribed fee in accordance with subclause (4) of regulation 6 hereof, be delivered or sent by the applicant to :—

(a) An Inspector of Health or an officer in charge of a police station ; or

(b) The Medical Officer of Health for the district.

(2) Where any such application is delivered or sent to an Inspector of Health or an officer of police as aforesaid, that Inspector or officer shall make thereon, in the prescribed manner, his recommendation with respect to the application, and shall forward the application to the Medical Officer of Health for the district.

FEES

6. (1) Subject to the provisions of subclause (2) of this regulation, the fees payable on any application for a licence shall be as follows :—

	£	s.	d.
For a storekeeper's poison licence	0	5	0
For a wholesaler's poison licence	0	10	0
For a wholesaler's poison licence for a Rabbit Board	0	10	0
For a storekeeper's extended poison licence ..	1	0	0

(2) If at any time during the currency of a storekeeper's extended poison licence, the holder of the licence dies, or the Registrar, or any officer to whom the powers of the Registrar are delegated under the Act, is satisfied that by reason of any termination or alteration of employment or dissolution of partnership the holder is no longer authorized to sell poisons at the place of business stated in the licence, the fee payable on any application for another storekeeper's extended poison licence in respect of the same place of business, and upon the surrender to the Registrar or to such officer as aforesaid of the first mentioned licence, shall be 10s.

(3) The fees payable on any application for a renewal of a licence shall be as follows :—

	s.	d.
For a storekeeper's poison licence	5	0
For a wholesaler's poison licence, or a wholesaler's poison licence for a Rabbit Board, or a storekeeper's extended poison licence	10	0

(4) All fees shall be paid to the Medical Officer of Health for the district.

FORM OF LICENCE

7. Every licence shall be in such one of the forms numbered 7 to 9 in the First Schedule hereto as may be appropriate.

STOREKEEPER'S EXTENDED POISON LICENCE

8. Every application for a storekeeper's extended poison licence or for a renewal thereof shall bear a certificate signed by a Justice of the Peace, or by some other responsible person approved by the Registrar or the officer to whom the Registrar's powers are delegated as aforesaid, to the effect of the certificate set out in the forms numbered 5 and 6 in the First Schedule hereto.

9. The poisons specified in the Second Schedule hereto shall be excluded from the operation of a storekeeper's extended poison licence, and accordingly a storekeeper's extended poison licence shall authorize the holder to sell only such poisons for the time being included in the First and Second Schedules to the Act as are not specified in the Second Schedule hereto.

10. The Poisons (Licensing) Regulations 1935*, and subclause (4) of regulation 1 and regulation 10 of the Poisons (General) Regulations 1937† are hereby revoked.

* *Gazette*, 28th March, 1935, Vol. I, page 804.

† Statutory Regulations 1937, Serial number 197/1937, page 739.

SCHEDULES

FIRST SCHEDULE

[Form No. 1

The Poisons Act, 1934

No.....

APPLICATION FOR A STOREKEEPER'S (or WHOLESALER'S) POISON LICENCE

1. Full name (or names) of applicant(s) :

NOTE.—(a) *The Act makes no provision for the issue of a licence to an incorporated body. In such a case application should be made by an employee acting in a managerial position.* (b) *In the case of a partnership, the name of every partner must be included in the application. Unless otherwise requested the Registrar will issue a single joint licence.*

2. Postal address of applicant(s) :

3. Firm name under which is carried on the business in respect of which the licence is sought :

4. General nature of the business :

5. Position of applicant [i.e., "owner" or "manager" of the business, as the case may be] :

6. Exact address of place of business in respect of which the licence is sought :

Application is hereby made for the issue of a *storekeeper's (or wholesaler's) poison licence to the above named applicant(s) in respect of the above described place of business, subject to the Poisons Act, 1934, and the regulations thereunder.

Dated this day of, 19..

Signature :

Received the prescribed fee of *5s. (or 10s.) [see note below].

Sub-receiver's official Receipt No. issued.

....., Sub-receiver.

Forwarded to the Medical Officer of Health, :—

* Recommended.

* Not recommended.

Date :

Inspector of Health, or
Police Officer.

NOTE.—The fee for a storekeeper's poison licence is 5s.; and for a wholesaler's poison licence 10s.

* Cross out whichever does not apply.

[Form No. 2

The Poisons Act, 1934

APPLICATION FOR RENEWAL OF STOREKEEPER'S (or WHOLESALER'S) POISON LICENCE

1. Full name (or names) of applicant(s) :

2. Number of current licence : *S..... (or W.....).

Application is hereby made for the renewal of the above numbered *storekeeper's (or wholesaler's) poison licence. The current licence is enclosed herewith.

Dated this day of, 19..

Signature :

Received the prescribed fee of *5s. (or 10s.) [see note below].

Sub-receiver's official Receipt No. issued.

....., Sub-receiver.

Forwarded to the Medical Officer of Health, :—

* Recommended.

* Not recommended.

Date :

Inspector of Health, or
Police Officer.

NOTE.—The fee for renewal of a storekeeper's poison licence is 5s.; and for a wholesaler's poison licence 10s.

* Cross out whichever does not apply.

FIRST SCHEDULE—*continued*

[Form No. 3

The Poisons Act, 1934, and the Rabbit Nuisance Amendment Act, 1935

APPLICATION BY RABBIT BOARD FOR WHOLESALER'S POISON LICENCE

1. Name of applicant: The Rabbit Board.
2. Postal address of Board:.....
3. Exact address of place in respect of which licence is sought:.....

Application is hereby made for the issue of a wholesaler's poison licence to the above named, the Rabbit Board, in respect of the above described place, subject to the Poisons Act, 1934, and the regulations thereunder, and to section 2 of the Rabbit Nuisance Amendment Act, 1935.

Dated this day of, 19..

Signature:.....

Received the prescribed fee of 10s.

Sub-receiver's official Receipt No. issued.

....., Sub-receiver.

Forwarded to the Medical Officer of Health,:—

* Recommended.

* Not recommended.

Date:.....

.....
Inspector of Health, or
Police Officer.

* Cross out whichever does not apply.

[Form No. 4

The Poisons Act, 1934, and the Rabbit Nuisance Amendment Act, 1935

APPLICATION BY RABBIT BOARD FOR RENEWAL OF WHOLESALER'S POISON LICENCE

1. Name of applicant: The Rabbit Board.
2. Number of current licence:.....

Application is hereby made for the renewal of the above numbered wholesaler's poison licence. The current licence is enclosed herewith.

Dated this day of, 19..

Signature:.....

Received the prescribed fee of 10s.

Sub-receiver's official Receipt No. issued.

....., Sub-receiver.

Forwarded to the Medical Officer of Health,:—

* Recommended.

* Not recommended.

Date:.....

.....
Inspector of Health, or
Police Officer.

* Cross out whichever does not apply.

FIRST SCHEDULE—*continued*

[Form No. 5

The Poisons Act, 1934

APPLICATION FOR A STOREKEEPER'S EXTENDED POISON LICENCE

1. Full name of applicant :
2. Postal address of applicant :
3. Firm name under which is carried on the business in respect of which licence is sought :
4. General nature of the business :
5. Position of applicant [*i.e.*, "owner" or "manager" of the business, as the case may be] :
6. Exact address of place of business in respect of which the licence is sought :

The said place of business is distant not less than five miles by the nearest practicable route from the open shop of the nearest chemist or from the open shop of any other holder of a storekeeper's extended poison licence.

*(a) The applicant is the holder of a *wholesaler's (or storekeeper's) poison licence No., in force until 31st March, 19..

*(b) The applicant is also applicant for a *wholesaler's (or storekeeper's) poison licence.

Application is hereby made for the issue of a storekeeper's extended poison licence to the above named applicant in respect of the above described place of business, subject to the Poisons Act, 1934, and the regulations thereunder.

Dated this day of, 19..

Signature :

This is to certify that the above named applicant [*Full name of applicant*] is personally well known to me and is a person of good character and sober habits, and I consider him a fit and proper person to be allowed to sell poisons.

Dated this day of, 19..

Signature :

Justice of the Peace (or
other responsible person
satisfactory to the
Registrar or his deputy).

Received the prescribed fee of £1.

Sub-receiver's official Receipt No. issued.

., Sub-receiver.

Forwarded to the Medical Officer of Health, :—

*Recommended.

*Not recommended.

Date :

.
Inspector of Health, or
Police Officer.

* Cross out whichever does not apply.

FIRST SCHEDULE—continued

[Form No. 6

The Poisons Act, 1934

APPLICATION FOR RENEWAL OF STOREKEEPER'S EXTENDED POISON LICENCE

1. Full name of applicant :.....
2. Number of current licence: SX

Application is hereby made for the renewal of the above numbered store-keeper's extended poison licence. The current licence is enclosed herewith.

Dated this day of, 19..

Signature :.....

This is to certify that the above named applicant [*Full name of applicant*] is personally well known to me and is a person of good character and sober habits, and I consider him a fit and proper person to be allowed to sell poisons.

Dated this day of, 19..

Signature :.....

Justice of the Peace (or other responsible person satisfactory to the Registrar or his deputy).

Received the prescribed fee of 10s.

Sub-receiver's official Receipt No. issued.
....., Sub-receiver.

Forwarded to the Medical Officer of Health, :-

- *Recommended.
- *Not recommended.

Date :.....

.....
Inspector of Health, or
Police Officer.

* Cross out whichever does not apply.

Licence No. S.....
(or) W.....

[Form No. 7

The Poisons Act, 1934

STOREKEEPER'S (or WHOLESALER'S) POISON LICENCE

PURSUANT to the above entitled Act, a storekeeper's (or wholesaler's) poison licence is hereby granted to, of, in the capacity of, in respect of the business known as, at the address

This licence or its renewal as endorsed hereon shall, unless sooner revoked, remain in force until the 31st day of March next succeeding the date of issue or renewal.

Dated this day of, 19..

.....
Registrar (or deputy).

Licence No. WR.....

[Form No. 8

The Poisons Act, 1934, and the Rabbit Nuisance Amendment Act, 1935

WHOLESALER'S POISON LICENCE FOR RABBIT BOARD

PURSUANT to the above entitled Acts, and subject to the provisions of those Acts, a wholesaler's poison licence is hereby granted to the Rabbit Board.

This licence or its renewal as endorsed hereon shall, unless sooner revoked, remain in force until the 31st day of March next succeeding the date of issue or renewal.

Dated this day of, 19..

.....
Registrar (or deputy).

FIRST SCHEDULE—*continued*

Licence No. SX.....

The Poisons Act, 1934

[Form No. 9

STOREKEEPER'S EXTENDED POISON LICENCE

PURSUANT to the above entitled Act, a storekeeper's extended poison licence is hereby granted to, of, in the capacity of, in respect of the business known as, at the address

This licence or its renewal as endorsed hereon shall, unless sooner revoked or ceasing to have effect under the provisions of section 10 of the above mentioned Act, remain in force until the 31st day of March next succeeding the date of issue or renewal.

Dated this day of, 19..

.....
Registrar (or deputy).

SECOND SCHEDULE

Poisons Excluded from the Operation of a Storekeeper's Extended Poison Licence

Group I—

- (a) Amidopyrine ;
- (b) Its salts.

Group II—

- (a) Barbituric acid ;
- (b) Its salts ;
- (c) Derivatives of barbituric acid ;
- (d) Their salts ;
- (e) Compounds with any other substance of barbituric acid or of its salts or of its derivatives or of their salts.

Group III—

- (a) Dinitrocresols ;
- (b) Dinitronaphthols ;
- (c) Dinitrophenols ;
- (d) Dinitrothymols.

Group IV—

- (a) Phenyleinchoninic acid ;
- (b) Its salts ;
- (c) Its esters ;
- (d) Salicyleinchoninic acid ;
- (e) Its salts ;
- (f) Its esters.

Group V—

- (a) Sulphonal ;
- (b) Alkyl sulphonals.

Group VI—Chlorodyne and similar substances containing more than 0·1 per cent of morphine and less than 0·2 per cent of morphine.

Group VII—

- (a) Para-aminobenzene sulphonamide ;
- (b) Its salts ;
- (c) Derivatives of para-aminobenzene sulphonamide having another radical or radicals substituted for one or both of the hydrogen atoms of—
 - (i) The para-amino group, or
 - (ii) The sulphonamide group, or
 - (iii) Both of these groups ;
- (d) The salts of such derivatives.

SECOND SCHEDULE—*continued*

Group VIII—

- (a) Ergot ;
- (b) Extracts of ergot ;
- (c) Tinctures of ergot ;
- (d) Alkaloids of ergot ;
- (e) Salts of alkaloids of ergot.

Group IX—Paraldehyde, except solutions containing not more than 1 per cent of paraldehyde.

Group X—

- (a) 6-morpholino-4-4-diphenyl-heptane-3-one ;
- (b) Its salts, including the hydrochloride known as "Heptalgin" and also as "C.B.II".

T. J. SHERRARD,
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 consolidate and amend the Poisons (Licensing) Regulations 1935. The changes made by these regulations are set out below.

1. Fees (except in the case of storekeepers' extended poison licences) are increased as follows :—

- (a) *Licences* : Storekeepers' licences, from 3s. 6d. to 5s. ; wholesalers' licences from 3s. 6d. to 10s. ;
- (b) *Renewals* : Storekeepers' licences, from 2s. 6d. to 5s. ; wholesalers' licences, from 2s. 6d. to 10s.

2. Fees are to be paid to the Medical Officer of Health for the district instead of to the Post Office.

3. The issue and renewal of licences may now be completed in district offices of the Health Department.

4. The list of poisons excluded from the operation of a storekeeper's extended poison licence has been completely revised (*Second Schedule*).

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 15th day of March, 1951.

These regulations are administered in the Department of Health.

(H.P. 51/2)