

# The Law

<p><b>Misuse of Drugs Act 1971 Amended in 2005</b></p>	<p>The Misuse of Drugs Act 1971 is the main piece of legislation covering drugs. The law places drugs into 3 different categories, known as Class A, B and C. Drugs regulated in this way are known as controlled substances, and Class A drugs are those considered being the most harmful.</p> <p>Under the Misuse of Drugs Act is an offence to:</p> <ul style="list-style-type: none"> <li>• Possess a controlled substance unlawfully</li> <li>• Possess a controlled substance with intent to supply it</li> <li>• To unlawfully supply a controlled drug</li> <li>• To knowingly allow premises you own, control or rent to be used for the purpose of drug taking</li> </ul>
<p><b>Medicines Control Act 1968</b></p>	<p>This act regulates drugs that are used for medicinal purposes, and again there are 3 main categories:</p> <ul style="list-style-type: none"> <li>• A pharmacist can sell 'Prescription Only Drugs' but only if they have been prescribed by a Doctor</li> <li>• The 'General' category allow the medicines to be sold in any shop</li> <li>• 'Pharmacy Medicines' can only be sold in pharmacies</li> </ul> <p>Possession of 'Prescription Only' medicines without a prescription is a serious offence.</p>
<p><b>Intoxicating Substances (supply) Act 1985</b></p>	<p>This act makes it an offence for a retailer to sell solvents to anyone under the age of 18, knowing that they are being purchased to be abused</p>
<p><b>Licensing Act 1964 Amended 2003</b></p>	<p>This is the main piece of legislation relating to the sale and supply of alcohol. It sets out the times alcohol may be served and to who it may be served to. The act makes it illegal to sell alcohol to anyone under the age of 18 (there are some exceptions).</p>
<p><b>Road Traffic Act 1988</b></p>	<p>This act states that any person who, when driving or attempting to drive a mechanically propelled vehicle on the road or other public place, is unfit to drive through drink or drugs (inc prescribed medicines) shall be guilty of an offence.</p> <p>An offence is also committed if a person is unfit through drink or drugs is in charge of a motor vehicle in the same circumstances.</p>
<p><b>Transport and Works Act 1992</b></p>	<p>It is a criminal offence to be under the influence of drugs or alcohol while working around Railways and other guided transport systems. The company will be liable unless they can prove 'due diligence' in trying to prevent an offence being committed.</p>

<p><b>Railways and Transport Safety Act 2003</b></p>	<p>This statute imposes a prescribed blood/alcohol limit for safety critical personnel in the transport sector, for example aircraft crew, air traffic controllers and maintenance engineers. It provides broad powers to test suspected offenders.</p>
<p><b>Health and Safety at Work Act 1974</b></p>	<p>Employers have a duty to ensure as far as reasonably practical, the health safety and welfare of their employees, and to maintain a safe working environment at all times even for staff that are under the influence of drink and drugs</p>
<p><b>Management of Health &amp; Safety at Work Regulations 1999</b></p>	<p>Employers have a duty to assess the risks to the health and safety of their employees. They could be prosecuted if they knowingly allow an employee under the influence of drug misuse to continue working when their behaviour places themselves or others at risk. Employees must also take reasonable care of themselves and others who could be affected by what they do at work</p>
<p><b>Data Protection Act 1998</b></p>	<p>All health and medical information is sensitive personal data under the terms of this statute. All information surrounding possible drug or alcohol misuse must be handled securely and confidentially and abuse of this information is a criminal offence</p>
<p><b>Corporate Manslaughter</b></p>	<p>Business managers who knowingly allow misuse of drugs and alcohol at work that leads to death could find themselves liable to prosecution for corporate manslaughter</p>