# Pharmaceutical Labelling (Warning of Cognitive Function Impairment) Bill

CONTENTS


1 Interpretation
2 Pharmaceuticals with psychoactive side effects
3 Warning symbols
4 Orders and regulations
5 Short title, commencement and extent

A

# B I L L

TO

Make provision for a warning symbol to be prominently displayed on the packaging of pharmaceuticals which act on the brain and central nervous system so as to impair dangerously the consumer's ability to carry out certain activities; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Interpretation**

In this Act—

"consumer" means a person who takes a psychoactive pharmaceutical whether in the recommended or prescribed dose or otherwise;

"over the counter" means available without prescription from a pharmacy or other retail outlet;

"packaging" means such of the external packaging as is clearly on view on purchase or receipt of the product;

"prescription only" means available only by a prescription from a registered medical practitioner;

"psychoactive pharmaceutical" means a pharmaceutical product which has a clinical effect on the brain and central nervous system, and it is immaterial whether the psychoactive pharmaceutical is available through prescription only or over the counter;

"specified psychoactive pharmaceutical" means a psychoactive pharmaceutical specified by the Secretary of State by order under section 2;

"warning symbol" means a prominent symbol the size, colour and design of which shall be prescribed by the Secretary of State by regulations.

**2 Pharmaceuticals with psychoactive side effects**

The Secretary of State shall by order specify such psychoactive pharmaceuticals as, in his opinion, can lead to impairment of the consumer's

ability to drive a motor vehicle or operate machinery such that the consumer is a danger to himself or others.

**3 Warning symbols**

(1) Specified psychoactive pharmaceuticals shall include on their packaging a warning symbol.

(2) The Secretary of State may by regulations prescribe—

(a) offences for or in connection with a failure to comply with the provisions of subsection (1),

(b) circumstances in which a person is, or is not, guilty of such offences, and

(c) penalties in respect of such offences.

**4 Orders and regulations**

(1) The power conferred by this Act on the Secretary of State to make an order or regulations shall be exercisable by statutory instrument.

(2) No order or regulations may be made under section 2 or 3(2) unless a draft of the instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

(3) Regulations made under section 1 shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) Every power conferred by this Act on the Secretary of State to make an order or regulations includes power—

(a) to make different provision for different cases (including different provision in respect of different areas);

(b) to make provision subject to such exemptions and exceptions as the Secretary of State thinks fit; and

(c) to make such incidental, supplemental, consequential and transitional provision as the Secretary of State thinks fit.

**5 Short title, commencement and extent**

(1) This Act may be cited as the Pharmaceutical Labelling (Warning of Cognitive Function Impairment) Act 2009.

(2) Sections 2 and 3 shall come into force on such date as the Secretary of State shall by order specify, but the date so specified shall be a date before the end of a period that ends twelve months after the day on which this Act receives Royal Assent.

(3) This Act extends to England and Wales only.

# Pharmaceutical Labelling (Warning of Cognitive Function Impairment) Bill

A

# B I L L

To make provision for a warning symbol to be prominently displayed on the packaging of pharmaceuticals which act on the brain and central nervous system so as to impair dangerously the consumer's ability to carry out certain activities; and for connected purposes.

*Presented by Mr Andrew Dismore*
*supported by*
*Mr Virendra Sharma, John Austin,*
*Clive Efford, Mike Gapes,*
*Ms Karen Buck, Siobhain McDonagh,*
*Judy Mallaber, Rob Marris*
*and Mr Chris Mullin.*

---

*Ordered, by* The House of Commons,
*to be Printed*, 26 *January* 2009.

---



PUBLISHED BY AUTHORITY OF THE HOUSE OF COMMONS
LONDON – THE STATIONERY OFFICE LIMITED
Printed in the United Kingdom by
The Stationery Office Limited
£x.xx



xxxbarxxx