

**Provisional Act No. 64 of 2 July 2004 relating to a trial scheme of premises for drug injection (Drug Injection Rooms Act)**

**Section 1.** The King may decide that as a trial scheme premises may be established for drug injection (Injection Rooms Scheme).

**Section 2.** A person who with legal access to the injection room

- a) injects drugs in an approved injection room, or
- b) is in possession of a user dose of drugs for his/her own use in an approved injection room or adjoining waiting room, interview room or treatment room, may not be punished for this under Section 31, cf. Section 24, fourth paragraph, of the Act relating to Medicines, etc.

Personnel employed in the Injection Rooms Scheme shall be permitted to give the users individual and specific advice in connection with drug injecting in the injection room.

**Section 3.** A municipality which establishes an approved Injection Rooms Scheme may keep a personal health data filing system and process personal health data as mentioned in Section 2(1) of the Act relating to Personal Health Data Filing Systems, insofar as this is necessary in order to comply with the rules given in or in pursuance of this Act.

**Section 4.** A decision on the right to use the drug injection premises is not an individual decision as laid down in the Public Administration Act.

If the police suspect illegal possession or use of drugs on the drug injection premises, the personnel must notwithstanding their duty of confidentiality according to Section 21 of the Health Personnel Act and Sections 13 to 13 e. of the Public Administration Act and on request give the police information as to whether an identified person is a registered user of the injection room or not.

The right to use the drug injection premises is not necessary medical aid as laid down in Section 2-1, first paragraph, of the Municipal Health Services Act and Section 2-1, second paragraph, of the Patients' Rights Act. A decision regarding the right to use the drug injections premises may not be appealed pursuant to Section 2-4 of the Municipal Health Services Act or Section 7-3 of the Patients' Rights Act.

**Section 5.** Section 4 of the Health Personnel Act is no impediment to healthcare personnel carrying out the tasks which, according to rules issued in or in pursuance of this Act, are assigned to the personnel employed in the Injection Rooms Scheme.

**Section 6.** The King may issue more detailed provisions regarding the implementation of the Injection Rooms Scheme and may decide *inter alia*:

- a) who the scheme shall apply to,
- b) arrangements for regulating access,
- c) the type and quantity of the drugs that shall be exempt from punishment,
- d) arrangements for control of the type and quantity of drugs a person may take into the drug injection rooms,
- e) what access the police shall have to the drug injection rooms,
- f) which requirements shall apply to staffing of the drug injection rooms,
- g) how personal health data in the personal health data filing system may be processed, including which information may be processed and the purpose of the processing,
- h) which requirements shall apply for approval of a municipality for the scheme,
- i) that the municipality shall be obliged to disclose information of significance for the evaluation of the scheme notwithstanding its duty of confidentiality pursuant to Section 13 to 13 e of the Public Administration Act and Section 21 of the Health Personnel Act, and
- j) that the rules in Sections 39 and 40 of the Health Personnel Act either wholly or partially shall not apply to personnel who give medical aid under the Injection Rooms Scheme.

**Section 7.** This Act shall enter into force at the time determined by the King and shall remain in force for three years. The same applies to the amendment in Section 1-3, fourth paragraph, new second and third sentences, in Act No. 66 of 19 November 1982 relating to the Municipal Health Services.