
 STATUTORY INSTRUMENTS

1976 No. 733 (S. 62)

NATIONAL HEALTH SERVICE, SCOTLAND

The National Health Service (General Medical and Pharmaceutical Services) (Scotland) Amendment Regulations 1976

Made - - - 13th May 1976
Laid before Parliament 17th May 1976
Coming into Operation 1st June 1976

In exercise of the powers conferred on me by section 40 of the National Health Service (Scotland) Act 1947(a) as amended by section 57(1) of, and Schedule 4 to, the National Health Service Reorganisation Act 1973(b) and of all other powers enabling me in that behalf, I hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Health Service (General Medical and Pharmaceutical Services) (Scotland) Amendment Regulations 1976 and shall come into operation on 1st June 1976.

(2) In these regulations, “the principal regulations” means the National Health Service (General Medical and Pharmaceutical Services) (Scotland) Regulations 1974(c) as amended by the National Health Service (General Medical and Pharmaceutical Services) (Scotland) Amendment Regulations 1975(d).

(3) The Interpretation Act 1889(e) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Amendment of the principal regulations

2. The principal regulations shall be amended by inserting in both Part I and Part II of Schedule 3, after paragraph 2(1) in each case, the following subparagraphs:—

“(1A) Where an order, not being an order to which the Poisons Rules 1972(f) or the Misuse of Drugs Regulations 1973(g) apply, issued by a doctor or a dentist on a prescription form for drugs or listed drugs does not prescribe the quantity, strength or dosage thereof, a chemist may supply such strength and dosage of drugs or listed drugs so ordered as in the exercise of his professional skill, knowledge and care he shall consider to be appropriate, and, subject to the provisions of subparagraph (1B), in such quantity as he so considers to be appropriate for a course of treatment of the patient to whom the order relates, for a period not exceeding five days.

(a) 1947 c. 27.

(c) S.I. 1974/506 (1974 I, p. 1869).

(e) 1889 c. 63.

(g) S.I. 1973/797 (1973 I, p. 2549).

(b) 1973 c. 32.

(d) S.I. 1975/696 (1975 I, p. 2527).

(f) S.I. 1972/1939 (1972 III, p. 5750).

(1B) Where an order to which sub-paragraph (1A) applies is for—

- (a) an oral contraceptive, or
- (b) a drug or listed drug which is available for supply as part of pharmaceutical services only together with one or more drugs or listed drugs, or
- (c) an antibiotic in a liquid form for oral administration in respect of which pharmaceutical considerations require supply in an unopened package,

which is not available for supply as part of pharmaceutical services except in such packages that the minimum available package contains a quantity appropriate to a course of treatment for a patient for a period more than five days, the chemist may supply for the patient to whom the order relates, such minimum available package.”.

Bruce Millan,
One of Her Majesty's Principal
Secretaries of State.

New St. Andrew's House,
Edinburgh.
13th May 1976.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the National Health Service (General Medical and Pharmaceutical Services) (Scotland) Regulations 1974 to enable a chemist to dispense drugs or listed drugs for up to a five-day course of treatment when a doctor or dentist has not set out the full prescription. In the exceptional cases listed in sub-paragraph (1B) of the new provision, where the normal minimum packaging is not appropriate to a five-day course of treatment, the chemist is however permitted to supply the normal minimum package available.

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