

## 1978 No. 989

## MEDICINES

**The Medicines (Sale or Supply) (Miscellaneous Provisions)  
Amendment Regulations 1978**

*Made - - - - 17th July 1978*

*Laid before Parliament 21st July 1978*

*Coming into Operation 11th August 1978*

The Secretary of State concerned with health in England, the Secretaries of State respectively concerned with health and with agriculture in Wales and in Scotland, the Minister of Agriculture, Fisheries and Food, the Department of Health and Social Services for Northern Ireland and the Department of Agriculture for Northern Ireland, acting jointly, in exercise of powers conferred by sections 61 and 66(1) of the Medicines Act 1968<sup>(a)</sup> and now vested in them <sup>(b)</sup> and of all other powers enabling them in that behalf, after consulting such organisations as appear to them to be representative of interests likely to be substantially affected by the following regulations, and after taking into account the advice of the Medicines Commission, hereby make the following regulations:—

*Citation, commencement and interpretation*

1. These regulations, which may be cited as the Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment Regulations 1978, shall be read as one with the Medicines (Sale or Supply) (Miscellaneous Provisions) Regulations 1977<sup>(c)</sup> (hereinafter referred to as “the principal regulations”) and shall come into operation on 11th August 1978.

*Amendment of regulation 5(2) of the principal regulations*

2.—(1) Regulation 5(2) of the principal regulations (which specifies persons to whom there may be sold certain prescription only medicines by way of wholesale dealing) is amended in accordance with the following paragraphs of this regulation.

(2) In sub-paragraph (b) for “Parts I and II” there is substituted “Part I or II”.

---

<sup>(a)</sup> 1968 c. 67.

<sup>(b)</sup> In the case of the Secretaries of State concerned with health in England and in Wales by virtue of Article 2(2) of, and Schedule 1 to, the Transfer of Functions (Wales) Order 1969 (S.I. 1969/388), in the case of the Secretary of State concerned with agriculture in Wales by virtue of Article 2(3) of, and Schedule 1 to, the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272) and in the case of the Northern Ireland Departments by virtue of section 40 of, and Schedule 5 to, the Northern Ireland Constitution Act 1973 (c. 36) and section 1(3) of, and paragraph 2(1)(b) of Schedule 1 to, the Northern Ireland Act 1974 (c. 28).

<sup>(c)</sup> S.I. 1977/2132.

(3) In sub-paragraph (c) there are deleted “Amethocaine”, “Butacaine sulphate” and “Phenacaine” and there is inserted after “Amethocaine hydrochloride” “Framycetin sulphate”.

(4) After sub-paragraph (d) there is added the following sub-paragraph:—  
“(e) to persons in relation to whom the restriction imposed by section 58(2)(b) of the Act (restriction on administration) does not apply by virtue of Article 11B of the Medicines (Prescription Only) Order 1977(a), as amended (b), prescription only medicines for parenteral administration that are for the purpose of being administered to human beings in the circumstances specified in paragraph (2) of that Article.”.

*Amendment of regulation 6 of the principal regulations*

3.—(1) Regulation 6 of the principal regulations (which relates to the keeping of pharmacy records) is amended in accordance with the following paragraphs of this regulation.

(2) In paragraph (1)(a) after “paragraphs 2,” there is inserted “2A,”.

(3) In paragraph (3)(d) for “Schedule 3” there is substituted “Schedule 4”.

*Amendment of Schedule 2 to the principal regulations*

4.—(1) Schedule 2 to the principal regulations (which specifies particulars to be contained in pharmacy records) is amended in accordance with the following paragraphs of this regulation.

(2) In paragraph 2 for “Where” there is substituted “Subject to paragraph 2A below, where”.

(3) After paragraph 2 there is inserted the following paragraph:—

“2A. Where the sale or supply is in pursuance of a repeat prescription and is other than the first sale or supply in pursuance of that prescription the particulars referred to in regulation 6(1)(a) of these regulations are—

- (a) (i) the date on which the prescription only medicine is sold or supplied, and
- (ii) a reference to an entry in the register referred to in regulation 6(1)(a) of these regulations which was made in respect of the first sale or supply in pursuance of that prescription and which contains the particulars specified in paragraph 2 of this schedule, or
- (b) the particulars specified in paragraph 2 of this schedule.”.

*David Ennals,*

Secretary of State for Social Services.

11th July 1978.

---

(a) S.I. 1977/2127.

(b) The relevant amending instrument is S.I. 1978/987.

*John Morris,*  
Secretary of State for Wales.

14th July 1978.

*Bruce Millan,*  
Secretary of State for Scotland.

17th July 1978.

In witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 14th July 1978.

(L.S.) *John Silkin,*  
Minister of Agriculture, Fisheries and Food.

Sealed with the official seal of the Department of Health and Social Services for Northern Ireland this 17th day of July 1978.

(L.S.) *N. Dugdale,*  
Permanent Secretary.

Sealed with the official seal of the Department of Agriculture for Northern Ireland this 17th day of July 1978.

(L.S.) *J. A. Young,*  
Permanent Secretary.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations amend the Medicines (Sale or Supply) (Miscellaneous Provisions) Regulations 1977. They modify the range of prescription only medicines that may be sold by way of wholesale dealing by certain persons to registered ophthalmic opticians and permit sale by way of wholesale dealing by those persons of certain prescription only medicines to persons who are allowed to administer them under the temporary exemption granted by Article 11B of the Medicines (Prescription Only) Order 1977, as amended. They also alter the requirements relating to pharmacy records contained in Schedule 2 to the 1977 regulations by permitting an abridged entry in relation to certain sales and supplies made in pursuance of a repeat prescription.

SI 1978/989  
ISBN 0-11-083989-7

