

STATUTORY INSTRUMENTS

1985 No. 1231

MEDICINES

The Medicines (Fees) Amendment Regulations 1985

<i>Made</i>	- - -	31st July 1985
<i>Laid before Parliament</i>		9th August 1985
<i>Coming into Operation</i>		1st September 1985

The Secretary of State concerned with health in England, the Secretaries of State respectively concerned with health and with agriculture in Scotland and in Wales, 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, with the consent of the Treasury, in exercise of powers conferred by section 1(1)(a) of the Medicines Act 1971(a) and now vested in them(b) 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 these regulations pursuant to section 129(6) of the Medicines Act 1968(c), hereby make the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the Medicines (Fees) Amendment Regulations 1985, amend the Medicines (Fees) Regulations 1978(d) (hereinafter referred to as “the principal regulations”) and shall come into operation on 1st September 1985.

Amendment of Part V of Schedule 1 to the principal regulations (calculation of turnover)

2.—(1) In paragraph 1 of Part V of Schedule 1 to the principal regulations for the words “shall mean” there shall be substituted the following words:—

“shall mean, subject to the provisions of paragraph 1A,”.

(a) 1971 c.69.

(b) 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).

(c) 1968 c.67; section 129(6) has effect by virtue of the Medicines Act 1971, section 1(3)(b).

(d) S.I. 1978/1121, to which there are amendments not relevant to these regulations.

(2) Immediately after paragraph 1 of Part V of Schedule 1 to the principal regulations there shall be inserted the following paragraph:—

“1A. Where an applicant sells or supplies medicinal products which he has neither manufactured nor obtained from the manufacturer, in relation to the calculation of turnover in any calendar year in accordance with the provisions of the succeeding paragraphs of this Part of this Schedule “manufacturers’ prices” shall mean the prices paid by, or on behalf of, the applicant for those medicinal products.”

(3) In paragraph 2 of Part V of Schedule 1 to the principal regulations after the word “sold” in both cases where that word appears there shall be inserted the following words:—

“or supplied.”

Signed by authority of the Secretary of State for Social Services.

18th July 1985. *John Patten,*
Parliamentary Under-Secretary of State,
Department of Health and Social Security.

18th July 1985. *Nicholas Edwards,*
Secretary of State for Wales.

31st July 1985. *George Younger,*
Secretary of State for Scotland.

In witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on the 23rd day of July 1985.

(L.S.) *Michael Jopling,*
Minister of Agriculture, Fisheries and Food.

Sealed with the official seal of the Department of Health and Social Services for Northern Ireland this 22nd day of July 1985.

(L.S.) *Z.I. Davies,*
Under-Secretary.

Sealed with the official seal of the Department of Agriculture for Northern Ireland this 25th day of July 1985.

(L.S.) *W. H. Jack,*
Permanent Secretary.

We consent.

23rd July 1985. *T. Garel-Jones,*
A. G. Hamilton,
Two of the Lords Commissioners of
Her Majesty’s Treasury.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Medicines (Fees) Regulations 1978 which provide for the fees payable in connection with licences granted and certificates issued under the Medicines Act 1968. Regulation 2 amends those Regulations so that where an applicant sells or supplies medicinal products in the United Kingdom which he has neither manufactured nor obtained from the manufacturer, for the purpose of calculating the applicant's turnover the "manufacturers' prices" of those products are determined on the basis of the prices which have been paid for them either by him or on his behalf.

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