

1988 No. 1073 (S.105)

NATIONAL HEALTH SERVICE, SCOTLAND

**The National Health Service (General Medical and
Pharmaceutical Services and Charges for Drugs)
(Scotland) Amendment Regulations 1988**

<i>Made</i> - - - -	<i>20th June 1988</i>
<i>Laid before Parliament</i>	<i>28th June 1988</i>
<i>Coming into force</i>	<i>1st August 1988</i>

The Secretary of State, in exercise of powers conferred on him by sections 19, 27, 69 and 108(1) of the National Health Service (Scotland) Act 1978(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the National Health Service (General Medical and Pharmaceutical Services and Charges for Drugs) (Scotland) Amendment Regulations 1988 and shall come into force on 1st August 1988.

Amendment of the National Health Service (General Medical and Pharmaceutical Services) (Scotland) Regulations 1974

2.—(1) The National Health Service (General Medical and Pharmaceutical Services) (Scotland) Regulations 1974(b) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 28 (pharmaceutical list)(c)—

(a) in paragraph (3) after the words “the application shall” there shall be inserted the words “,subject, in a case falling within sub-paragraph (a) of this paragraph, to the provisions of paragraph (6A),”; and

(b) after paragraph (6) there shall be inserted the following paragraph:—

“(6A) An application, in any case other than that specified in paragraph (3)(b), which is made by a person who qualified to have his name registered under the Pharmacy Act 1954(d) by virtue of section 4A of that Act (qualification by European diploma) shall not be granted unless the applicant satisfies the Board that he has the knowledge of English which, in the interests of himself and persons making use of the services to which the application relates, is necessary for the provision of pharmaceutical services in the Board’s area.”

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- (a) 1978 c.29; section 19 was amended by the Health Services Act 1980 (c.53) (“the 1980 Act”), section 7, by the Health and Social Services and Social Security Adjudications Act 1983 (c.41), Schedule 7, paragraph 2, and by the Medical Act 1983 (c.54), Schedule 5, paragraph 17(a); section 27 was amended by the 1980 Act, section 20(2), by the National Health Service (Amendment) Act 1986 (c.66), section 3(3) and by S.I. 1987/2202; section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made.
- (b) S.I. 1974/506; relevant amending instruments are S.I. 1985/296, 534, 804 and 1713, 1986/303, 925, 1507 and 2310, and 1987/385 and 1382.
- (c) Regulation 28 was substituted by S.I. 1987/385.
- (d) 1954 c.61; section 4A was inserted by S.I. 1987/2202.

(3) In Schedule 2A (drugs and other substances not to be supplied by general medical practitioners or prescribed for supply under pharmaceutical services)(a) the following entries shall be deleted:-

Congesteze Paediatric Syrup
Congesteze Syrup
Congesteze Tablets
Normacol Standard Granules
Normacol Standard Sugar Free Formula Granules
Q-Panol Tablets
ROC Total Sunblock Creams (light and deep tan)
Trufree Bread Mix
Trufree Pasta Mix
Trufree Plain Flour
Trufree Sweet Biscuit Mix

(4) In Schedule 2A each of the following entries shall be inserted at the appropriate point in the alphabetical order:-

10.10 Cleaning and Disinfecting Solution
10.10 Rinsing and Neutralising Solution
AMI – 10 Rinsing and Storage Solution
Amiclear Contact Lens Cleanser Tablets
Amidose Saline Solution 30ml
Amin-Aid
Barnes – Hind Cleaning and Soaking Solution
Barnes – Hind Intensive Cleaner
Barnes – Hind No 4 Cleaner
Barnes – Hind Wetting and Soaking Solution
Bausch and Lomb Cleaning Tablets
Bausch and Lomb Daily Lens Cleaner
Bausch and Lomb Saline Solution
BC 500 Vitamin Sachets Effervescent
Bergasol Ultra Protection Tanning Lotion
Biactol Anti-Bacterial Face Wash
Boots Baby Oil
Boots Soft Lens Comfort Solution
Boots Soft Lens Soaking Solution
Boston Lens Cleaning Solution
Boston Lens Wetting and Soaking Solution
Carnation Slender Meal Replacement (All flavours)
Clean and Soak
Coda-Med Tablets
Contactaclean Cleaning Solution
Contactasoak Disinfecting and Soaking Solution
Contactasol Wetting Solution
Elizabeth Arden Flawless Finish
Elizabeth Arden Sunblock Cream Factor 15
Ener-G Gluten-free and Soya-free Macaroon Cookies
Ener-G Gluten-free and Yeast-free Brown Rice Bread
Ener-G Gluten-free Rice Peanut-Butter Cookies
Ener-G Gluten-free Rice Walnut Cookies
Ener-G Low-Protein and Gluten-free Egg Replacer

(a) Schedule 2A was inserted by S.I. 1985/296; relevant amending instruments are S.I. 1985/534, 804 and 1713, 1986/303, 925, 1507 and 2310, and 1987/1382.

Falkamin
Flexcare Soft Lens Solution
Flexsol Solution
GF Brand Chocolate Nut Cookies
GF Brand Fruit Bran Biscuits
GF Brand Ginger Cookies
GF Brand Gluten-free Coconut Cookies
GF Brand Gluten-free Pastry Mix
GF Brand Muesli
GF Brand Muesli Fruit Biscuits
Healtheries Rice Crispbread
Hexidin Solution
Hydrocare Boiling/Rinsing Solution
Hydrocare Cleaning and Soaking Solution
Hydrocare Preserved Saline Solution
Hydrocare Protein Remover Tablets
Hydroclean Solution
Hydron Europe Cleaning Solution
Hydron Europe Comfort Soaking Solution
Hydron Europe Solusal
Hydron Europe Solution Comfort
Hydrosoak Disinfecting and Soaking Solution
Hydrosol Comfort Solution
Infa-Care Baby Bath
Johnson & Johnson Baby Oil
Johnson & Johnson Baby Powder
Junior Disprol Tablets
Junior Paraclear Tablets
Kelsoak 2 Solution
Kelvinol 2 Wetting Solution
Lactaid Lactase enzyme for milk drops
Lactaid Lactase enzyme tablets
Lactaid Lactose reduced skimmed and whole milk UHT
LC65 Cleaning Solution
Lensept Solution
Lensine 5 All In One Solution
Lensplus Sterile Saline Spray
Lensrins Solution
Liquifilm Wetting Solution
Listerine Antiseptic Mouthwash
Listermint Mouthwash
Marvel
Maxisorb
Mediclean Soft Lens Solution
Medisoak Soft Lens Solution
Milupa 7 Cereal Breakfast
Milupa Special Formula HN 25
Minoxidil Lotion
Mira Flow Soft Lens Solution
Mira Soak Soft Lens Soaking Solution
Mira Sol Soft Lens Solution
Panadol Junior Sachets
Paraclear Tablets

Paracodol Capsules
Paxalgesic Tablets
Phisoderm
Piz Buin Childrens Balm SPF 8
Piz Buin Creme factor 6
Piz Buin Creme factor 8
Pix Buin Lip Protection Stick SPF8
Piz Buin SPF 6 Lotion
Piz Buin SPF 8 Lotion
Pliigel Soft Lens Solution
Preflex Solution
Prenatol Anti Stretch Mark Cream
Regaine
Rite Diet Diabetic Fruit Cake
Rite Diet Gluten-free Baking Powder
Rite Diet Gluten-free Crunchy Bars
Rite Diet Gluten-free Muesli Cookies
RoC Compact Cleanser
RoC Foundation Cream
RoC Vitamin Cream
Ruthmol
Savlon Baby Care Cream
Savlon Baby Care Lotion
Savlon Baby Care Oil
Savlon Baby Care Powder
Savlon Baby Care Shampoo
Savlon Baby Care Soap
Selora Sodium-free Salt Substitute
Soaklens Solution
Softtab Soft Lens Care Tablets
Solpadeine Capsules
Solusol Solution
Soquette Soaking Solution
Steri-Clens Solution
Steri-Solve Soft Lens Solution
Titan Hard Cleanser
Total All Purpose Solution
Transclean Cleaning Solution
Transdrop
Transoak Solution
Transol Solution
Trufree Crisp Bran
Vaseline Intensive Care Lotion
Vaseline Intensive Care Lotion Herbal and Aloe.

Amendment of the National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 1980

3.—(1) The National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 1980(a) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 3 (supply of drugs and appliances by chemists), after paragraph (1) there shall be inserted the following paragraph:—

(a) S.I. 1980/1674; relevant amending instruments are S.I. 1983/1172 and 1988/365.

“(1A) For the purposes of this regulation, where a quantity of a drug ordered on one prescription form is ordered to be supplied by instalments during a period of not more than 14 days, only one charge shall be payable and it shall be payable upon the supply of the first instalment.”.

(3) In regulation 4 (supply of drugs and appliances by doctors), after paragraph (1) there shall be inserted the following paragraph:-

“(1A) For the purposes of this regulation, where a doctor supplies a quantity of a drug by instalments during a period of not more than 14 days, only one charge shall be payable and it shall be payable upon the supply of the first instalment.”.

St. Andrew's House, Edinburgh
20th June 1988

Michael B. Forsyth
Parliamentary Under Secretary of State,
Scottish Office

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 which regulate the terms on which doctors and chemists provide general medical services and pharmaceutical services under the National Health Service (Scotland) Act 1978.

Regulation 2(2) provides that (except in cases of minor relocation of premises) an application to a Health Board by a person qualified to have his name registered by virtue of section 4A of the Pharmacy Act 1954 (qualification by European diploma) for inclusion in a list of persons providing pharmaceutical services shall not be granted unless the applicant has the necessary knowledge of English.

Schedule 2A to the aforementioned Regulations lists drugs and other substances which cannot be supplied by doctors, or prescribed for supply under pharmaceutical services. Regulations 2(3) and (4) delete some drugs and substances from, and add others to, that list.

These Regulations also amend the National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 1980 by providing, that where a supply of a quantity of a drug is made to a patient by way of instalments over a period not exceeding 14 days, only one prescription charge will be payable and it will be payable on the supply of the first instalment.

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