
STATUTORY INSTRUMENTS

2000 No. 1918

MEDICINES

The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment (No. 2) Regulations 2000

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| <i>Made</i> | - - - - | <i>17th July 2000</i> |
| <i>Laid before Parliament</i> | | <i>19th July 2000</i> |
| <i>Coming into force</i> | - - | <i>9th August 2000</i> |

As respects England, Scotland and Wales, the Secretary of State concerned with health in England and the Minister of Agriculture, Fisheries and Food, and, as respects Northern Ireland, the Minister of Health, Social Services and Public Safety and the Minister of Agriculture and Rural Development, acting jointly, in exercise of the powers conferred on them by sections 61 and 129(1) and (5) of the Medicines Act 1968(1) or, as the case may be, the powers conferred by those provisions and now vested in them(2), 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 that Act, and after taking into account the advice of the Committee on Safety of Medicines and of the Medicines Commission pursuant to section 129(7) of that Act, hereby make the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment (No. 2) Regulations 2000 and shall come into force on 9th August 2000.

(2) In these Regulations, “the principal Regulations” means the Medicines (Sale or Supply) (Miscellaneous Provisions) Regulations 1980(3).

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- (1) 1968 c. 67; the expression “the Ministers” is defined in section 1(1) of that Act as amended by article 2(2) of, and Schedule 1 to, S.I. 1969/388, and by articles 2(1) and 5 of, and the Schedule to, S.I. 1999/3142.
- (2) In the case of the Secretary of State concerned with health in England, by virtue of article 2(2) of, and Schedule 1 to, S.I. 1969/388, and articles 2(1) and 5 of, and the Schedule to, S.I. 1999/3142; in the case of the Minister of Agriculture, Fisheries and Food, by virtue of articles 2(1) and 5 of, and the Schedule to, S.I. 1999/3142; and in the case of the Minister of Health, Social Services and Public Safety and the Minister of Agriculture and Rural Development, by virtue of section 95(5) of, and paragraph 10 of Schedule 12 to, the Northern Ireland Act 1998 (c. 47).
- (3) S.I. 1980/1923; the relevant amending instrument is S.I. 1992/2938.

Amendment of regulation 1(2)(a) of the principal Regulations

2. In sub-paragraph (a) of regulation 1(2) of the principal Regulations there is inserted, at the appropriate place in the alphabetical order of the entries in that sub-paragraph, the following entries—

““excepted person” means—

- (a) a doctor or dentist; or
- (b) a person lawfully conducting a retail pharmacy business within the meaning of section 69;

“Health Authority”—

- (a) in relation to England and Wales, has the same meaning as in the National Health Service Act 1977(4);
- (b) in relation to Scotland, means a Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978(5); and
- (c) in relation to Northern Ireland, means a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972(6);

“Primary Care Trust” has the same meaning as in the National Health Service Act 1977(7);

“Special Health Authority”—

- (a) in relation to England and Wales, has the same meaning as in the National Health Service Act 1977;
- (b) in relation to Scotland, means a Special Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978; and
- (c) in relation to Northern Ireland, means a Special Health and Social Services Agency established under the Health and Personal Social Services (Special Agencies) (Northern Ireland) Order 1990(8);”.

Amendment of Schedule 1 to the principal Regulations

3. Schedule 1 to the principal Regulations is amended by adding, at the end, the following entries—

“A Health Authority or Special Health Authority

A Primary Care Trust

A person other than an excepted person who carries on a business consisting (wholly or partly) of supplying medicinal products in circumstances corresponding to retail sale, or of administering such products, pursuant to an arrangement made with—

- (a) the Common Services Agency, as referred to in this Schedule;
- (b) a Health Authority or Special Health Authority;
- (c) a Health and Social Services trust or a National Health Service trust, as referred to in this Schedule; or
- (d) a Primary Care Trust”.

(4) 1977 c. 49; section 8, which deals with the establishment of Health Authorities, was inserted by section 1 of the Health Authorities Act 1995 (c. 17).

(5) 1978 c. 29.

(6) S.I. 1972/1265 (N.I. 14).

(7) Section 16A, which deals with the establishment of Primary Care Trusts, was inserted by section 2 of the Health Act 1999 (c. 8).

(8) S.I. 1990/247 (N.I. 3).

Signed by authority of the Secretary of State for Health

15th July 2000 *Hunt*
Parliamentary Under Secretary of State,
Department of Health

12th July 2000 *Hayman*
Minister of State, Ministry of Agriculture,
Fisheries and Food

17th July 2000 *Bairbre de Brún*
Minister of Health, Social Services and Public
Safety

17th July 2000 *Brid Rodgers*
Minister of Agriculture and Rural Development

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Schedule 1 to the Medicines (Sale or Supply) (Miscellaneous Provisions) Regulations 1980 by inserting a reference to additional classes of person to whom prescription only medicines and pharmacy medicines may be sold by way of wholesale dealing.