
STATUTORY INSTRUMENTS

1988 No. 2249

The Health and Medicines (Northern Ireland) Order 1988

HIV testing kits and services

12.—(1) The Department may provide by regulations, made subject to negative resolution, that a person—

- (a) who sells or supplies to another an HIV testing kit or any component part of such a kit;
- (b) who provides another with HIV testing services; or
- (c) who advertises such kits or component parts or such services,

shall be guilty of an offence.

(2) The power to make regulations conferred by this Article includes power to make such incidental or supplemental provision as the Department considers appropriate.

(3) If any person contravenes regulations under this Article he shall be liable—

- (a) on summary conviction to a fine not exceeding the statutory maximum; and
- (b) on conviction on indictment to a fine or to imprisonment for a term of not more than two years, or to both.

(4) In this Article—

“HIV” means Human Immunodeficiency Virus of any type;

“HIV testing kit” means a diagnostic kit the purpose of which is to detect the presence of HIV or HIV antibodies; and

“HIV testing services” means diagnostic services the purpose of which is to detect the presence of HIV or HIV antibodies in identifiable individuals.

Changes to legislation:

There are currently no known outstanding effects for the The Health and Medicines (Northern Ireland) Order 1988, Section 12.