
DRAFT STATUTORY INSTRUMENTS

2019 No.

**The Health Services (Cross-Border Health
Care and Miscellaneous Amendments)
(Northern Ireland) (EU Exit) Regulations 2019**

PART 3

Miscellaneous amendments

Health and Personal Social Services (General Medical Services Contracts) (Prescription of Drugs Etc) Regulations (Northern Ireland) 2004

19.—(1) The Health and Personal Social Services (General Medical Services Contracts) (Prescription of Drugs Etc) Regulations (Northern Ireland) 2004⁽¹⁾ are amended as follows.

(2) In Schedule 2 (drugs, medicines and other substances that may only be ordered in certain circumstances)—

(a) in the table relating to drugs for the treatment of erectile dysfunction, in column 2 of the table—

(i) in paragraph (b)—

(aa) for “is entitled to treatment” substitute “who immediately before exit day was entitled to treatment”;

(bb) for “enforceable Community right” substitute “enforceable EU right”;

(ii) in paragraph (c), for “who has an enforceable Community right” substitute “who immediately before exit day had an enforceable EU right”.

(b) After the definition of “EEA State” there were inserted—

““enforceable EU right” has the meaning given by section 2(1) of the European Communities Act 1972⁽²⁾ (as that Act had effect immediately before its repeal by section 1 of the European Union (Withdrawal) Act 2018).”.

⁽¹⁾ S.R. 2004 No. 142 as amended by S.R. 2014 No. 215

⁽²⁾ 1972 c. 68