



# Medicines Act 1968

## 1968 CHAPTER 67

### PART III

#### FURTHER PROVISIONS RELATING TO DEALINGS WITH MEDICINAL PRODUCTS

##### *Additional provisions*

#### **58 Medicinal products on prescription only.**

- (1) The [<sup>F1</sup>Ministers] may by order specify descriptions or classes of medicinal products [<sup>F2</sup>as prescription only medicines]

<sup>F3</sup>(1A) .....

[<sup>F4</sup>(1ZA) Paragraphs (a) and (g) of subsection (1A) do not apply to persons in so far as they are registered as members of the social work profession in England or social care workers in England (each of those expressions having the same meaning as in section 60 of the Health Act 1999).]

<sup>F5</sup>(1B) .....

<sup>F6</sup>(2) .....

<sup>F7</sup>(3) .....

- (4) Without prejudice to [<sup>F8</sup> regulation 223(1) of the 2012 Regulations] , any order made by the [<sup>F9</sup> Ministers ] for the purposes of this section may provide—

- (a) that [<sup>F10</sup> regulation 214(1) or (2) of the 2012 Regulations] shall have effect subject to such exemptions as may be specified in the order [<sup>F11</sup>[<sup>F12</sup> or, in the case of an appropriate practitioner, other than a doctor or dentist, ] such modifications as may be so specified ] ;
- (b) that, for the purpose of [<sup>F13</sup> regulation 214(1) of the 2012 Regulations] , a medicinal product shall not be taken to be sold or supplied in accordance with a prescription given by an appropriate practitioner unless such conditions as are prescribed by the order are fulfilled.

*Status: Point in time view as at 14/08/2012. This version of this provision has been superseded.*

*Changes to legislation: Medicines Act 1968, Section 58 is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- <sup>F14</sup>(4A) An order under this section may provide, in relation to <sup>F15</sup>an appropriate practitioner, other than a doctor or dentist], that such a person may—
- (a) give a prescription for a medicinal product falling within a description or class specified in the order;
  - (b) administer any such medicinal product; or
  - (c) give directions for the administration of any such medicinal product,
- only where he complies with such conditions as may be specified in the order in respect of the cases or circumstances in which he may do so.
- <sup>F14</sup>(4B) An order under this section may provide, in relation to a condition specified by virtue of subsection (4A), for the condition to have effect subject to such exemptions as may be specified in the order.
- <sup>F14</sup>(4C) Where a condition is specified by virtue of subsection (4A), any prescription or direction given by a person in contravention of the condition is not (subject to such exemptions or modifications as may be specified in the order by virtue of subsection (4)(a) of this section) given by an appropriate practitioner for the purposes of <sup>F16</sup>regulation 214(1) or (2) of the 2012 Regulations] . ]
- (5) Any exemption conferred <sup>F17</sup>or modification made] by an order in accordance with subsection (4)(a) of this section may be conferred <sup>F18</sup>or made] subject to such conditions or limitations as may be specified in the order.
- (6) Before making an order under this section the <sup>F19</sup>Ministers ] shall consult the appropriate committee <sup>F20</sup> ....
- <sup>F21</sup>(7) In subsection (6) “the appropriate committee” means whichever the Ministers consider appropriate of—
- (a) the Commission; or
  - (b) an expert committee appointed by the Ministers, or by one of them acting alone.]

#### Textual Amendments

- F1** Word in s. 58(1) substituted (1.10.2006) by [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), reg. 1, **Sch. 8 para. 29(a)** (with regs. 2(4), 3)
- F2** Words in s. 58(1) substituted (14.8.2012) by [The Human Medicines Regulations 2012 \(S.I. 2012/1916\)](#), reg. 1(2), **Sch. 34 para. 5(a)** (with Sch. 32)
- F3** S. 58(1A) repealed (14.8.2012) by virtue of [The Human Medicines Regulations 2012 \(S.I. 2012/1916\)](#), reg. 1(2), Sch. 34 para. 5(b), **Sch. 35** (with Sch. 32)
- F4** S. 58(1ZA) inserted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 220(1)**, 306(4); S.I. 2012/1319, art. 2(4)
- F5** S. 58(1B) omitted (1.10.2006) by virtue of [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), reg. 1, **Sch. 8 para. 29(c)** (with regs. 2(4), 3)
- F6** S. 58(2) repealed (14.8.2012) by virtue of [The Human Medicines Regulations 2012 \(S.I. 2012/1916\)](#), reg. 1(2), Sch. 34 para. 5(b), **Sch. 35** (with Sch. 32)
- F7** S. 58(3) repealed (14.8.2012) by virtue of [The Human Medicines Regulations 2012 \(S.I. 2012/1916\)](#), reg. 1(2), Sch. 34 para. 5(b), **Sch. 35** (with Sch. 32)
- F8** Words in s. 58(4) omitted (14.8.2012) by virtue of [The Human Medicines Regulations 2012 \(S.I. 2012/1916\)](#), reg. 1(2), **Sch. 34 para. 5(c)** (with Sch. 32)
- F9** Word in s. 58(4) substituted (1.10.2006) by [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), reg. 1, **Sch. 8 para. 29(e)** (with regs. 2(4), 3)

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- F10** Words in s. 58(4)(a) substituted (14.8.2012) by [The Human Medicines Regulations 2012 \(S.I. 2012/1916\)](#), [reg. 1\(2\)](#), [Sch. 34 para. 5\(d\)\(i\)](#) (with [Sch. 32](#))
- F11** Words in s. 58(4)(a) inserted (3.10.1994) by [Medicinal Products: Prescription by Nurses etc. Act 1992 \(c. 28\)](#), [s. 1\(2\)](#); [S.I. 1994/2408](#), [art. 2](#)
- F12** Words in s. 58(4)(a) substituted (14.8.2012) by [The Human Medicines Regulations 2012 \(S.I. 2012/1916\)](#), [reg. 1\(2\)](#), [Sch. 34 para. 5\(d\)\(ii\)](#) (with [Sch. 32](#))
- F13** Words in s. 58(4)(b) substituted (14.8.2012) by [The Human Medicines Regulations 2012 \(S.I. 2012/1916\)](#), [reg. 1\(2\)](#), [Sch. 34 para. 5\(e\)](#) (with [Sch. 32](#))
- F14** S. 58(4A)-(4C) inserted (6.3.2002 for certain purposes and 1.4.2002 otherwise) by [2001 c. 15, s. 63\(5\)](#); [S.I. 2002/1095](#), [art. 2\(1\)](#)
- F15** Words in s. 58(4A) substituted (14.8.2012) by [The Human Medicines Regulations 2012 \(S.I. 2012/1916\)](#), [reg. 1\(2\)](#), [Sch. 34 para. 5\(f\)](#) (with [Sch. 32](#))
- F16** Words in s. 58(4C) substituted (14.8.2012) by [The Human Medicines Regulations 2012 \(S.I. 2012/1916\)](#), [reg. 1\(2\)](#), [Sch. 34 para. 5\(g\)](#) (with [Sch. 32](#))
- F17** Words in s. 58(5) inserted (3.10.1994) by [Medicinal Products: Prescription by Nurses etc. Act 1992 \(c. 28\)](#), [s. 1\(3\)\(a\)](#); [S.I. 1994/2408](#), [art. 2](#)
- F18** Words in s. 58(5) inserted (3.10.1994) by [Medicinal Products: Prescription by Nurses etc. Act 1992 \(c. 28\)](#), [s. 1\(3\)\(b\)](#); [S.I. 1994/2408](#), [art. 2](#)
- F19** Word in s. 58(6) substituted (1.10.2006) by [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), [reg. 1](#), [Sch. 8 para. 29\(f\)](#) (with [regs. 2\(4\), 3](#))
- F20** Words in s. 58(6) omitted (30.10.2005) by virtue of [Medicines \(Advisory Bodies\) Regulations 2005 \(S.I. 2005/1094\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 10](#)
- F21** S. 58(7) inserted (14.8.2012) by [The Human Medicines Regulations 2012 \(S.I. 2012/1916\)](#), [reg. 1\(2\)](#), [Sch. 34 para. 5\(h\)](#) (with [Sch. 32](#))

#### **Modifications etc. (not altering text)**

- C1** Pt. III amendment to earlier affecting provision [SI 1994/3144 reg. 9 \(30.10.2005\)](#) by [Medicines \(Marketing Authorisations Etc.\) Amendment Regulations 2005 \(S.I. 2005/2759\)](#), [regs. 1\(a\), 2\(12\)](#)
- C2** Ss. 57, 58, 61 extended by [S.I. 1984/187, art. 2](#)  
S. 58 applied (31.3.1997) by [S.I. 1997/322, reg. 34, Sch. 5](#)
- C3** S. 58 applied (1.1.1995) by [S.I. 1994/3142, reg. 18\(2\)](#)  
S. 58 modified (1.1.1995) by [S.I. 1994/3144, reg. 9\(10\)](#)
- C4** Ss. 58 58A amendment to earlier affecting provision [SI 1994/3144 reg. 9 \(30.10.2005\)](#) by [Medicines \(Marketing Authorisations Etc.\) Amendment Regulations 2005 \(S.I. 2005/2759\)](#), [regs. 1\(a\), 2\(12\)](#)
- C5** S. 58(1) restricted (1.1.1995) by [S.I. 1994/3144, reg. 8\(4\)](#)
- C6** S. 58(6) modified (30.10.2005) by [Medicines \(Advisory Bodies\) \(No.2\) Regulations 2005 \(S.I. 2005/2754\)](#), [reg. 1\(2\)\(b\), Sch. 5 para. 1\(2\)](#)

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