



# Medicines Act 1968

## 1968 CHAPTER 67

### PART III

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

##### *Additional provisions*

#### **62 Prohibition of sale or supply, or importation, of medicinal products of specified description<sup>F1</sup> ....**

- (1) Subject to the following provisions of this section, the<sup>F2</sup> ... Ministers, where it appears to them to be necessary to do so in the interests of safety, may by order—
  - (a) prohibit the sale or supply, or the importation, of medicinal products of any description, or falling within any class, specified in the order, or (in such manner as may appear to them to be sufficient to identify the products in question) designate particular medicinal products and prohibit the sale or supply, or the importation, of those particular products;
  - <sup>F3</sup>(b) .....
- (2) A prohibition imposed by order under this section may be a total prohibition or may be imposed subject to such exceptions as may be specified in the order.
- (3) Before making an order under this section the [<sup>F4</sup> Ministers ], unless in their opinion it is essential to make the order with immediate effect to avoid serious danger to health<sup>F5</sup> ..., shall consult the appropriate committee<sup>F6</sup> ....
- (4) Where an order is made under this section without prior consultation with the appropriate committee<sup>F7</sup> ... in accordance with subsection (3) of this section, the prohibition imposed by the order shall not have effect after the end of such period, not exceeding three months from the date on which it comes into operation, as may be specified in the order, but without prejudice to the making of any further order in accordance with the provisions of this section (including this subsection).
- (5) If any organisation consulted in pursuance of section 129(6) of this Act with respect to a proposal to make an order under this section have given notice to the [<sup>F8</sup> Ministers] of

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their desire to be heard under this subsection, or have made representations in writing to <sup>F9</sup>the Ministers] with respect to that proposal, then before making the order—

- (a) if the organisation have given notice of their desire to be heard, the <sup>F8</sup>Ministers] shall arrange for them to have an opportunity of appearing before, and being heard by, the <sup>F10</sup>appropriate committee], or
- (b) if they have made representations in writing, the <sup>F8</sup>Ministers] shall refer those representations to the <sup>F10</sup>appropriate committee],

and, where the organisation have availed themselves of the opportunity of being heard, or after considering the representations, as the case may be, the Commission shall report their findings and conclusions to the <sup>F8</sup>Ministers] and <sup>F9</sup>the Ministers] shall take that report into account in determining whether to make the order.

- (6) Subsection (5) of this section shall not have effect where in the opinion of the <sup>F11</sup>... Ministers it is essential to make the order with immediate effect as mentioned in subsection (3) of this section.

<sup>F12</sup>(7) If an order is made under this section and either—

- (a) the appropriate committee have not considered the proposal to make the order, or
  - (b) the order is made contrary to the advice of the appropriate committee,
- the order shall include a statement of the fact that it has been so made.]

<sup>F13</sup>(8) In this section “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** Words in s. 62 heading omitted (1.10.2006) by virtue of [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), [reg. 1](#), [Sch. 8 para. 35\(a\)](#) (with regs. 2(4), 3 )
- F2** Word in s. 62(1) omitted (1.10.2006) by virtue of [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), [reg. 1](#), [Sch. 8 para. 35\(b\)\(i\)](#) (with regs. 2(4), 3)
- F3** S. 62(1)(b) omitted (1.10.2006) by virtue of [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), [reg. 1](#), [Sch. 8 para. 35\(b\)\(ii\)](#) (with regs. 2(4), 3)
- F4** Word in s. 62(3) substituted (1.10.2006) by [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), [reg. 1](#), [Sch. 8 para. 35\(c\)\(i\)](#) (with regs. 2(4), 3)
- F5** Words in s. 62(3) omitted (1.10.2006) by virtue of [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), [reg. 1](#), [Sch. 8 para. 35\(c\)\(ii\)](#) (with regs. 2(4), 3)
- F6** Words in s. 62(3) omitted (30.10.2005) by virtue of [Medicines \(Advisory Bodies\) Regulations 2005 \(S.I. 2005/1094\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 12\(2\)](#)
- F7** Words in s. 62(4) omitted (30.10.2005) by virtue of [Medicines \(Advisory Bodies\) Regulations 2005 \(S.I. 2005/1094\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 12\(3\)](#)
- F8** Word in s. 62(5) substituted (1.10.2006) by [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), [reg. 1](#), [Sch. 8 para. 35\(d\)\(i\)](#) (with regs. 2(4), 3)
- F9** Words in s. 62(5) substituted (1.10.2006) by [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), [reg. 1](#), [Sch. 8 para. 35\(d\)\(ii\)](#) (with regs. 2(4), 3)
- F10** Words in s. 62(5) substituted (30.10.2005) by [Medicines \(Advisory Bodies\) Regulations 2005 \(S.I. 2005/1094\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 12\(4\)](#)
- F11** Word in s. 62(6) omitted (1.10.2006) by virtue of [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), [reg. 1](#), [Sch. 8 para. 35\(e\)](#) (with regs. 2(4), 3)

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- F12** S. 62(7) substituted (30.10.2005) by Medicines (Advisory Bodies) Regulations 2005 (S.I. 2005/1094), reg. 1(1), **Sch. 1 para. 12(5)**
- F13** S. 62(8) added (14.8.2012) by The Human Medicines Regulations 2012 (S.I. 2012/1916), reg. 1(2), **Sch. 34 para. 7** (with Sch. 32)

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

- C1** S. 62 extended by S.I. 1984/187, **art. 2**
- C2** S. 62 extended with modifications by S.I. 1985/1403, **art. 3(1)**  
S. 62 applied (1.1.1995) by S.I. 1994/3142, **reg. 18(2)**
- C3** S. 62 (1)(a), (2)–(7) extended by S.I.s 1982/425, art. 3, 1984/187, art. 2 and extended with modifications by S.I. 1985/1403, **art. 3(1)**
- C4** S. 62(3) modified (30.10.2005) by Medicines (Advisory Bodies) (No.2) Regulations 2005 (S.I. 2005/2754), reg. 1(2)(b), **Sch. 5 para. 3(2)**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 69(1A)(1B) added (prosp.) by [1997 c. 19 s. 1Sch. para. 5\(b\)](#)
- s. 84B inserted by [S.I. 2016/372 art. 12](#)