

*Changes to legislation: There are currently no known outstanding effects for the Psychoactive Substances Act 2016, SCHEDULE 2. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 2

Section 11

#### EXEMPTED ACTIVITIES

##### *Healthcare-related activities*

- 1 Any activity carried on by a person who is a health care professional and is acting in the course of his or her profession.

In this paragraph “health care professional” has the same meaning as in the Human Medicines Regulations 2012 (S.I. 2012/1916) (see regulation 8 of those Regulations).

##### **Commencement Information**

**11** Sch. 2 para. 1 in force at 26.5.2016 by S.I. 2016/553, reg. 2

- 2 Any activity carried on for the purpose of, or in connection with—
- (a) the supply to, or the consumption by, any person of a substance prescribed for that person by a health care professional acting in the course of his or her profession, or
  - (b) the supply to, or the consumption by, any person of a substance in accordance with the directions of a health care professional acting in the course of his or her profession.

In this paragraph “health care professional” has the same meaning as in the Human Medicines Regulations 2012 (see regulation 8 of those Regulations).

##### **Commencement Information**

**12** Sch. 2 para. 2 in force at 26.5.2016 by S.I. 2016/553, reg. 2

- 3 Any activity carried on in respect of an active substance by a person who—
- (a) is registered in accordance with regulation 45N of the Human Medicines Regulations 2012, or
  - (b) is exempt from any requirement to be so registered by virtue of regulation 45M(2) or (3) of those Regulations.

In this paragraph “active substance” has the same meaning as in the Human Medicines Regulations 2012 (see regulation 8 of those Regulations).

##### **Commencement Information**

**13** Sch. 2 para. 3 in force at 26.5.2016 by S.I. 2016/553, reg. 2

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### *Research*

- 4 Any activity carried on in the course of, or in connection with, approved scientific research.

In this paragraph—

“approved scientific research” means scientific research carried out by a person who has approval from a relevant ethics review body to carry out that research;

“relevant ethics review body” means—

- (a) a research ethics committee recognised or established by the Health Research Authority under Chapter 2 of Part 3 of the Care Act 2014, or
- (b) a body appointed by any of the following for the purpose of assessing the ethics of research involving individuals—
  - (i) the Secretary of State, the Scottish Ministers, the Welsh Ministers, or a Northern Ireland department;
  - (ii) a relevant NHS body;
  - (iii) [<sup>F1</sup>United Kingdom Research and Innovation or] a body that is a Research Council for the purposes of the Science and Technology Act 1965;
  - (iv) an institution that is a research institution for the purposes of Chapter 4A of Part 7 of the Income Tax (Earnings and Pensions) Act 2003 (see section 457 of that Act);
  - (v) a charity which has as its charitable purpose (or one of its charitable purposes) the advancement of health or the saving of lives;

“charity” means—

- (a) a charity as defined by section 1(1) of the Charities Act 2011,
- (b) a body entered in the Scottish Charity Register, or
- (c) a charity as defined by section 1(1) of the Charities Act (Northern Ireland) 2008;

“relevant NHS body” means—

- (a) an NHS trust or NHS foundation trust in England,
- (b) an NHS trust or Local Health Board in Wales,
- (c) a Health Board or Special Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978,
- (d) the Common Services Agency for the Scottish Health Service, or
- (e) any of the health and social care bodies in Northern Ireland falling within paragraphs (a) to (d) of section 1(5) of the Health and Social Care (Reform) Act (Northern Ireland) 2009.

#### **Textual Amendments**

- F1** Words in [Sch. 2 para. 4](#) inserted (1.4.2018) by [Higher Education and Research Act 2017 \(c. 29\), s. 124\(5\)](#), [Sch. 12 para. 29](#); [S.I. 2018/241, reg. 2\(t\)](#)

#### **Commencement Information**

- I4** Sch. 2 para. 4 in force at 26.5.2016 by [S.I. 2016/553, reg. 2](#)

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