
STATUTORY INSTRUMENTS

1980 No. 1924

**The Medicines (Pharmacy and General
Sale— Exemption) Order 1980**

Citation, commencement and interpretation

1.—(1) This order may be cited as the Medicines (Pharmacy and General Sale—Exemption) Order 1980 and shall come into operation on 30th January 1981.

(2) In this order, unless the context otherwise requires,—

(a) “the Act” means the Medicines Act 1968;

“controlled drug” has the meaning assigned to it by section 2 of the Misuse of Drugs Act 1971;

“cosmetic” means any substance or preparation intended to be applied to the various surfaces of the human body including epidermis, pilary system and hair, nails, lips and external genital organs, or the teeth and buccal mucosa wholly or mainly for the purposes of perfuming them, cleaning them, protecting them, caring for them or keeping them in condition, modifying their appearance (whether for aesthetic purposes or otherwise) or combating body odours or normal body perspiration;

“enrolled nurse” means a person for the time being enrolled as a nurse—

(i) in relation to England and Wales, under the Nurses Act 1957,

(ii) in relation to Scotland, under the Nurses (Scotland) Act 1951, and

(iii) in relation to Northern Ireland, under section 17 of the Nurses and Midwives Act (Northern Ireland) 1970;

“external use” means—

(i) in relation to medicinal products for use by being administered to human beings, application to the skin, hair, teeth, mucosa of the mouth, throat, nose, ear, eye, vagina or anal canal,

(ii) in relation to veterinary drugs, application to the skin, hair, fur, feathers, scales, hoof, horn, ear, eye, mouth or mucosa of the throat or prepuce,

in either case when a local action only is intended and extensive systemic absorption is unlikely to occur; and references to medicinal products for external use shall be read accordingly except that in relation to paragraph (i) in this definition such references shall not include throat sprays, throat pastilles, throat lozenges, throat tablets, nasal drops, nasal sprays, nasal inhalations or teething preparations;

“food” includes beverages, confectionery and articles and substances used as ingredients in the preparation of food and includes any manufactured substance to which there has been added any vitamin and which is advertised (within the meaning of section 92) as available and for sale to the general public as a dietary supplement;

“health authority”—

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- (i) in relation to England and Wales, has the same meaning as in the National Health Service Act 1977⁽¹⁾
- (ii) in relation to Scotland, means a Health Board Constituted under section 2 of the National Health Service (Scotland) Act 1978, and
- (iii) in relation to Northern Ireland, means a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972;

“master” has the same meaning as in the Merchant Shipping Act 1894;

“occupational health scheme” means a scheme in which a person, in the course of a business carried on by him, provides facilities for his employees for the treatment or prevention of disease;

“operator”, in relation to an aircraft, means the person for the time being having the management of the aircraft;

“parenteral administration” means administration by breach of the skin or mucous membrane;

“pharmacy medicine” means a medicinal product which is not a prescription only medicine or a medicinal product on a general sale list;

“pre-school dental scheme” means a scheme supervised by a doctor or dentist in which medicinal products are supplied to parents or guardians of children under five, for use by such children for the purpose of preventing dental caries;

“prescription only medicine” means a medicinal product of a description for falling within a class specified in Article 3 of the Medicines (Prescription Only) Order 1980;

“registered nurse” has the same meaning as in section 11;

“registered ophthalmic optician” means a person who is registered in either of the registers of ophthalmic opticians established and maintained under section 2(a) of the Opticians Act 1958;

“school dental scheme” means a scheme supervised by a doctor or dentist in which medicinal products are supplied at a school to pupils of that school for the purpose of preventing dental caries;

“sell” means sell by retail as defined in section 131 and “sale” has a corresponding meaning;

“state registered chiropodist” means a person who is registered in the register established and maintained under section 2(1) of the Professions Supplementary to Medicine Act 1960 by the Chiropodists Board;

“supply” means supply in circumstances corresponding to retail sale as defined in section 131;

“unit preparation” means a preparation, including a mother tincture, prepared by a process of solution, extraction or trituration with a view to being diluted tenfold or one hundredfold, either once or repeatedly, in an inert diluent, and then used either in this diluted form or, where applicable, by impregnating tablets, granules, powders, or other inert substances for the purposes of being administered to human beings; and

- (b) a reference to a numbered section is to the section of the Act which bears that number, a reference to a numbered Article or Schedule is to the Article of or Schedule to this order

(1) the definition of health authority was amended by the Health Services Act 1980 (c. 53) section 1(7) and Schedule 1, Part I, paragraph 77(b).

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