STATUTORY INSTRUMENTS

1987 No. 1425

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

The National Health Service (General Medical and Pharmaceutical Services) Amendment (No. 4) Regulations 1987

Made - - - -	*6th August 1987*
Laid before Parliament	*11th August 1987*
Coming into force - -	*1st September 1987*

The Secretary of State for Social Services, in exercise of powers conferred on him by sections 29, 41 and 42 of, and paragraph 12 of Schedule 5 to, the National Health Service Act 1977(**1**) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (General Medical and Pharmaceutical Services) Amendment (No. 4) Regulations 1987 and shall come into force on 1st September 1987.

(2) In these Regulations—

(a) "the principal Regulations" means the National Health Service (General Medical and Pharmaceutical Services) Regulations 1974(**2**); and

(b) "the 1987 (No. 2) Regulations" means the National Health Service (General Medical and Pharmaceutical Services) Amendment (No. 2) Regulations 1987(**3**).

Amendment of Regulations

2.—(1) The principal Regulations are amended in accordance with paragraphs (2) to (6) of this regulation.

(**1**) 1977 c. 49; see section 128(1) for the definition of "regulations"; section 29 was amended by the Health Services Act 1980 (c. 53), section 7 and Schedule 1, paragraph 42 and by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 6, paragraph 2; section 41 was amended by the Health Services Act 1980, section 20(1) and Schedule 1, paragraph 53 and Schedule 7; section 42 was substituted by the National Health Service (Amendment) Act 1986 (c. 66), section 3(1); sections 29 and 41 and paragraph 12 of Schedule 5 were each modified by S.I.1985/39.

(**2**) S.I. 1974/160; relevant amending instruments are S.I. 1985/290, 803, 955, 1712 and 1987/401.

(**3**) S.I. 1987/401.

(2) In regulation 29 (schemes for securing proper pharmaceutical services)—

(a) in paragraph (4), after "a scheme" there is inserted "prepared under paragraph (1)(a)";

(b) the paragraph (5) added by regulation 2(5)(b) of the 1987 (No. 2) Regulations is renumbered "(4A)".

(3) In Schedule 1 (terms of service for doctors), in paragraph 36A(2)(b), for "treatment of the condition" there is substituted "purpose".

(4) In Schedule 3A (drugs and other substances not to be prescribed for supply under pharmaceutical services)—

(a) the following entries are omitted:—

Dynese Plus Aqueous Suspension

Haymine Tablets

Kolanticon Gel

Polycrol Forte Tablets

Polycrol Gel

Polycrol Tablets

Pregnavite Forte F Tablets;

(b) the following entries are inserted at the appropriate point in the alphabetical order:—

Fiberform

Octovit Tablets.

(5) For Schedule 3B (drugs to be prescribed under pharmaceutical services only in certain circumstances) there is substituted the Schedule 3B set out in the Schedule to these Regulations.

(6) In Schedule 4C (provisions further to regulation 26—pharmaceutical lists)—

(a) in Part II (pharmacy practices sub-committee), in paragraph 6(2), after "sub-paragraph (1)(b)" there is inserted "or (c)"; and

(b) in Part IV (appeals), in paragraph 13(2)(c)(iii), for "paragraph (1)(d)" there is substituted "paragraph 1(1)(d)".

(7) In regulation 2(5)(a) of the 1987 (No. 2) Regulations, the words "each of" and "and paragraph (4)" are omitted.

Revocation

3. Regulation 3 of, and Schedule 3 to, the National Health Service (General Medical and Pharmaceutical Services) Amendment (No. 6) Regulations 1985(**4**) are revoked.

Signed by authority of the Secretary of State for Social Services.

Tony Newton
Minister of State,
Department of Health and Social Security

6th August 1987

(**4**) S.I. 1985/1712.

SCHEDULE Regulation 2(5)

SCHEDULE 3B TO THE PRINCIPAL REGULATIONS AS SUBSTITUTED BY THESE REGULATIONS

"SCHEDULE 3B Regulation 2(1)

DRUGS TO BE PRESCRIBED UNDER PHARMACEUTICAL SERVICES ONLY IN CERTAIN CIRCUMSTANCES

Column 1 Drug	Column 2 Patient	Column 3 Purpose
Acetylcysteine Granules	Any patient	Treatment of abdominal complications associated with cystic fibrosis
Carbocisteine	A patient under the age of 18 who has undergone a tracheostomy	Treatment of any condition which, through damage or disease, affects the airways and has required a tracheostomy
Clobazam	Any patient	Treatment of epilepsy
Pregnavite Forte F Tablets	A woman who has previously given birth to a child (whether or not born alive) with a defect of the neural tube or aborted a foetus with such a defect	Reduction of the risk of spina bifida or anencephaly in a child which may be born to the patient"

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Medical and Pharmaceutical Services) Regulations 1974 ("the 1974 Regulations") which regulate the terms on which doctors and chemists provide general medical services and pharmaceutical services under the National Health Service Act 1977.

Schedule 3A to the 1974 Regulations contains a list of drugs and other substances for which a doctor may not issue a prescription for supply under pharmaceutical services and which may not be dispensed under those services. Regulation 2(4) of these Regulations removes some drugs from, and includes others in, that list.

Schedule 3B to the 1974 Regulations contains a list of drugs which may be prescribed for supply under pharmaceutical services only in certain circumstances. Regulation 2(5) of these Regulations substitutes a new list, the change of substance being the inclusion of an entry for Pregnavite Forte F Tablets. Regulation 2(3) makes a consequential amendment and regulation 3 makes a consequential revocation of spent provisions.

Schedule 4C to the 1974 Regulations makes provision for a pharmacy practices sub-committee of a Family Practitioner Committee. Regulation 2(6)(a) of these Regulations extends the provision as to deputies for members to those members of that sub-committee who are registered pharmaceutical chemists.

Regulation 2(2), (6)(b) and (7) corrects minor errors.