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STATUTORY INSTRUMENTS

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**1988 No. 1073 (S.105)**

**NATIONAL HEALTH SERVICE, SCOTLAND**

**The National Health Service (General Medical and Pharmaceutical Services and Charges for Drugs) (Scotland) Amendment Regulations 1988**

<i>Made</i>	- - - -	<i>20th June 1988</i>
<i>Laid before Parliament</i>		<i>28th June 1988</i>
<i>Coming into force</i>	- -	<i>1st August 1988</i>

The Secretary of State, in exercise of powers conferred on him by sections 19, 27, 69 and 108(1) of the National Health Service (Scotland) Act 1978(1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the National Health Service (General Medical and Pharmaceutical Services and Charges for Drugs) (Scotland) Amendment Regulations 1988 and shall come into force on 1st August 1988.

**Amendment of the National Health Service (General Medical and Pharmaceutical Services) (Scotland) Regulations 1974**

2.—(1) The National Health Service (General Medical and Pharmaceutical Services) (Scotland) Regulations 1974(2) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 28 (pharmaceutical list)(3)—

- (a) in paragraph (3) after the words “the application shall” there shall be inserted the words “, subject, in a case falling within sub-paragraph (a) of this paragraph, to the provisions of paragraph (6A),”; and

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(1) 1978 c. 29; section 19 was amended by the Health Services Act 1980 (c. 53) (“the 1980 Act”), section 7, by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 7, paragraph 2, and by the Medical Act 1983 (c. 54), Schedule 5, paragraph 17(a); section 27 was amended by the 1980 Act, section 20(2), by the National Health Service (Amendment) Act 1986 (c. 66), section 3(3) and by S.I. 1987/2202; section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made.

(2) S.I. 1974/506; relevant amending instruments are S.I. 1985/296, 534, 804 and 1713, 1986/303, 925, 1507 and 2310, and 1987/385 and 1382.

(3) Regulation 28 was substituted by S.I. 1987/385

(b) after paragraph (6) there shall be inserted the following paragraph:—

“(6A) An application, in any case other than that specified in paragraph (3)(b), which is made by a person who qualified to have his name registered under the Pharmacy Act 1954<sup>(4)</sup> by virtue of section 4A of that Act (qualification by European diploma) shall not be granted unless the applicant satisfies the Board that he has the knowledge of English which, in the interests of himself and persons making use of the services to which the application relates, is necessary for the provision of pharmaceutical services in the Board’s area.”.

(3) In Schedule 2A (drugs and other substances not to be supplied by general medical practitioners or prescribed for supply under pharmaceutical services)<sup>(5)</sup> the following entries shall be deleted:—

Congesteze Paediatric Syrup  
 Congesteze Syrup  
 Congesteze Tablets  
 Normacol Standard Granules  
 Normacol Standard Sugar Free Formula Granules  
 Q-Panol Tablets  
 ROC Total Sunblock Creams (light and deep tan)  
 Trufree Bread Mix  
 Trufree Pasta Mix  
 Trufree Plain Flour  
 Trufree Sweet Biscuit Mix

(4) In Schedule 2A each of the following entries shall be inserted at the appropriate point in the alphabetical order:—

10.10 Cleaning and Disinfecting Solution  
 10.10 Rinsing and Neutralising Solution  
 AMI-10 Rinsing and Storage Solution  
 Amiclear Contact Lens Cleanser Tablets  
 Amidose Saline Solution 30ml  
 Amin-Aid  
 Barnes-Hind Cleaning and Soaking Solution  
 Barnes-Hind Intensive Cleaner  
 Barnes-Hind No 4 Cleaner  
 Barnes-Hind Wetting and Soaking Solution  
 Bausch and Lomb Cleaning Tablets  
 Bausch and Lomb Daily Lens Cleaner  
 Bausch and Lomb Saline Solution  
 BC 500 Vitamin Sachets Effervescent  
 Bergasol Ultra Protection Tanning Lotion  
 Biactol Anti-Bacterial Face Wash

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(4) 1954 c. 61; section 4A was inserted by S.I. 1987/2202

(5) Schedule 2A was inserted by S.I. 1985/296; relevant amending instruments are S.I. 1985/534, 804 and 1713, 1986/303, 925, 1507 and 2310, and 1987/1382

Boots Baby Oil  
Boots Soft Lens Comfort Solution  
Boots Soft Lens Soaking Solution  
Boston Lens Cleaning Solution  
Boston Lens Wetting and Soaking Solution  
Carnation Slender Meal Replacement (All flavours)  
Clean and Soak  
Coda-Med Tablets  
Contactaclean Cleaning Solution  
Contactasoak Disinfecting and Soaking Solution  
Contactasol Wetting Solution  
Elizabeth Arden Flawless Finish  
Elizabeth Arden Sunblock Cream Factor 15  
Ener-G Gluten-free and Soya-free Macaroon Cookies  
Ener-G Gluten-free and Yeast-free Brown Rice Bread  
Ener-G Gluten-free Rice Peanut-Butter Cookies  
Ener-G Gluten-free Rice Walnut Cookies  
Ener-G Low-Protein and Gluten-free Egg Replacer  
Falkamin  
Flexcare Soft Lens Solution  
Flexsol Solution  
GF Brand Chocolate Nut Cookies  
GF Brand Fruit Bran Biscuits  
GF Brand Ginger Cookies  
GF Brand Gluten-free Coconut Cookies  
GF Brand Gluten-free Pastry Mix  
GF Brand Muesli  
GF Brand Muesli Fruit Biscuits  
Healtheries Rice Crispbread  
Hexidin Solution  
Hydrocare Boiling/Rinsing Solution  
Hydrocare Cleaning and Soaking Solution  
Hydrocare Preserved Saline Solution  
Hydrocare Protein Remover Tablets  
Hydroclean Solution  
Hydron Europe Cleaning Solution  
Hydron Europe Comfort Soaking Solution  
Hydron Europe Solusal  
Hydron Europe Solution Comfort  
Hydrosoak Disinfecting and Soaking Solution

Hydrosol Comfort Solution  
Infa-Care Baby Bath  
Johnson & Johnson Baby Oil  
Johnson & Johnson Baby Powder  
Junior Disprol Tablets  
Junior Paraclear Tablets  
Kelsoak 2 Solution  
Kelvinol 2 Wetting Solution  
Lactaid Lactase enzyme for milk drops  
Lactaid Lactase enzyme tablets  
Lactaid Lactose reduced skimmed and whole milk UHT  
LC65 Cleaning Solution  
Lensept Solution  
Lensine 5 All In One Solution  
Lensplus Sterile Saline Spray  
Lensrins Solution  
Liquifilm Wetting Solution  
Listerine Antiseptic Mouthwash  
Listermint Mouthwash  
Marvel  
Maxisorb  
Mediclean Soft Lens Solution  
Medisoak Soft Lens Solution  
Milupa 7 Cereal Breakfast  
Milupa Special Formula HN 25  
Minoxidil Lotion  
Mira Flow Soft Lens Solution  
Mira Soak Soft Lens Soaking Solution  
Mira Sol Soft Lens Solution  
Panadol Junior Sachets  
Paraclear Tablets  
Paracodol Capsules  
Paxalgesic Tablets  
Phisoderm  
Piz Buin Childrens Balm SPF 8  
Piz Buin Creme factor 6  
Piz Buin Creme factor 8  
Pix Buin Lip Protection Stick SPF8  
Piz Buin SPF 6 Lotion  
Piz Buin SPF 8 Lotion

Pliagel Soft Lens Solution  
Preflex Solution  
Prenatol Anti Stretch Mark Cream  
Regaine  
Rite Diet Diabetic Fruit Cake  
Rite Diet Gluten-free Baking Powder  
Rite Diet Gluten-free Crunchy Bars  
Rite Diet Gluten-free Muesli Cookies  
RoC Compact Cleanser  
RoC Foundation Cream  
RoC Vitamin Cream  
Ruthmol  
Savlon Baby Care Cream  
Savlon Baby Care Lotion  
Savlon Baby Care Oil  
Savlon Baby Care Powder  
Savlon Baby Care Shampoo  
Savlon Baby Care Soap  
Selora Sodium-free Salt Substitute  
Soaklens Solution  
Softtab Soft Lens Care Tablets  
Solpadeine Capsules  
Solusol Solution  
Soquette Soaking Solution  
Steri-Clens Solution  
Steri-Solve Soft Lens Solution  
Titan Hard Cleanser  
Total All Purpose Solution  
Transclean Cleaning Solution  
Transdrop  
Transoak Solution  
Transol Solution  
Trufree Crisp Bran  
Vaseline Intensive Care Lotion  
Vaseline Intensive Care Lotion Herbal and Aloe.

### **Amendment of the National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 1980**

3.—(1) The National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 1980(6) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 3 (supply of drugs and appliances by chemists), after paragraph (1) there shall be inserted the following paragraph:—

“(1A) For the purposes of this regulation, where a quantity of a drug ordered on one prescription form is ordered to be supplied by instalments during a period of not more than 14 days, only one charge shall be payable and it shall be payable upon the supply of the first instalment.”.

(3) In regulation 4 (supply of drugs and appliances by doctors), after paragraph (1) there shall be inserted the following paragraph:—

“(1A) For the purposes of this regulation, where a doctor supplies a quantity of a drug by instalments during a period of not more than 14 days, only one charge shall be payable and it shall be payable upon the supply of the first instalment.”.

St Andrew's House,  
Edinburgh  
20th June 1988

*Michael B Forsyth*  
Parliamentary Under Secretary of State, Scottish  
Office

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the National Health Service (General Medical and Pharmaceutical Services) (Scotland) Regulations 1974 which regulate the terms on which doctors and chemists provide general medical services and pharmaceutical services under the National Health Service (Scotland) Act 1978.

Regulation 2(2) provides that (except in cases of minor relocation of premises) an application to a Health Board by a person qualified to have his name registered by virtue of section 4A of the Pharmacy Act 1954 (qualification by European diploma) for inclusion in a list of persons providing pharmaceutical services shall not be granted unless the applicant has the necessary knowledge of English.

Schedule 2A to the aforementioned Regulations lists drugs and other substances which cannot be supplied by doctors, or prescribed for supply under pharmaceutical services. Regulations 2(3) and (4) delete some drugs and substances from, and add others to, that list.

These Regulations also amend the National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 1980 by providing, that where a supply of a quantity of a drug is made to a patient by way of instalments over a period not exceeding 14 days, only one prescription charge will be payable and it will be payable on the supply of the first instalment.