
STATUTORY INSTRUMENTS

2000 No. 121

NATIONAL HEALTH SERVICE, ENGLAND

The National Health Service (Pharmaceutical Services) Amendment Regulations 2000

<i>Made</i>	- - - -	<i>20th January 2000</i>
<i>Laid before Parliament</i>		<i>24th January 2000</i>
<i>Coming into force</i>	- -	<i>14th February 2000</i>

The Secretary of State for Health, in exercise of the powers conferred on him by sections 41, 42 and 126(4) of the National Health Service Act 1977⁽¹⁾ hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the National Health Service (Pharmaceutical Services) Amendment Regulations 2000 and shall come into force on 14th February 2000.

Amendment of the National Health Service (Pharmaceutical Services) Regulations 1992

2. In the National Health Service (Pharmaceutical Services) Regulations 1992⁽²⁾, in regulation 2(1A)⁽³⁾ (which describes nurse prescribers who may issue prescription forms)—

(a) for head (iii) of sub-paragraph (a) substitute—

“(iii) is, at the time of ordering the listed drug or medicine or listed appliance—

(aa) employed as a district nurse by a Health Authority or an NHS trust;

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- (1) 1977 c. 49; see section 128(1), as amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 26(2)(g) and (i); and by the Health Act 1999 (c. 8) (“the 1999 Act”), Schedule 4, paragraph 38(2), for the definitions of “prescribed” and “regulations”. Section 41 was amended by the Health Services Act 1980 (c. 53), sections 1 and 20(1) and Schedule 1, paragraph 53 and Schedule 7; by S.I. 1985/39, article 7(13); by the 1990 Act, Schedule 9, paragraph 18(1) and Schedule 10; by the Medicinal Products: Prescription by Nurses etc. Act 1992 (c. 28), section 2; by the Health Authorities Act 1995 (c. 17) (“the 1995 Act”), Schedule 1, paragraph 29; and by the National Health Service (Primary Care) Act 1997 (c. 46), Schedule 2, paragraph 13. Section 42 was substituted by the National Health Service (Amendment) Act 1986 (c. 66), section 3(1); extended by the Health and Medicines Act 1988 (c. 49), section 17; and amended by S.I. 1987/2202, article 4; by the 1990 Act, section 12(3); and by the 1995 Act, Schedule 1, paragraph 30. Section 126(4) was amended by the 1990 Act, section 65(2); and by the 1999 Act, Schedule 4, paragraph 37(6). As regards Wales, the functions of the Secretary of State under sections 41, 42 and 126(4) of the National Health Service Act 1977 were transferred to the National Assembly for Wales under S.I. 1999/672, article 2 and Schedule 1; these Regulations therefore extend only to England.
- (2) S.I. 1992/662. Relevant amending instruments are S.I. 1994/2402, 1996/698, 1998/681 and 1999/696.
- (3) Paragraph (1A) was inserted by S.I. 1994/2404 and amended by S.I. 1996/698, 1998/681 and 1999/696.

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- (bb) employed as a nurse, by a doctor whose name is included in a medical list;
 - (cc) assisting in the performance of personal medical services under a pilot scheme; or
 - (dd) assisting, in the capacity of a nurse, in the provision of services in a Walk-in Centre which, in this regulation, means a Centre at which information and treatment for minor conditions is provided to the public under arrangements made by or on behalf of the Secretary of State; or”;
- and
- (b) for head (ii) of sub-paragraph (b) substitute–
 - “(ii) is, at the time of ordering the listed drug or medicine or listed appliance–
 - (aa) employed as a health visitor by a Health Authority or an NHS trust;
 - (bb) employed as a nurse, by a doctor whose name is included in a medical list;
 - (cc) assisting in the performance of personal medical services under a pilot scheme; or
 - (dd) assisting, in the capacity of a nurse, in the provision of services in a Walk-in Centre;”.

Signed by authority of the Secretary of State for Health

20th January 2000

John Denham
Minister of State,
Department of Health

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Pharmaceutical Services) Regulations 1992 to add suitably qualified nurses working in Walk-in Centres to the categories of nurse who may prescribe under the National Health Service in England.