
STATUTORY INSTRUMENTS

1978 No. 1421

MEDICINES

The Medicines (Collection and Delivery Arrangements—Exemption) Order 1978

<i>Made</i>	- - - -	<i>26th September 1978</i>
<i>Laid before Parliament</i>		<i>6th October 1978</i>
<i>Coming into Operation</i>		<i>30th October 1978</i>

The Secretaries of State respectively concerned with health in England, in Wales and in Scotland and the Department of Health and Social Services for Northern Ireland, acting jointly, in exercise of powers conferred by section 57(1) of the Medicines Act 1968 and now vested in them⁽¹⁾ and of all other powers enabling them in that behalf, after consulting such organisations as appear to them to be representative of interests likely to be substantially affected by the Order, and after taking into account the advice of the Medicines Commission, hereby make the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Medicines (Collection and Delivery Arrangements—Exemption) Order 1978 and shall come into operation on 30th October 1978.

(2) In this Order “the Act” means the Medicines Act 1968 and other expressions have the same meanings as in the Act.

(3) Except in so far as the context otherwise requires, any reference in this Order to any provision of any enactment shall be construed as a reference to that provision as amended or extended by any enactment or instrument and as including a reference to any provision which may re-enact or replace it.

(4) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889 shall apply for the purposes of the interpretation of this Order as they apply for the purposes of the interpretation of an Act of Parliament.

(1) In the case of the Secretaries of State concerned with health in England and in Wales by virtue of Article 2(2) of, and Schedule 1 to, the Transfer of Functions (Wales) Order 1969 (S.I. 1969/388), and in the case of the Department of Health and Social Services for Northern Ireland by virtue of the provisions of section 40 of, and Schedule 5 to, the Northern Ireland Constitution Act 1973 (c. 36), and section 1(3) of, and paragraph 2(1)(b) of Schedule 1 to, the Northern Ireland Act 1974 (c. 18).

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Exemption for certain collection and delivery arrangements

2.—(1) The restrictions imposed by sections 52 and 53 of the Act shall not apply to the supply of any medicinal product for human use on premises which are not a registered pharmacy where such supply is in accordance with a prescription given by a doctor or dentist and forms part of a collection and delivery arrangement used by a person who lawfully conducts a retail pharmacy business.

(2) In this Article “collection and delivery arrangement” means any arrangement whereby a person is enabled to take or send a prescription given by a doctor or dentist to premises other than a registered pharmacy and to collect or have collected on his behalf from such premises a medicinal product prepared or dispensed in accordance with such prescription at a registered pharmacy by or under the supervision of a pharmacist if such premises at which the medicinal product is supplied are capable of being closed by the occupier so as to exclude the public.

15th September 1978

David Ennals
Secretary of State for Social Services

19th September 1978

John Morris
Secretary of State for Wales

20th September 1978

Bruce Millan
Secretary of State for Scotland

Sealed with the official seal of the Department of Health and Social Services for Northern Ireland this 26th day of September 1978.

L.S.

N. Dugdale
Permanent Secretary

EXPLANATORY NOTE

This Order provides exemption from the restrictions imposed by sections 52 and 53 of the Medicines Act 1968 where medicines for human use are supplied at premises which are not a registered pharmacy and such medicines have been dispensed in accordance with a prescription as part of certain collection and delivery arrangements.