

1985 No. 131

HEALTH AND PERSONAL SOCIAL SERVICES

General Medical and Pharmaceutical Services (Amendment) (No. 2)
Regulations (Northern Ireland) 1985

Made 30th May 1985

Coming into operation 1st June 1985

The Department of Health and Social Services in exercise of the powers conferred on it by Articles 56(2), 63(2), 106 and 107(6) of the Health and Personal Social Services (Northern Ireland) Order 1972(a) and section 103(3) of the Medicines Act 1968(b) and of all other powers enabling it in that behalf and in conjunction with the Department of Finance and Personnel(c) and after consultation with such organisations as appeared to the Department to be representative of the Medical and Pharmaceutical professions as required by Articles 56(5) and 63(3) of the said Order hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the General Medical and Pharmaceutical Services (Amendment) (No. 2) Regulations (Northern Ireland) 1985, and shall come into operation on 1st June 1985.

Amendment of regulations

2. The Health and Personal Social Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland) 1973(d) shall be further amended as follows:

(1) In regulation 2 (interpretation), in paragraph (1) after the definitions of "appliance" and "Medical Officer" respectively there shall be inserted the following definitions:—

"appropriate non-proprietary name" means a non-proprietary name which is not mentioned in Schedule 3A or, except where the conditions in paragraph 11(3)(b) of the terms of service for doctors are satisfied, in Schedule 3B to the regulations;"

"non-proprietary name" in relation to a drug means—

- (a) where the drug is described in a monograph in the current edition (as defined in section 103(5) of the Medicines Act 1968), as in force at the time of the supply of the drug, of the European Pharmacopoeia, the British Pharmacopoeia, the British Pharmaceutical Codex or the Dental Practitioners' Formulary, any name, or abbreviation of such name, at the head of that monograph or, where such name consists of two or more words, any name derived from a suitable inversion of such words which is permitted by that publication; or

(a) S.I. 1972/1265 (N.I. 14)

(b) 1968 c. 67

(c) Formerly Department of Finance: see S.I. 1982/338 (N.I. 6) Art. 3

(d) S.R. & O. (N.I.) 1973 No. 421. The relevant amending regulations are S.R. 1975 No. 180, S.R. 1976 Nos. 199, 285, S.R. 1981 No. 229, S.R. 1983 No. 182 and S.R. 1985 No. 69

- (b) where the drug is not so described but has an approved name, being the name which appears in the current edition (as defined in the said section 103(5)) of the list of names prepared and published under section 100 of that Act as in force at the time of the supply of the drug, such approved name;”.
- (2) In Schedule 1 (Terms of Service for Doctors), in paragraph 11(1)(d)(i)—
- (a) for the words “by a non-proprietary name” there shall be substituted the words “which has an appropriate non-proprietary name either by that name or by its formula”;
- (b) after the words “it is a Scheduled drug” there shall be inserted the words “(but, in the case of a drug which combines more than one drug, only if the combination has an appropriate non-proprietary name)”.
- (3) In Schedule 3A (drugs and other substances not to be prescribed for supply under pharmaceutical services)—
- (a) for the entries “Expulin Paediatric Decongestant” and “Vitamin C Tablets Effervescent 1 gramme (Boots)” there shall be substituted respectively the entries “Expurhin Paediatric Decongestant” and “Vitamin C Tablets Effervescent 1 gramme”;
- (b) the entry “Biotin Tablets 50 microgram” shall be omitted;
- (c) the following entries shall be inserted at the appropriate point in the alphabetical order:—
- Acetylcysteine Granules
 Carbocisteine Capsules
 Dextropropoxyphene and Paracetamol Soluble Tablets
 Dextropropoxyphene and Paracetamol Dispersible Tablets
 Panadeine Co. Tablets
 Paracetamol Dispersible Tablets
 Paracetamol Soluble Tablets.
- (4) In Schedule 4 (Terms of Service for Chemists), in paragraph 3, existing sub-paragraphs (2)(b) and (c) shall be deleted and the following sub-paragraphs (b) and (c) and new sub-paragraph (d) inserted:—
- “(b) Except as provided in paragraph 3(2)(c), a chemist shall not supply a Scheduled drug, by way of pharmaceutical services or otherwise, in response to an order by name, formula or other description on a prescription form.
- (c) Where a drug has an appropriate non-proprietary name and it is ordered on a prescription form either by that name or by its formula a chemist may supply a drug which has the same specification notwithstanding that it is a Scheduled drug.
- (d) Where a drug which is ordered as specified in sub-paragraph (c) combines more than one drug, that paragraph shall apply only if the combination has an appropriate non-proprietary name, whether the individual drugs which it combines do so or not.”.

Sealed with the Official Seal of the Department of Health and Social Services on
30th May 1985.

(L.S.)

R. W. McQuiston

Assistant Secretary

Sealed with the Official Seal of the Department of Finance and Personnel on 30th
May 1985.

(L.S.)

D. W. Alexander

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the Health and Personal Social Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland) 1973. They restate and clarify the circumstances in which a drug which is specified in Schedule 3A or 3B to those regulations, can or cannot be supplied as part of general pharmaceutical services under the Health and Personal Social Services (Northern Ireland) Order 1972. Some additions are made to Schedule 3A in consequence. Errors in that Schedule have also been corrected.