

2001 No. 119

NATIONAL HEALTH SERVICE

**The National Health Service (General Medical Services)
(Scotland) Amendment Regulations 2001**

Made 22nd March 2001

Laid before the Scottish Parliament 23rd March 2001

Coming into force 30th April 2001

The Scottish Ministers, in exercise of the powers conferred by sections 19, 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (General Medical Services) (Scotland) Amendment Regulations 2001 and shall come into force on 30th April 2001.

(2) In these Regulations, “the principal Regulations” means the National Health Service (General Medical Services) (Scotland) Regulations 1995(b).

Amendment of Schedule 10 to the principal Regulations

2. In Schedule 10 to the principal Regulations (drugs and other substances not to be supplied by general practitioners or prescribed for supply under pharmaceutical services) the following entries shall be omitted—

Nicabate Nicotine Transdermal Patch

Nico Patch

Nicodex Patch

Niconil Transdermal Patch

Nicorette

Nicorette Nasal Spray

Nicorette Patch

Nicorette Plus

(a) 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) (“the 1983 Act”), Schedule 7, paragraph 2, by the Medical Act 1983 (c.54), Schedule 5, paragraph 17(a), by the National Health Service and Community Care Act 1990 (c.19), section 37 and by the Medical (Professional Performance) Act 1995 (c.51), Schedule, paragraph 29(a) and is to be read with the Health and Medicines Act 1988 (c.49), section 17; section 105(7) which contains provisions relevant to the making of Regulations, was amended by the 1980 Act, Schedule 6, paragraph 5 and Schedule 7, by the 1983 Act, Schedule 9, paragraph 24 and by the Health Act 1999 (c.8), Schedule 4, paragraph 60; section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.I. 1995/416; relevant amending instruments are S.I. 1995/3199 and 1997/1473 and S.S.I. 2000/190.

Nicostop Patch
Nicotine Patch (QHR Limited)
Nicotinell Gum
Nicotinell TTS Patches

St Andrew's House,
Edinburgh
22nd March 2001

SUSAN C DEACON
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Medical Services) (Scotland) Regulations 1995 (S.I. 1995/416) (“the principal Regulations”) which regulate the terms on which doctors provide general medical services under the National Health Service (Scotland) Act 1978.

Regulation 2 removes nicotine replacement therapy items from Schedule 10 to the principal Regulations, which identifies those drugs and other substances which are not to be supplied by general medical practitioners or prescribed for supply in the course of pharmaceutical services under the National Health Service (Scotland) Act 1978.

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£1.75

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350 04/01 19593

