
STATUTORY INSTRUMENTS

1997 No. 1830

The Prescription Only Medicines (Human Use) Order 1997

[^{F1}Exemptions for the supply and administration of prescription only medicines by national health service bodies

12A.—(1) The restrictions imposed by section 58(2)(a) (restrictions on sale and supply) shall not apply to the supply of a prescription only medicine by—

- (a) the Common Services Agency;
- (b) a Health Authority or Special Health Authority;
- (c) an NHS trust;
- (d) a Primary Care Trust; or
- (e) where sub-paragraphs (a) to (d) do not apply, a person other than an excepted person, pursuant to an arrangement made with one of the persons specified in those sub-paragraphs for the supply of prescription only medicines,

where the medicine is supplied for the purpose of being administered to a particular person in accordance with the written directions of a doctor or dentist relating to that person notwithstanding that those directions do not satisfy the conditions specified in article 15(2).

(2) The restrictions imposed by section 58(2) (restrictions on sale, supply and administration) shall not apply to the supply or, as the case may be, the administration of a prescription only medicine by—

- (a) the Common Services Agency;
- (b) a Health Authority or Special Health Authority;
- (c) an NHS trust;
- (d) a Primary Care Trust; or
- (e) where sub-paragraphs (a) to (d) do not apply, a person other than an excepted person, pursuant to an arrangement made with one of the persons specified in those sub-paragraphs for the supply or, as the case may be, the administration of prescription only medicines,

where the medicine is supplied for the purpose of being administered, or, as the case may be, is administered, to a particular person in accordance with a Patient Group Direction and where the conditions specified in paragraph (3) are satisfied.

(3) The conditions referred to are that—

- (a) the Patient Group Direction relates to the supply or, as the case may be, the administration, by the person who supplies or administers the medicine, of a description or class of prescription only medicine, and the Direction has effect at the time at which the medicine is supplied or, as the case may be, is administered;
- (b) the Patient Group Direction contains the particulars specified in Part I of Schedule 7 to this Order (but with the omission of paragraph (c) of that Part in the case of a Direction which relates to administration only);
- (c) the Patient Group Direction is signed on behalf of the person specified in column 2 of the Table in Part II of Schedule 7 to this Order (“the authorising person”) against the entry

Status: Point in time view as at 09/08/2000. This version of this provision has been superseded.
Changes to legislation: There are currently no known outstanding effects for the The Prescription Only Medicines (Human Use) Order 1997, Section 12A. (See end of Document for details)

in column 1 of that Table for the class of person by whom the medicine is supplied or administered;

- (d) the individual who supplies or, as the case may be, administers the medicine belongs to one of the classes of individual specified in Part III of Schedule 7 to this Order, and is designated in writing, on behalf of the authorising person, for the purpose of the supply or, as the case may be, the administration of prescription only medicines under the Patient Group Direction; and
 - (e) at the time at which the medicine is supplied or, as the case may be, is administered, a product licence, a marketing authorization or a homoeopathic certificate of registration has effect in respect of it.
- (4) In this article, “excepted person” means—
- (a) a doctor or dentist; or
 - (b) a person lawfully conducting a retail pharmacy business within the meaning of section 69.]

Textual Amendments

- F1** Arts. 12A-12C inserted (9.8.2000) by [The Prescription Only Medicines \(Human Use\) Amendment Order 2000 \(S.I. 2000/1917\)](#), arts. 1(1), 2(d)

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