
STATUTORY INSTRUMENTS

2001 No. 2887

The National Health Service (Charges for Drugs and Appliances) (Electronic Communications) Order 2001

Amendment of regulation 2 of the principal Regulations

- 2.—(1) Regulation 2 (interpretation) of the principal Regulations is amended as follows.
- (2) In regulation 2(1)—
- (a) in the appropriate alphabetical position, insert—
- ““the 2000 Act” means the Electronic Communications Act 2000;”,
- ““electronic communication” has the same meaning as in section 15 of the 2000 Act;”,
- ““electronic signature” has the same meaning as in section 7 of the 2000 Act;”,
- (b) in the definition of “prescription form”, after “means” insert “, subject to regulation 2A,”.
- (3) After regulation 2, insert—
- “**2A.**—(1) In these Regulations, where the conditions set out in paragraph (2) are met, the term “prescription form” includes data that—
- (a) are created in an electronic form and signed with an electronic signature and are transmitted as an electronic communication;
- (b) are created in an electronic form and signed with an electronic signature, where both the data and the signature are entered on the prescription form in a non-legible manner;
- (c) are created in writing and signed with an electronic signature which is entered on the prescription form in a non-legible manner; or
- (d) are created in an electronic form and entered on the prescription form in a non-legible manner, and signed in ink.
- (2) The conditions are:—
- (a) that the prescription is an order for a drug or appliance and is issued by a doctor in connection with the provision of general medical services or personal medical services;
- (b) that the order is not for an oxygen concentrator; and
- (c) that the Secretary of State is satisfied that—
- (i) the use of electronic means in order to create, sign and transmit prescriptions (or whichever of those purposes is applicable) is appropriate for the purposes of a pilot scheme on the use of electronic prescribing in relation to the doctor and, where relevant, the chemist and the premises at which the prescription is dispensed; and
- (ii) the particular electronic means used by the doctor and, where relevant, the chemist concerned are suitable for the purposes of such a pilot scheme.”.