
STATUTORY INSTRUMENTS

2001 No. 3998

The Misuse of Drugs Regulations 2001

[^{F1}Directions of a practitioner while a disease is, or in anticipation of a disease being imminently, pandemic etc.

10A.—(1) For the purposes of regulation 10(2), the directions of a practitioner may be the directions of a pharmacist, which do not require a prescription, in the following circumstances—

(a) as a consequence of a disease being, or in anticipation of a disease being imminently—

(i) pandemic, and

(ii) a serious risk or potentially a serious risk to human health,

in order to assist in the management of the serious risk or potentially serious risk to human health, the Secretary of State has made an announcement in respect of the supply of drugs specified in Schedule 2, 3 or Part 1 of Schedule 4 as part of the health service;

(b) as part of the announcement, the Secretary of State has issued advice to the effect that—

(i) in the area to which the announcement relates,

(ii) in the particular circumstances specified in the announcement, and

(iii) during the period specified in the announcement,

arrangements for the provision of services as part of the health service (“NHS arrangements”) with a person lawfully conducting a retail pharmacy business may include provisions permitting the supply of drugs specified in Schedule 2, 3 or Part 1 of Schedule 4 in accordance with the directions of a pharmacist, provided that the supply is in accordance with regulation 226 or 226A of the Human Medicines Regulations 2012;

(c) the person lawfully conducting a retail pharmacy business with whom the NHS arrangements are made complies with the requirements of the arrangements in respect of the supply of drugs specified in Schedule 2, 3 or Part 1 of Schedule 4; and

(d) the period specified in the announcement (taking into account any extension) has not ended and the announcement has not been withdrawn or amended in a way that means that the relevant provisions in the NHS arrangements are no longer permitted by the announcement.

(2) The period specified in the announcement, as mentioned in paragraph (1)(b)(iii), must initially not be for more than three months, but it may be extended for further periods of not more than three months at a time.

(3) Before making, amending (including by way of extension) or withdrawing an announcement under paragraph (1) which relates to—

(a) all or any area of Scotland, the Secretary of State must consult the Scottish Ministers;

(b) all or any area of Wales, the Secretary of State must consult the Welsh Ministers.]

Changes to legislation: There are currently no known outstanding effects for the The Misuse of Drugs Regulations 2001, Section 10A. (See end of Document for details)

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Textual Amendments

- F1** [Reg. 10A](#) inserted (30.4.2020) by [The Misuse of Drugs \(Coronavirus\) \(Amendments Relating to the Supply of Controlled Drugs During a Pandemic etc.\) Regulations 2020 \(S.I. 2020/468\)](#), regs. 1(2), **4**

Changes to legislation:

There are currently no known outstanding effects for the The Misuse of Drugs Regulations 2001, Section 10A.