
STATUTORY INSTRUMENTS

2004 No. 922

The National Health Service (Pharmaceutical Services) (Amendment) Regulations 2004

Amendment of Part II (terms of service for chemists) of Schedule 2

20. In Schedule 2—

(a) in paragraph 3 (provision of pharmaceutical services)—

(i) for subparagraph (1) substitute—

“(1) Where any person presents on a prescription form—

- (a) an order for drugs, not being Scheduled drugs, or appliances, not being restricted availability appliances, signed by a prescriber; or
- (b) an order for a drug specified in Schedule 2 to the Prescription of Drugs Regulations, signed by, and endorsed on its face with the reference “SLS” by a prescriber; or
- (c) an order for a restricted availability appliance, signed by and endorsed on its face with the reference “SLS” by a prescriber; or
- (d) an order for listed drugs signed by a dentist or his deputy or assistant,

a chemist shall, with reasonable promptness, provide the drugs so ordered, and such of the appliances so ordered as he supplies in the normal course of his business.”,

(ii) for subparagraph (1ZA)(a)(1) substitute—

“(a) presents a repeatable prescription which contains—

- (i) an order for drugs, not being Scheduled drugs or controlled drugs within the meaning of the Misuse of Drugs Act 1971(2), other than a drug which is for the time being specified in Schedule 4 or 5 to the Misuse of Drugs Regulations 2001(3), signed by a repeatable prescriber,
- (ii) an order for a drug specified in Schedule 2 to the Prescription of Drugs Regulations, not being a controlled drug within the meaning of the Misuse of Drugs Act 1971, other than a drug which is for the time being specified in Schedule 4 or 5 to the Misuse of Drugs Regulations 2001, signed by and endorsed on its face with the reference “SLS” by a repeatable prescriber,
- (iii) an order for appliances, not being restricted availability appliances, signed by a repeatable prescriber, or
- (iv) an order for a restricted availability appliance, signed by, and endorsed on its face with the reference “SLS” by a repeatable prescriber,

(1) Paragraph 3(1ZA) of Schedule 2 was inserted by [S.I. 2003/1084](#)
(2) [1971 c. 38](#)
(3) [S.I. 2001/3998](#)

- and also presents and associated batch issue; or ”,
- (iii) in subparagraph (1C)(4)—
- (aa) in paragraph (a)(ii), for “regulation 3 of the Remission of Charges Regulations”, substitute “regulation 5 of the Remission of Charges Regulations”; and
 - (bb) in the words following paragraph (a)(ii), for “regulation 4(2)(e), (f) or (g) of the Remission of Charges Regulations”, substitute “regulation 5(1)(e) or (2) of the Remission of Charges Regulations”,
- (iv) in subparagraph (4), for the words “a doctor, a dentist, a supplementary prescriber or an independent nurse prescriber” substitute “a prescriber or a dentist”,
- (v) in subparagraph (6), for the words “a doctor, dentist, supplementary prescriber or independent nurse prescriber” substitute “a prescriber or dentist”,
- (vi) in subparagraph (7), for the words “the doctor, dentist, supplementary prescriber or independent nurse prescriber” substitute “the prescriber or dentist”, and
- (vii) in subparagraph (9), for the words “doctor, supplementary prescriber or independent nurse prescriber” whenever they appear substitute “prescriber”;
- (b) in paragraph 3A(5)—
- (i) in subparagraphs (4), (5) and (7), for the word “doctor” whenever it appears, substitute “prescriber”;
 - (ii) in subparagraph (9)—
 - (aa) in paragraph (c) for the words “repeatable prescribing doctor” substitute the words “repeatable prescriber”, and
 - (bb) in the words following sub-paragraph (d) for the word “doctor” substitute the word “prescriber”; and
- (c) for paragraph 7(2), substitute—
- “(2) Where a chemist supplies a container in response to an order for drugs signed by a prescriber, or supplies an oxygen container or oxygen equipment, other than equipment specified in the Drug Tariff as not returnable to the chemist, the container and equipment shall remain the property of the chemist.”.

(4) Paragraph 3(1C) of Schedule 2 was substituted by S.I. 2003/1084

(5) Paragraph 3A of Schedule 2 was inserted by S.I. 2003/1084