STATUTORY RULES OF NORTHERN IRELAND

2002 No. 92

HEALTH AND PERSONAL SOCIAL SERVICES

Pharmaceutical Services and General Medical Services (Amendment) Regulations (Northern Ireland) 2002

Made - - - -	*8th March 2002*
Coming into operation	*1st April 2002*

The Department of Health, Social Services and Public Safety(**1**) in exercise of the powers conferred on it by Articles 56, 63(1), (2), (2A) to (2D), 64, 106(*b*) and 107(6) of the Health and Personal Social Services (Northern Ireland) Order 1972(**2**) and of all other powers enabling it in that behalf, and in conjunction with the Department of Finance and Personnel and after consultation with such organisations as appear to the Department of Health, Social Services and Public Safety to be representative of the medical and pharmaceutical professions as required by Articles 56(5) and 63(3) of that Order, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Pharmaceutical Services and General Medical Services (Amendment) Regulations (Northern Ireland) 2002 and shall come into operation on 1st April 2002.

(2) In these Regulations—

(a) "the Pharmaceutical Regulations" means the Pharmaceutical Services Regulations (Northern Ireland) 1997(**3**);

(b) "the Medical Regulations" means the General Medical Services Regulations (Northern Ireland) 1997(**4**).

Amendment of regulation 2 of the Pharmaceutical Regulations

2.—(1) Regulation 2 of the Pharmaceutical Regulations (interpretation) is amended as follows.

(**1**) *See* S.I.1999/283 (N.I. 1) Article 3(6)

(**2**) S.I. 1972/1265 (N.I. 14) relevant amending instruments are S.I. 1978/1907 (N.I. 26) Articles 12 and 14; S.I. 1986/2023 (N.I. 20) Articles 5(1) and (2); S.I. 1986/2229 (N.I. 24) Article 7; S.I. 1988/2249 (N.I. 24) Article 4(5); S.I. 1991/194 (N.I. 1) Articles 29(1), 31(1) and (2) and Schedule 6; section 4 of, and paragraph 30(*a*) and (*b*) of the Schedule to 1995 c. 51; S.I. 1992/2671 (N.I. 18) Article 3 and S.I. 1997/1177(N.I. 7) Articles 29 and 32, and Schedule 2

(**3**) S.R. 1997 No. 381; relevant amending instruments are S.R. 1997 No. 547, S.R. 1998 No. 95, S.R. 1999 Nos. 100 and 254 and S.R. 2001 No. 222

(**4**) S.R. 1997 No. 380 to which there are amendments not relevant to these Regulations

(2) In paragraph (1)—

(a) in the appropriate alphabetical position insert—

""restricted availability appliance" means an appliance which is approved for particular categories of persons or particular purposes only;".

Amendment of regulation 7 of the Pharmaceutical Regulations

3. In regulation 7 of the Pharmaceutical Regulations (removal from pharmaceutical list) paragraph (5)(**5**) shall be renumbered paragraph (4A).

Amendment of regulation 9 of the Pharmaceutical Regulations

4. In regulation 9 of the Pharmaceutical Regulations (standards of, and payments for, drugs and appliances), in sub-paragraph (1)(*a*), at the end, insert "and in the case of a restricted availability appliance, the categories of persons for whom or purposes for which the appliance is approved".

Amendment of regulation 11 of the Pharmaceutical Regulations

5. In regulation 11 of the Pharmaceutical Regulations (provision of pharmaceutical services for immediate treatment or personal administration) after sub-paragraph (*b*) insert "but shall, in either case, provide a restricted availability appliance only if it is for a person or a purpose specified in the Drug Tariff.".

Amendment of Schedule 2 to the Pharmaceutical Regulations

6. In Schedule 2 of the Pharmaceutical Regulations (terms of service for chemists)—

(a) in paragraph 2 (provision of pharmaceutical services)—

(i) in sub-paragraph 1(*a*), after "or appliances" insert "not being restricted availability appliances,";

(ii) after sub-paragraph 1(*b*), insert—

"(bb) an order for a restricted availability appliance, signed by and endorsed on its face with the reference "S11" by a doctor; or";

(iii) in sub-paragraph 1(*d*) after "listed appliances," insert "not being restricted availability appliances,"; and

(iv) after sub-paragraph 1(*d*) insert—

"or

(e) an order for a restricted availability appliance, signed by and endorsed on its face with the reference "S11" by a nurse prescriber,"

(b) in paragraph 13—

(i) in sub-paragraph (*b*), delete "and";

(ii) in sub-paragraph (*c*), at the end, insert "; and,"; and

(iii) after sub-paragraph (*c*), insert—

"(d) he shall provide for the patient a restricted availability appliance only if the patient is a person or it is for a purpose specified in the Drug Tariff.";

(**5**) Paragraph (5) was inserted by S.R. 2001 No. 222