

To the Hon. Noel Q. Cringle, President of Tynwald, and
the Hon Council and Keys in Tynwald assembled

DEPARTMENT OF HEALTH AND SOCIAL SECURITY

The Medicines (Pharmacy and General Sale List –
Exemption) Regulations 2005

Explanatory Memorandum

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1. Title of measure

The Medicines (Pharmacy and General Sale List – Exemption) Regulations 2005.

2. Changes in policy

These Regulations, which are made under section 3 of the Medicines Act 2003, revise and restate legislation made under the Medicines Act 1976.

In addition, the opportunity has been taken to introduce, in relation to homoeopathic medicinal products, a number of exemptions from the requirement for a written prescription, and to allow certain classes of person to supply specific types of medicine without a prescription e.g. supply of certain antibiotics by podiatrists.

In association with the Prescription Only Medicines (Human Use) Regulations 2005 (which are also awaiting approval) these Regulations provide the framework for Patient Group Directions both in the NHS and for independent providers of healthcare e.g. nursing homes and prisons.

The Regulations also modify the regulations governing the sale or supply of prescription medicinal products to allow for independent nurse prescribing and supplementary prescribing by certain healthcare professionals.

3. Effects of the measure

These Regulations apply to the Isle of Man the Medicines (Pharmacy and General Sale List – Exemption) Order 1980 as amended.

That Order grants exemptions from the restrictions on the sale of medicinal products at pharmacies and elsewhere imposed by the Prescription Only Medicines (Human use) Order 1997 as amended, which Order has been applied to the Isle of Man by the Prescriptions Only Medicines (Human use) Regulations 2005.

The Regulations also allow for automatic updating should similar legislation come into effect in the UK.

4. Reasons for the measure

The Medicines Act 1976 was revised and updated by the Medicines Act 2003. These Regulations, made under section 3 of the 2003 Act, will revise and update the associated subordinate legislation, and will introduce new policies as described above.

5. Financial implications

There are no additional financial implications associated with these Regulations.