

**4.2. Medicines (Amendment) Bill 2020 –
Second Reading approved**

Mr Ashford to move:

That the Medicines (Amendment) Bill 2020 be read a second time.

The Speaker: The next Item is the Medicines (Amendment) Bill 2020. I call on Mr Ashford to move.

Mr Ashford: Thank you, Mr Speaker.

The purpose of this Bill is to amend the Medicines Act 2003, an Act that, amongst other things, seeks to regulate the trade in human medicinal products, from the licensing of the product itself so that it can be placed on the market, through to its manufacturing and distribution, including importation and exportation, and the selling or supplying of the product to the end user. In this regard, the Act is essentially enabling rather than prescriptive, with the Department having a statutory duty, under section 2, to make regulations to control, restrict, regulate or prohibit activities relating to the trade in human medicines. Regarding the sale, supply and administration of prescription-only medicines on Island, the Department has sought to regulate such activities by the Prescription Only Medicines (Human Use) Regulations 2005, which applied certain UK Statutory Instruments to the Island.

However, it has come to the attention of the Department that simply applying this UK legislation does not go far enough to ensure that there are sufficient safeguards in place for the Island. This Bill will therefore take the steps necessary to remedy existing inconsistencies in the Island's regulation of the retail sale or supply in circumstances corresponding to retail sale of prescription-only medicines and the administering of such medicines. The Bill does so by inserting into the Medicines Act provisions to prevent a person from selling by retail, or supplying in circumstances corresponding to retail sale, a prescription-only medicine, except in accordance with a prescription issued by an appropriate practitioner or a person administering it from doing so other than to themselves without being an appropriate practitioner, or under the direction of an appropriate practitioner. The Bill inserts this prohibition and creates an offence with the penalty being a fine or custody, depending on whether the offence is a summary conviction or a conviction on information.

In summary, Hon. Members, this Bill does not affect any change in Department of Health and Social Care policy; it simply makes technical amendments to the Act to ensure that the regulation of the sale, supply and administering of prescription-only medicines operates in the Island as was originally intended.

Mr Speaker, I beg to move that the Medicines (Amendment) Bill 2020 be read for a second time.

The Speaker: I call on the Hon. Member for Douglas Central, Mrs Corlett.

Mrs Corlett: Thank you, Mr Speaker. I beg to second.

The Speaker: Hon. Member for Ramsey, Mr Hooper.

Mr Hooper: Thank you very much, Mr Speaker.

It is a technical Bill, so a technical question for the Minister, as I know he enjoys these so much. He has just said that the Act prohibits the sale by retail offer or exposing for sale by retail offer and supply in circumstances corresponding to retail sale prescription medicines. Basically, you cannot sell prescription meds. But then the amendment goes on to say 'but this does not

apply to doctors and dentists', so doctors and dentists can sell prescription medicines without a prescription. That is my reading of the Act.

I hope that my reading of the Act is wrong, but that is what it looks like on the face of it, so I would be very grateful if the Minister could confirm that his intention is not to allow anyone to sell prescription medicines without prescription – and if he could double-check the wording in this Act to make sure that is it right.

The Speaker: Mover to reply.

Mr Ashford: Thank you, Mr Speaker.

The Hon. Member for Ramsey knows I love technical questions. My understanding is that it is not the case that doctors and dentists can sell on prescription medication, but I will guarantee that I will take it away and I will have it checked to be certain, because certainly the intention of this is the exact opposite. It might disappoint some out there, but we have no intention of doctors or dentists being able to sell prescription medication.

A Member: Nearly got away with it!

The Speaker: Indeed. The question is that the Medicines (Amendment) Bill 2020 be read for a second time. Those in favour, please say; those against, no. The ayes have it. The ayes have it.