



THE MEDICINES ACT 2003

THE MEDICINES (SALE OR SUPPLY) (MISCELLANEOUS PROVISIONS) REGULATIONS 2005

Approved by Tynwald

17th January 2006

Coming into operation

1st February 2006

In exercise of the powers conferred on the Department of Health and Social Security by sections 2, 11 and 52 of the Medicines Act 2003¹, and of all other enabling powers, the following Regulations are hereby made:—

1. Citation and Commencement

These Regulations may be cited as the Medicines (Sale or Supply) (Miscellaneous Provisions) Regulations 2005, and shall come into operation on the 1st February 2006.

2. Application of UK regulations

The provisions of—

- (a) the Medicines (Sale or Supply) (Miscellaneous Provisions) Regulations 1980;
- (b) the regulations amending those regulations specified in Schedule 1; and
- (c) any regulations made after the making of these regulations and amending those regulations,

being regulations made under the provisions of the Medicines Act 1968 (an Act of Parliament)² corresponding to section 2 of the Medicines Act 2003, shall apply to the Island subject to modifications specified in Schedule 2.

3. Revocation

The Medicines (Sale or Supply) (Miscellaneous Provisions) Regulations 1996³ are revoked.

¹ 2003 c.4

² 1968 c.67

³ SD 676/96

SCHEDULE 1

REGULATIONS APPLIED TO THE ISLAND

<i>Reference</i>	<i>Title</i>
SI 1980/1923	The Medicines (Sale or Supply) (Miscellaneous Provisions) Regulations 1980
SI 1982/28	The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment Regulations 1982
SI 1990/1124	The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment Regulations 1990
SI 1992/2938	The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment Regulations 1992
SI 1994/2411	The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment Regulations 1994
SI 1995/3215	The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment Regulations 1995
SI 1997/1831	The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment Regulations 1997
SI 1997/2045	The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment (No.2) Regulations 1997
SI 1998/1045	The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment Regulations 1998
SI 1999/644	The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment Regulations 1999
SI 1999/2510	The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment (No.2) Regulations 1999
SI 2000/1070	The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment Regulations 2000
SI 2000/1918	The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment (No.2) Regulations 2000
SI 2000/2494	The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment (No.3) Regulations 2000
SI 2001/3849	The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment Regulations 2001
SI 2003/698	The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment Regulations 2003
SI 2005/764	The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment Regulations 2005

SCHEDULE 2

MODIFICATIONS SUBJECT TO WHICH REGULATIONS
APPLY TO THE ISLAND

PART 1 - GENERAL MODIFICATIONS

For any reference to a matter specified in column 1 of the following table substitute a reference to the corresponding matter specified in column 2 of that table :

the Medicines Act 1968 (an Act of Parliament)	the Medicines Act 2003
any provision of the said Act of 1968	the corresponding provision of the Medicines Act 2003
any order or regulations made under the said Act of 1968 (including the orders applied in this order).	the corresponding order or regulations made under the Medicines Act 2003, or as the case may be, the said order or regulations as they have effect in the Island.
the Misuse of Drugs Act 1971 (an Act of Parliament)	the Misuse of Drugs Act 1976
any provision of the said Act of 1971	the corresponding provisions of the Misuse of Drugs Act 1976
any order or regulations made under the said Act of 1971	the corresponding order or regulations made under the Misuse of Drugs Act 1976 or, as the case may be, the said order or regulations as they have effect in the Island

PART 2

SPECIFIC MODIFICATIONS OF SI 1980/1923

1. In regulation (1)2, in the definition of "health prescription", for paragraphs (i), (ii) and (iii) substitute, "the National Health Service Act 2001 (an Act of Tynwald)".
2. Omit regulation 2.
3. In regulation 6(2) -
 - (a) in sub-paragraph (b), omit "or regulation 19 of the Misuse of Drugs (Northern Ireland) regulations 1974";
 - (b) in sub-paragraph (d), for the words from "under the" to "that Order" substitute "under the National Health Service Act 2001 or under any subordinate legislation made under that Act";
 - (c) omit sub-paragraphs (e) and (f).
4. In Schedule 1, for "Ministers of the Crown and Government departments" substitute "the Department of Health and Social Security".

SPECIFIC MODIFICATIONS OF SI 2003/698

1. In regulation 2(h), for the definition of “prison service” substitute ““prison service” means the exercising of functions in relation to prisoners by the Department of Home Affairs within the meaning of the Custody Act 1995⁴”

MADE 9th December 2005

June Crane

Member for Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply to the Isle of Man with modifications the Medicines (Sale or Supply) (Miscellaneous Provisions) Regulations 1980 (SI 1980/1923) and subsequent amending regulations.

Those regulations provide for the safekeeping of certain veterinary drugs, the location of automatic machines for the sale of medicinal products, the keeping of records for pharmacists and others, and restrictions as to the classes of persons to whom prescription-only medicines and pharmacy medicines may be sold and on the quantities in which certain products on a general sale list may be sold elsewhere than at a registered pharmacy.

⁴ 1995 c.1