



Medicines Amendment Regulations (No 2) 2022

Cindy Kiro, Governor-General

Order in Council

At Wellington this 21st day of November 2022

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 105 of the Medicines Act 1981—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the advice of the Minister of Health given after complying with that section.

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Regulations

1 Title

These regulations are the Medicines Amendment Regulations (No 2) 2022.

2 Commencement

These regulations come into force on 22 December 2022.

3 Principal regulations

These regulations amend the Medicines Regulations 1984.

4 Regulation 40A amended (Urgently required prescriptions of prescription medicines may be communicated orally if later confirmed in writing)

- (1) In the heading to regulation 40A, delete “in writing”.
- (2) In regulation 40A(2), replace “forward to the pharmacist a written prescription confirming the oral communication” with “issue a prescription in paper or electronic form that confirms the oral communication and forward or transmit the prescription to the pharmacist”.

5 Regulation 41 amended (Form of prescription)

- (1) In regulation 41, insert as subclause (1):
 - (1) A prescription issued or given under these regulations must be in paper or electronic form.
 - (2) In regulation 41, replace “Every prescription given under these regulations shall” with “Every prescription must”.
 - (3) Replace regulation 41(a) and (b) with:
 - (b) be dated with the date on which it was issued; and
 - (4) In regulation 41, insert as subclauses (3) to (6):
 - (3) A paper prescription must—
 - (a) be legible and indelible; and
 - (b) be signed physically by the prescriber in their own handwriting.
 - (4) An electronic prescription must be completed using, and transmitted through, an approved system.
 - (5) Any reference in these regulations that relates to including or recording anything in or on a prescription means, for an electronic prescription, including or recording it in the electronic records for the electronic prescription.
 - (6) In this regulation, **approved system** means a system approved by the Director-General by notice in the *Gazette*.

6 Regulation 42 amended (Dispensing of prescription medicines)

- (1) In regulation 42(3)(a), delete “written”.
- (2) In regulation 42(3)(c) and (d), replace “it was printed” with “the prescription was issued”.
- (3) In regulation 42(3)(e), replace “every prescription” with “every paper prescription”.

- (4) In regulation 42(4)(f), delete “signs and”.
- (5) After regulation 42(4)(f), insert:
- (fa) for a paper prescription, the pharmacist signs the prescription; and

Rachel Hayward,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Medicines Regulations 1984 on 22 December 2022. The amendments allow prescriptions to be issued electronically, not just on paper.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 24 November 2022.

These regulations are administered by the Ministry of Health.