1965/41

THE SOCIAL SECURITY (PHARMACEUTICAL BENEFITS) REGULATIONS 1965

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 15th day of March 1965

Present:
THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING IN COUNCIL

PURSUANT to the Social Security Act 1964, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Social Security (Pharmaceutical Benefits) Regulations 1965.

(2) These regulations shall come into force on the 1st day of April 1965.

2. Interpretation—In these regulations, unless the context otherwise requires,—

"The Act" means the Social Security Act 1964:

"Appropriate Committee" means such Committee appointed or deemed to be appointed under section 121 of the Act as the Minister in any case determines:

"Contractor" means a person who signifies that he is willing, or who undertakes, in accordance with regulation 4 of these regulations, to supply pharmaceutical requirements from particular premises; and includes the executors and administrators of a deceased contractor to the extent that they are entitled to carry on his pharmaceutical business:

"District" means a health district constituted under the Health Act 1956:

"Prescription" means, subject to regulations 6 (3), 7 (4), and 7 (7) of these regulations, a document signed by a medical practitioner prescribing pharmaceutical requirements for any person who is entitled to receive pharmaceutical benefits under the Act:

"Receipt" means a document signed by a person with the intention that it should serve as an acknowledgment of the receipt of goods by him, whether or not the goods are supplied to him before the document is signed or before the document is delivered to the contractor or a date is appended to the signature or the document contains particulars of the goods or the document contains other matters, but does not include any writing endorsed on a prescription or order pursuant to subclause (1) or subclause (2) of regulation 10 of these regulations:

"Repeat" means a further supply of pharmaceutical requirements provided pursuant to directions contained in or appended to a prescription for an original supply:

Expressions defined in section 88 of the Act have the meanings so defined.

3. The Drug Tariff—(1) A copy of the Drug Tariff shall be supplied free of charge to every contractor.

(2) If any dispute arises as to the true meaning and application of any term used in the Drug Tariff, the Minister, after consultation with the appropriate Committee, may determine the dispute in such manner as appears to him just, and his decision thereon shall be final.

(3) Nothing in these regulations shall be construed to restrict the powers conferred on the Minister by the Act.

4. Contractors—(1) Subject to sections 100 and 122 of the Act, the proprietor of a pharmacy within the meaning of the Pharmacy Act 1939 who—

(a) Is registered as a chemist under that Act; or

(b) Satisfies the Medical Officer of Health, by the production of such evidence as that officer may require, that he is entitled to carry on business in a pharmacy under that Act—

may, by a notice of acceptance in triplicate in form 1 in the First Schedule to these regulations or to the like effect, signify to the Minister that he is willing to supply pharmaceutical requirements in accordance with the Drug Tariff to persons entitled to receive pharmaceutical benefits under the Act.

(2) Any person, other than a person entitled to become a contractor pursuant to subclause (1) of this regulation, who is entitled to sell pharmaceutical requirements may, by a like notice, modified to such extent as may be necessary, with the concurrence of the Minister and subject to such special terms and conditions, if any, as the Minister may impose, undertake to supply pharmaceutical requirements, or any specified kind or class of pharmaceutical requirements, in accordance with any such terms and conditions and with the Drug Tariff, to persons entitled to receive pharmaceutical benefits under the Act.

(3) Every notice under this regulation shall be delivered to the Medical Officer of Health of the district in which the pharmaceutical business to which the notice relates is carried on.

(4) Subject to subclauses (5) and (6) of this regulation, if any particulars appearing in a notice under this regulation are or become incorrect, the contractor shall forthwith notify the material facts to the Medical Officer of Health who shall amend the notice accordingly.

(5) Subject to section 122 of the Act, if the pharmaceutical business of a contractor is removed from the premises specified in his notice of acceptance under this regulation to, in the case of a contractor under subclause (1) of this regulation, premises in another district, or, in the case of a contractor under subclause (2) of this regulation, any other premises, he shall thereupon cease to be a contractor in relation to the first-mentioned premises, without prejudice to his right to become a contractor or the right of the Minister to permit him to become a contractor, as the case may require, in relation to the premises to which the business is removed.

(6) Subject to section 122 of the Act, a person shall cease to be a contractor on the occurrence of any event which makes the performance of his obligations under these regulations impracticable or unlawful, without prejudice, subject to regulations 13 and 18 of these regulations, to his right to receive payment in respect of pharmaceutical requirements supplied before that occurrence.

5. Obligations of contractors—(1) Every contractor who is the proprietor of a pharmacy shall be required to keep open for business, during the times specified in his notice of acceptance, each place of business referred to therein. On the outer door or window of each such place of business he shall at all times keep prominently displayed a notice in form 2 in the First Schedule to these regulations or to the like effect.

(2) For the purpose of enabling him to comply with his obligation to supply pharmaceutical requirements, every contractor who is the proprietor of a pharmacy shall, as far as practicable, keep an adequate stock of such pharmaceutical requirements as he may reasonably expect to be called upon to supply.

(3) On the presentation to a contractor of any prescription, and on compliance by the customer with regulation 10 of these regulations, it shall be the duty of the contractor, with all reasonable promptitude and in accordance with the terms of the prescription, to supply the pharmaceutical requirements prescribed in the prescription:

Provided that this subclause shall not apply, and no payment shall be made by the Department in respect of any pharmaceutical requirements supplied in accordance with the prescription, if and to the extent that—

(a) It appears from the prescription or is otherwise known to the contractor that the pharmaceutical requirements are not required for the treatment of the person for whom the prescription has been given; or

(b) The contractor has reason to believe that it would be improper or unlawful or unsafe for him to supply the pharmaceutical requirements; or

(c) The pharmaceutical requirements are not included in the Drug Tariff.

6. Medical practitioners—(1) If the Minister has reason to believe with respect to any medical practitioner that—

(a) He has prescribed any pharmaceutical requirements for any person who when the prescription was given was not in need of treatment or was not in need of treatment for a condition for which the prescription was given; or

(b) He has prescribed excessive quantities of any pharmaceutical requirements for the use of any person; or

(c) He has prescribed any pharmaceutical requirements for use over an unnecessarily long period; or

(d) He has prescribed excessive quantities of or unnecessarily expensive flavouring agents or vehicles for the administration of any drugs; or

(e) He has, in comparison with other medical practitioners engaged in similar practice, been in the habit of prescribing unduly large or unduly expensive quantities of any pharmaceutical requirements; or

(f) The prescriptions issued by him during any period of three months have, in comparison with the prescriptions issued during the same period by other medical practitioners engaged in similar practice, imposed an undue financial burden upon the Department; or

(g) He has, by any other practice in relation to prescriptions given by him, imposed an undue financial burden upon the Department,—

the Minister may refer the matter as a complaint to the Medical Practitioners Disciplinary Committee for inquiry under section 34 of the Medical Practitioners Act 1950. If that Committee so recommends, the Minister may require the medical practitioner to pay to the Crown, by way of penalty, an amount not exceeding the estimated amount of the additional charges that have been imposed on the Department by reason of the practices complained of, or, in the alternative or if any such penalty is not paid, may, by notice published in the *Gazette* and in such other manner, if any, as the Minister thinks proper, exclude from the operation of these regulations all prescriptions or all prescriptions of a specified class that may thereafter be given by that medical practitioner.

(2) Any notice under subclause (1) of this regulation may be at any time revoked by the Minister, and if not sooner revoked shall cease to operate on the expiration of six months from the date of its first publication in the *Gazette*.

(3) The Minister may at any time, on the recommendation of the appropriate Committee, by notice given in such manner as the Minister thinks proper, direct that prescriptions signed by a medical practitioner specified in the notice shall not be recognised for the purposes of these regulations unless they are written out in the handwriting of the medical practitioner, and may at any time revoke any such direction.

7. Prescriptions—(1) Every prescription shall include directions as to dosage or as to the manner of use or application, except in cases where any such directions would be obviously unnecessary.

(2) The contractor shall write legibly on a label attached to the container in which any pharmaceutical requirements dispensed by count are supplied the proper name, being the name or abbreviated name stated in the prescription of the pharmaceutical requirements, unless the medical practitioner who signed the prescription has indicated, either on the prescription or otherwise,—

(a) That he does not wish the contractor so to do, in which event the contractor shall not write the proper name on such label; or

(b) That he wishes the contractor to use some other designation of the pharmaceutical requirement, in which event the contractor shall write legibly that other designation on the label instead of the proper name.

(3) If the pharmaceutical requirements or any of the pharmaceutical requirements prescribed by any prescription are to be supplied on more occasions than one, written directions to that effect shall be included in or appended to the prescription. If such directions are written by any person other than the medical practitioner, they shall be signed or initialled by the medical practitioner.

(4) Whenever any medical practitioner signs any prescription or any directions thereon, he shall, in his own handwriting, add the appropriate date to his signature.

(5) Unless express directions are contained in or appended to any such prescription with respect to the intervals to elapse between the several occasions on which any prescribed pharmaceutical requirements are to be supplied in terms of that prescription, the prescription shall be deemed to authorise the supply of a repeat only when it can be reasonably assumed by the contractor that the last preceding supply has been exhausted or has been substantially exhausted:

Provided that in special circumstances the contractor, if he is satisfied by representations made by or on behalf of the patient that there is a good and sufficient reason for the supply of a repeat before the expiration of the prescribed interval or before the last preceding supply has been exhausted, may, subject to subclause (6) of this regulation, supply a repeat with the original supply or at any time thereafter.

(6) Where on any occasion any pharmaceutical requirements are supplied in excess of the requirements prescribed for that occasion, the contractor shall disclose in his claim the reasons for the additional

supply, and the Medical Officer of Health may disallow the claim, in whole or in part, if he is not satisfied as to the sufficiency of the reasons given by the contractor.

(7) If any prescription fails in any material respect to satisfy the requirements of this regulation, it shall not be recognised for the purposes of these regulations except with the approval of the Medical Officer of Health.

8. Misrepresentation—If at any time the Minister is satisfied that any person, by reason of misrepresentation or collusion or by any other improper means, has been supplied under these regulations with any pharmaceutical requirements to which he was not entitled, the Minister may call upon that person to refund an amount not exceeding the cost to the Department of any excessive requirements supplied to him, and in any such case the amount demanded may be recovered as a debt due to the Crown.

9. Midwifery orders—(1) In this regulation—

"Authorised midwifery pharmaceutical requirements" means such pharmaceutical requirements, if any, as are specified in the Drug Tariff to be obtainable on the presentation of a midwifery order:

"Midwifery order" means an order for the supply of any authorised midwifery pharmaceutical requirements of or on behalf of a woman who has made arrangements with the licensee of a licensed maternity hospital or with an obstetric nurse to obtain maternity benefits in accordance with the provisions of the Social Security (Maternity Benefits) Regulations 1939.*

(2) Every midwifery order shall be signed by the licensee or manager of the hospital or by the obstetric nurse, as the case may require.

(3) On the presentation to a contractor of a midwifery order, and on compliance by the customer with the requirements of regulation 10 of these regulations, it shall be the duty of the contractor to fulfil the order with all reasonable promptitude.

(4) No midwifery order shall be issued to or in respect of any woman earlier than three months before the expected date of her confinement.

(5) All authorised midwifery pharmaceutical requirements supplied pursuant to a midwifery order shall be supplied for use only during labour and the lying-in period of the woman to or for whom they have been supplied. Any such pharmaceutical requirements that are not used as aforesaid shall be deemed to be the property of the Crown, and may be disposed of in accordance with the directions of the Medical Officer of Health.

*S.R. 1939/43 (Reprinted with Amendments Nos. 1 and 2: S.R. 1950/114)
Amendment No. 3: (*Revoked by S.R. 1964/20*)
Amendment No. 4: (*Revoked by S.R. 1958/85*)
Amendment No. 5: (*Revoked by S.R. 1958/85*)
Amendment No. 6: (*Revoked by S.R. 1961/25*)
Amendment No. 7: S.R. 1961/25
Amendment No. 8: S.R. 1963/42
Amendment No. 9: S.R. 1964/20

10. Supply of pharmaceutical requirements—(1) Where any prescription or order is presented to a contractor under these regulations by the person to whom it relates, the contractor shall require the customer to sign the prescription or order and the customer shall add to his signature in his own handwriting the date of the presentation of the prescription or order, and also his usual place of residence if it does not already appear on the prescription or order.

(2) Where a prescription or order is presented to a contractor by any other person, the contractor shall require the customer—

(a) To state on the prescription or order the name and usual place of residence of the person to whom it relates (if those particulars do not already appear on the prescription or order); and

(b) To sign the prescription or order; and

(c) To add to his signature in his own handwriting the date of the presentation of the prescription or order and also his usual place of residence.

(3) Every prescription or order presented to a contractor under these regulations shall be surrendered to the contractor and shall be dealt with by him in accordance with regulation 15 of these regulations.

(4) In any case where it is impracticable for the customer to comply with subclause (1) or subclause (2) of this regulation, the contractor shall be deemed to have complied with whichever of those subclauses is applicable if he endorses and signs on the prescription an explanation of the failure of the customer so to comply.

(5) Where, in accordance with express directions contained in any prescription, the pharmaceutical requirements prescribed therein are to be supplied on more occasions than one, the person taking delivery of those requirements on each separate occasion shall give to the contractor a receipt therefor bearing the date of the delivery thereof and the name and address of the person taking such delivery.

11. Contractor undertaking to supply only specified kinds of pharmaceutical requirements—Where any contractor has undertaken to supply only specified kinds or classes of pharmaceutical requirements, nothing in the foregoing provisions of these regulations shall be construed to impose on him an obligation to supply pharmaceutical requirements of any other kind or class.

12. Lists of contractors—(1) For every district there shall be compiled a list of the contractors in that district.

(2) Every such list shall be in such form as the Minister may direct or approve, and shall be amended from time to time as occasion requires.

(3) Copies of such lists shall be available for inspection by the public during office hours at the office of the Medical Officer of Health, and at such other places, if any, as the Minister thinks necessary for the information of persons concerned.

(4) The list shall, in respect of each contractor whose name is included therein, contain particulars of—

(a) His place or places of business:

(b) The times during which the several places of business are open:

(c) In the case of a contractor who has undertaken to supply only specified kinds or classes of pharmaceutical requirements, the kinds or classes so specified.

13. Termination of contracts—(1) No contractor shall, except with the leave of the Minister, be entitled to terminate his obligation to supply pharmaceutical requirements in accordance with these regulations, except on one month's written notice of intention to terminate that obligation given to the Medical Officer of Health.

(2) Notwithstanding anything in subclause (1) of this regulation, a contractor shall not be entitled, except with the leave of the Minister, to terminate his obligation under these regulations at any time while an investigation concerning him is pending under section 122 of the Act.

14. Payments to contractors—(1) Subject to the provisions of these regulations and of the Drug Tariff, and to compliance by the contractor with his obligations thereunder, a contractor who supplies any pharmaceutical requirements in accordance with these regulations for the use of a person who is entitled to receive pharmaceutical benefits shall be entitled to receive payment on production of the relevant prescriptions or orders of an amount to be assessed by the Department, being the equivalent of the price of the goods supplied, computed in accordance with the provisions of the Drug Tariff, and of any additional fees authorised by the Drug Tariff.

(2) Subject to the provisions of these regulations and of the Drug Tariff, the price so computed shall be the price as at the pharmacy or other place of business of the contractor, and any expenses incurred by the contractor by way of postage or otherwise in delivering any goods at any other place shall be payable to the contractor by the person to or for whom the goods were supplied. Where any pharmaceutical requirements are to be delivered by post, the contractor may require prepayment of the postage. If in any case prepayment of postage is impossible or impracticable, the goods may be posted subject to the condition that the postage and any additional fees charged by the Post Office for delivery will be payable on delivery.

(3) Except as provided in subclause (2) of this regulation or in the Drug Tariff, the amount paid to a contractor by the Department in respect of any pharmaceutical requirements supplied by him shall be accepted by him in full satisfaction of all claims in respect thereof.

(4) No computation under subclause (1) of this regulation in respect of the amount payable on a claim, or the aggregate amount payable on claims computed together, shall be deemed to be erroneous if the balance of error, after setting off excesses against deficiencies, does not exceed one-half of 1 per cent of the correct amount or correct aggregate amount.

15. Claims—(1) All claims for payment in respect of pharmaceutical requirements supplied by contractors under these regulations shall be made to the Medical Officer of Health at the place at which a pricing office for the place where the contractor carries on business is maintained by the Department, and shall be made in such form and at such times as the Medical Officer of Health may require.

(2) Every such claim shall be accompanied by the prescriptions or orders referred to in the claim, and shall be supported by such receipts, certificates, or other documents as may be required in proof of the supply by the contractor of the pharmaceutical requirements to which the claim relates:

Provided that the production of any such receipts or other documents may be dispensed with in any case if the Medical Officer of Health is satisfied that, owing to special circumstances, it was not practicable for the contractor to obtain or produce them.

(3) Where the particulars required by regulation 10 of these regulations are duly supplied on any prescription or order forwarded with any claim, the prescription or order shall, in the absence of evidence to the contrary, be deemed to have been duly fulfilled for the benefit of a person entitled in accordance with these regulations to receive the pharmaceutical requirements referred to therein.

(4) If the Medical Officer of Health, disallows the whole or part of any claim under these regulations, he shall notify the contractor in writing of the disallowance and the reasons therefor.

(5) In any case where a Medical Officer of Health disallows the whole or any part of a claim under these regulations on the ground only that sufficient particulars or supporting documents have not been supplied, and the contractor furnishes to the Medical Officer of Health adequate particulars or documents, as the case may require, within a reasonable time after he has been notified of the disallowance, the claim or the part thereof so disallowed shall be assessed and paid as if it had been accompanied by those particulars and documents.

16. Examination by contractor—(1) On application in that behalf by any contractor the Medical Officer of Health shall afford to the contractor reasonable facilities for examining the computations made by the Department in assessing the prices and fees payable in respect thereof.

(2) Similar facilities shall, on application, be afforded to duly appointed representatives of the Pharmacy Board of New Zealand, or of the Chemists Service Guild of New Zealand, or of the appropriate Committee.

17. Investigation—(1) A Medical Officer of Health, or any person authorised by him in writing to act under this regulation, may, for the purpose of investigating any matter falling within these regulations, either at the premises of a contractor or elsewhere, call for and examine any document, book, or record which relates to a claim made or to be made by the contractor, or to any pharmaceutical requirements supplied or to be supplied pursuant to these regulations, and may, in the presence of the contractor if he desires to be present, examine, weigh, measure, and test any such pharmaceutical requirements, and may take possession of any such document, book, record, or pharmaceutical requirements for the purposes of any such investigation.

(2) It shall be the duty of a contractor to discover and make available to the Medical Officer of Health or other person as aforesaid any document, book, record, or pharmaceutical requirements which are material to an investigation under this regulation and are in the possession or under the control of the contractor.

(3) A Medical Officer of Health or other person as aforesaid may submit for analysis to an Analyst appointed under the Food and Drugs Act 1947 any pharmaceutical requirement of which he has taken possession under subclause (1) of this regulation. When he takes possession

of a pharmaceutical requirement for this purpose, he shall follow the procedure prescribed by subsections (1) to (4) of section 16 of that Act; and subsections (3) and (4) of section 17 and sections 19 and 20 of that Act shall apply as if the pharmaceutical requirement were a sample taken under that Act.

(4) Where a Medical Officer of Health or other person takes possession of any prescription or pharmaceutical requirement under this regulation, he shall, in any case where possession is so taken for the purpose of analysis and in any other case if the contractor so elects,—

(a) In the case of a prescription, make, certify, and give to the contractor a copy of the prescription, which certified copy may be used by the contractor, instead of the prescription, to support a claim under these regulations:

(b) In the case of a pharmaceutical requirement, pay to the contractor a sum assessed as provided in regulation 14 of these regulations, or, if the pharmaceutical requirement is not specified in the Drug Tariff, equivalent to the current market price.

(5) Any prescription of which a copy is given, and any pharmaceutical requirement for which payment is made under subclause (4) of this regulation, shall thereupon become the property of the Crown.

18. Complaints—(1) Any person who is entitled in accordance with these regulations to claim from any contractor any pharmaceutical requirements for himself or for any other person may make a complaint in writing to the Medical Officer of Health—

(a) If, on presentation of any prescription or order, the contractor refuses or fails, contrary to the provisions of these regulations, to supply any pharmaceutical requirements in accordance with the prescription or order; or

(b) If, in the supply of any pharmaceutical requirements in accordance with any prescription, the contractor has, in the opinion of that person, been negligent.

(2) If in the opinion of the Medical Officer of Health the complaint is not trivial, or in any case if the complainant so requires, the Medical Officer of Health shall refer it through the Director-General of Health to the Minister, who, if he considers that the complaint is well founded and is sufficiently serious, shall refer it for investigation and report to the appropriate Committee.

(3) If a Medical Officer of Health has reason to believe that a contractor has contravened or failed to comply with any provision of these regulations, in any respect not amounting to an offence, he may complain thereof through the Director-General of Health to the Minister, who, if he considers that the complaint is well founded and is sufficiently serious, shall refer it for investigation and report to the appropriate Committee.

(4) If after due investigation the appropriate Committee to which a complaint is referred under subclause (2) or subclause (3) of this regulation is satisfied that the complaint is substantiated, it may recommend to the Minister that a penalty, not exceeding £10, be imposed on the contractor, and the Minister may thereupon direct that such a penalty shall be recovered by way of deduction from any money payable to the contractor in accordance with these regulations.

19. Disputes—(1) In the event of a dispute between the Medical Officer of Health and any contractor in relation to the rights of the contractor under these regulations, the dispute may, at the election of either party, be referred to the appropriate Committee.

(2) Where a dispute has been so referred, the Committee shall forward its report and recommendations to the Minister whose decision shall be final.

20. Hospital Boards—(1) No Hospital Board shall demand or accept or be entitled to recover, in consideration of the supply of pharmaceutical requirements to any person who is entitled to claim pharmaceutical benefits, any payment from that person or any other person which it could not demand, accept, or recover if it were a contractor within the meaning of these regulations.

(2) Except as provided in subclause (1) of this regulation, these regulations shall have no application to the supply of pharmaceutical requirements by a Hospital Board, but nothing in these regulations shall prevent a Hospital Board from supplying such requirements free of charge.

21. Offences—Every person commits an offence against these regulations who—

(a) Being a contractor, demands, requires, or accepts from any person a receipt in anticipation of the supply of any pharmaceutical requirements or a receipt which does not disclose the true date on which the pharmaceutical requirements to which the receipt relates or is intended to relate were in fact supplied; or

(b) Being a contractor, supplies any pharmaceutical requirements by way of a repeat, except in response to a specific request made by or on behalf of the patient; or

(c) Being a contractor, makes a claim for payment for any pharmaceutical requirements that he has not in fact supplied in accordance with these regulations, or furnishes in support of any claim a receipt, certificate, or other document that is false or misleading in any particular; or

(d) Gives to any contractor a receipt for any pharmaceutical requirements that he has not in fact received, or gives a receipt that does not disclose the true date on which the pharmaceutical requirements referred to therein were received by him.

22. Revocations—The regulations specified in the Second Schedule to these regulations are hereby revoked.

SCHEDULES

FIRST SCHEDULE

Form 1

Reg. 4 (1)

Social Security (Pharmaceutical Benefits) Regulations 1965

NOTICE OF ACCEPTANCE

To the Medical Officer of Health at .....

I (We) [*Name in full of person, firm, or body corporate*] (hereinafter called the contractor) trading under the name of ..... being the proprietor(s) of a pharmacy under the Pharmacy Act 1939 situated at ..... hereby signify to the Minister of Health that I am (we are) willing to supply pharmaceutical requirements to persons entitled to pharmaceutical benefits in accordance with the Drug Tariff and subject to the Social Security (Pharmaceutical Benefits) Regulations 1965.

The times during which the said pharmacy is open for business are: .....

Cheques are to be made payable to .....

It is hereby declared that the pharmacy is registered under the Pharmacy Registration Regulations 1955.

Dated at ..... this ..... day of ..... 19.....

Signature:.....

Designation of persons signing on behalf of a body corporate: .....

WHEN COMPLETED THIS NOTICE OF ACCEPTANCE SHOULD BE SENT IN TRIPLICATE TO THE MEDICAL OFFICER OF HEALTH FOR THE DISTRICT IN WHICH THE PHARMACY IS SITUATED.

NOTE: Regulation 4 (4) requires a contractor to notify the Medical Officer of Health *forthwith* upon any change occurring in the above particulars.

Form 2

Reg. 5 (1)

Social Security (Pharmaceutical Benefits) Regulations 1965

PARTICULARS TO BE DISPLAYED BY CONTRACTORS ON PHARMACY PREMISES

NAME in full of contractor (*with academic or other qualifications*): .....

These premises are open for business at the following times: [*Set out hours of business*].

When these premises are closed the nearest pharmacy or other place where pharmaceutical supplies can be obtained under the regulations is: [*Specify premises, if known*].

SECOND SCHEDULE Reg. 22

REGULATIONS REVOKED

Title	Serial Number
Social Security (Pharmaceutical Supplies) Regulations 1941 (Reprinted with Amendments Nos. 1 to 6: S.R. 1951/197)	1941/66
Social Security (Pharmaceutical Supplies) Regulations 1941, Amendment No. 1	1941/131
Social Security (Pharmaceutical Supplies) Regulations 1941, Amendment No. 2	1942/3
Social Security (Pharmaceutical Supplies) Regulations 1941, Amendment No. 3	1943/155
Social Security (Pharmaceutical Supplies) Regulations 1941, Amendment No. 4	1946/135
Social Security (Pharmaceutical Supplies) Regulations 1941, Amendment No. 6	1951/130
Social Security (Pharmaceutical Supplies) Regulations 1941, Amendment No. 7	1957/157
Social Security (Pharmaceutical Supplies) Regulations 1941, Amendment No. 8	1964/22

T. J. SHERRARD,
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 re-enact, with amendments, the Social Security (Pharmaceutical Supplies) Regulations 1941 and the amendments of those regulations.

The main changes are—

(a) The terminology has been revised to accord more closely with the terminology used in Part II of the Social Security Act 1964.

(b) The regulations are more closely related to the Drug Tariff.

(c) Regulation 4 contains more elaborate provisions regarding the duration and amendment of contracts.

(d) Under regulation 6, the Disciplinary Committee of the British Medical Association becomes the sole authority for investigating alleged abuses of the regulations by doctors.

(e) The existing general provision (which had never been brought into force), requiring all prescriptions to be in the handwriting of the prescribing doctor, has been omitted.

(f) Regulation 14 (4) gives recognition to the present practice, approved by the appropriate Committee, of disregarding minor errors in computation.

(g) Regulation 17 confers certain powers on a Medical Officer of Health to check abuses.

(h) Regulation 18 includes provisions enabling complaints by a Medical Officer of Health, regarding breaches of the regulations, to be investigated by the appropriate Committee according to the same procedure, and with like consequences, as the complaints of private persons.

(i) Regulation 19 enables contractors to appeal to the appropriate Committee against an adverse decision of a Medical Officer of Health.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 18 March 1965.
These regulations are administered in the Department of Health.