

1969/240



**THE SOCIAL SECURITY (PHARMACEUTICAL BENEFITS)  
REGULATIONS 1965, AMENDMENT NO. 1**

ARTHUR PORRITT, Governor-General

**ORDER IN COUNCIL**

At the Government House at Wellington this 24th day of November  
1969

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL 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.

**REGULATIONS**

**1. Title and commencement**—(1) These regulations may be cited as the Social Security (Pharmaceutical Benefits) Regulations 1965, Amendment No. 1, and shall be read together with and deemed part of the Social Security (Pharmaceutical Benefits) Regulations 1965\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of January 1970.

**2. Interpretation**—Regulation 2 of the principal regulations is hereby amended by omitting from the definition of the term “receipt” the words “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”.

**3. Obligation of contractors**—Regulation 5 of the principal regulations is hereby amended:

- (a) By inserting in subclause (3), after the word “regulations,” the words “and on payment by or on behalf of the customer of any amount which the contractor is authorised by the Drug Tariff or these regulations to charge that customer”:
- (b) By inserting in subclause (3), after the words “duty of the contractor”, the words “subject to the provisions of these regulations”.

**4. Medical practitioners**—(1) Regulation 6 of the principal regulations is hereby amended by inserting in subclause (1), after paragraph (d), the following paragraph:

“(dd) He has been in the habit of prescribing or procuring pursuant to any provision of the Drug Tariff, without sufficient reason, pharmaceutical requirements in extraordinarily large or extraordinarily expensive quantities for the treatment of any patient or class of patients under his care; or”.

(2) Regulation 6 of the principal regulations is hereby further amended by omitting from subclause (1) the words “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”, and substituting the words “may cause any such amount to be deducted from payments falling due to be made by the Department to the medical practitioner in respect of current or future claims under the Act”.

(3) Regulation 6 of the principal regulations is hereby further amended by revoking subclause (2), and substituting the following subclause:

“(2) If the Committee does not recommend any such deduction, or if and to the extent that any such deduction is impracticable, the amount of the penalty may be recovered as a debt due to the Crown.”.

**5. Prescriptions**—Regulation 7 of the principal regulations is hereby amended by inserting in subclause (5), after the word “only”, the words “if supplied in response to a specific request for that repeat made by or on behalf of the patient and”.

**6. Supply of pharmaceutical requirements**—The principal regulations are hereby further amended by revoking regulation 10, and substituting the following regulation:

“10. (1) Subject to subclause (2) of this regulation, where a contractor supplies any pharmaceutical requirement under these regulations, he shall—

“(a) State on the prescription or order pursuant to which the pharmaceutical requirement is supplied the date of that supply; and

“(b) If the prescribing practitioner has omitted to state the name and address of the person to whom the prescription relates take all reasonable steps to ensure that the name and address of that person appears on the prescription; and

“(c) If the quantity of any pharmaceutical requirement supplied is less than the quantity authorised by the prescription or order to be supplied on that occasion state on the prescription or order the quantity of the pharmaceutical requirement supplied.

“(2) Where a prescription authorises a repeat, the contractor shall be required to comply with paragraphs (a) and (b) of subclause (1) of this regulation only on the occasion of the original supply, but on every occasion of supply pursuant to the prescription shall comply with paragraph (c) of that subclause and shall impress on the prescription

a rubber stamp provided or approved by the Department for the purpose and shall on every occasion on which a repeat is supplied state in the appropriate column of the impression the reference number allotted by him to the prescription, and the date on which the particular repeat is supplied.

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

“(4) Nothing in this regulation shall apply to a medical practitioner’s supply order intended to be presented by a contractor under clause 27 of the Drug Tariff 1967.”

**7. Complaints**—Regulation 18 of the principal regulations is hereby amended by inserting in subclause (3), after the words “provision of”, the words “the Drug Tariff or of”.

**8. Offences**—Regulation 21 of the principal regulations is hereby amended by omitting from paragraph (c) the word “supplied”, and substituting the words “supplied, or that he has supplied otherwise than”.

P. J. BROOKS,  
Clerk of the Executive Council.

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#### EXPLANATORY NOTE

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

These regulations amend the Social Security (Pharmaceutical Benefits) Regulations 1965. The definition of the term “receipt” is amended. A new paragraph (dd) is inserted in regulation 6 (1) of the principal regulations relating to complaints against medical practitioners.

Customers’ signatures on prescriptions are no longer required. Where a prescription authorises a repeat, the contractor shall stamp it with a rubber stamp provided for the purpose by the Department of Health, and shall when supplying every repeat, note on the prescription the reference number allotted by him to the prescription and the date on which the particular repeat is supplied.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 27 November 1969.

These regulations are administered in the Department of Health.