
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 191

Pharmaceutical Services and Charges for Drugs and Appliances (Amendment) Regulations (Northern Ireland) 2009

Amendment of the Charges for Drugs and Appliances Regulations (Northern Ireland) 1997

- 3.—(1) The Charges for Drugs and Appliances Regulations are amended as follows.
- (2) In regulation 2(1) (interpretation)—
- (a) omit the definition of “Agency”;
 - (b) for the definition of “independent nurse prescriber”(1) substitute the following definition—
 - ““independent nurse prescriber” means a person—
 - (a) who is registered in the Nursing and Midwifery Register; and
 - (b) against whose name in that register is recorded an annotation signifying that he is qualified to order drugs, medicines and appliances as a community practitioner nurse prescriber, a nurse independent prescriber or a nurse independent/supplementary prescriber;”;
 - (c) omit the definition of “medical list”;
 - (d) for the definition of “nurses and midwives’ professional register”(2) substitute the following definition—
 - ““Nursing and Midwifery Register” means the register maintained by the Nursing and Midwifery Council under Article 5 of the Nursing and Midwifery Order 2001;”;
 - (e) after the definition of “Nursing and Midwifery Register” insert the following definition—
 - ““optometrist independent prescriber” means a person—
 - (a) who is registered in the register maintained by the General Optical Council in pursuance of section 7 of the Opticians Act 1989; and
 - (b) against whose name in that register is recorded an annotation that he is qualified to order drugs, medicines and appliances as an optometrist independent prescriber;”;
 - (f) after the definition of “patient” insert the following definition—
 - ““pharmacist independent prescriber” means a person—
 - (a) who is registered in the register maintained in pursuance of Articles 6 and 9 of the Pharmacy (Northern Ireland) Order 1976 or in Part 1 of the register maintained under Article 10(1) of the Pharmacists and Pharmacy Technicians Order 2007; and

(1) This definition was inserted by [S.R. 2003 No. 447](#).

(2) This definition was inserted by [S.R. 2003 No. 447](#).

- (b) against whose name in that register is recorded an annotation signifying that he is qualified to order drugs, medicines and appliances as a pharmacist independent prescriber;”;
- (g) after the definition of “pre-payment certificate” insert the following—
 ““prescriber” means a doctor, dentist, an independent nurse prescriber, an optometrist independent prescriber, a pharmacist independent prescriber or a supplementary prescriber;”;
- (h) for the definition of “prescription form”(3), substitute—
 ““prescription form” means a form provided by the RBSO and issued by a prescriber to enable a person to obtain pharmaceutical services and—
 (a) includes a prescription form provided and issued under equivalent arrangements having effect in England, Scotland or Wales; and
 (b) does not include a repeatable prescription;”;
- (i) after the definition of “repeat dispensing services” insert the following—
 ““repeatable prescriber” has the same meaning as in the Pharmaceutical Services Regulations (Northern Ireland) 1997;”;
- (j) for the definition of “repeatable prescription”(4) substitute the following definition—
 ““repeatable prescription” means a prescription contained in a form provided by the RBSO and issued by a repeatable prescriber to enable a person to obtain pharmaceutical services, and which—
 (a) is generated by a computer but signed by a repeatable prescriber; and
 (b) indicates that the drugs or appliances ordered on that form may be provided more than once, and specifies the number of occasions on which they may be provided;
- (k) for the definition of “supplementary prescriber”(5) substitute the following definition—
 ““supplementary prescriber” means a person—
 (a) whose name is registered in—
 (i) the Nursing and Midwifery Register,
 (ii) Part 1 of the Register of Pharmacists maintained under Article 10(1) of the Pharmacists and Pharmacy Technicians Order 2007,
 (iii) the register maintained in pursuance of Articles 6 and 9 of the Pharmacy (Northern Ireland) Order 1976,
 (iv) the part of the register maintained by the Health Professions Council in pursuance of Article 5 of the Health Professions Order 2001 relating to—
 (aa) chiropodists and podiatrists;
 (bb) physiotherapists; or
 (cc) diagnostic or therapeutic radiographers; or
 (v) the register of optometrists maintained by the General Optical Council in pursuance of section 7 of the Opticians Act 1989; and

(3) This definition was amended by S.R. 1999 No. 100, substituted by S.R. 1999 No.166 and S.R. 2000 No. 57, amended by S.R. 2003 No. 447 and substituted by S.R. 2005 No. 231.

(4) This definition was inserted by S.R. 2005 No. 231.

(5) This definition was inserted by S.R. 2003 No. 447.

- (b) against whose name is recorded in the relevant register an annotation signifying that he is qualified to order drugs, medicines and appliances as a supplementary prescriber or, in the case of the Nursing and Midwifery Register, a nurse independent/supplementary prescriber;”
- (l) in the definition of “terms of service”, for sub-paragraph (a) substitute the following sub-paragraph—
 - “(a) in relation to doctors, the terms of service contained or referred to in the Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004⁽⁶⁾ and Schedule 2 to the Pharmaceutical Services Regulations (Northern Ireland) 1997;”.

⁽⁶⁾ S.R. 2004 No.140.