
STATUTORY INSTRUMENTS

1972 No. 1198

MEDICINES

The Medicines (Termination of Transitional Exemptions) (No. 1) Order 1972

Made - - - - *4th August 1972*

The Secretaries of State respectively concerned with health in England and in Wales, the Secretary of State concerned with health and with agriculture in Scotland, the Secretary of State for Northern Ireland and the Minister of Agriculture, Fisheries and Food, acting jointly, in exercise of their powers under sections 17 and 37(3) of the Medicines Act 1968 (as having effect subject to the provisions of Article 2(2) of, and Schedule 1 to the Transfer of Functions (Wales) Order 1969⁽¹⁾ and section 1(1) (a) of the Northern Ireland (Temporary Provisions) Act 1972) and of all other powers enabling them in that behalf, after consulting such organisations as appear to them to be representative of interests likely to be substantially affected by the following Order, hereby make the following Order:—

Citation and interpretation

1.—(1) This order may be cited as the Medicines (Termination of Transitional Exemptions) (No. 1) Order 1972.

(2) In this order, unless the context otherwise requires “the Act” means the Medicines Act 1968 and other expressions have the same meaning as in the Act.

(3) The Interpretation Act 1889 applies for the purpose of the interpretation of this order as it applies for the purpose of the interpretation of an Act of Parliament.

Termination of transitional exemptions from licences

2. The 1st September 1972 shall be the day appointed for the purposes of subsections (2) to (5) of section 16 of the Act (transitional exemptions) as being the day upon which those subsections shall cease to have effect in relation to anything done on or after that day in so far as it does not either—

- (a) relate to a substance that is a medicinal product by virtue only of the provisions of section 130(1)(b) of the Act (ingredients), or
- (b) consist of the sale or offer for sale by way of wholesale dealing of a medicinal product, other than a veterinary drug, which may be lawfully sold by retail otherwise than in accordance with a prescription given by a doctor or dentist, or from premises other than a registered pharmacy (within the meaning of the Act but as modified for the purposes

⁽¹⁾ (1969 I, p. 1070).

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of section 10 of the Act by Article 4 of the Medicines (Retail Pharmacists—Exemptions from Licensing Requirements) Order 1971(2)).

Termination of transitional exemptions from clinical trials and animal test certificates

3. The date appointed for the purposes of section 37 of the Act (transitional provisions as to clinical trials and medicinal tests on animals) shall be 1st December 1972.

28th July 1972 *Keith Joseph*
Secretary of State for Social Services

1st August 1972 *Peter Thomas*
Secretary of State for Wales

3rd August 1972 *Gordon Campbell*
Secretary of State for Scotland

3rd August 1972 *W.S.I. Whitelaw*
Secretary of State for Northern Ireland

In witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 4th August 1972.

L.S. *J.M.L. Prior*
Minister of Agriculture, Fisheries and Food

EXPLANATORY NOTE

This Order appoints the 1st September 1972 as the day upon which the transitional exemptions under section 16 of the Medicines Act 1968 whereby since 1st September 1971 (see The Medicines (First Appointed Day) Order 1971 (S.I. 1971/1153) dealings in certain medicinal products have been exempt from the licensing requirements of the Act, shall cease to have effect in relation to anything done on or after that day other than in relation to ingredients, or to wholesale dealing in medicinal products which are for human use only and which may be lawfully sold by a retailer without a practitioner's prescription or which may be sold from premises which are not those of authorised sellers of poisons or which are not pharmacy premises registered under the Medicines Act 1968. This Order also appoints the 1st December 1972 as the date upon which the transitional exemptions relating to clinical trials and medicinal tests on animals shall cease to have effect. By virtue of section 37(4) of that Act, this latter date is also the date before which applications for clinical trial and animal test certificates of right may be made.