

1989 No. 2323

MEDICINES

The Medicines (Exemption from Licences) (Special and Transitional Cases) (Amendment) Order 1989

<i>Made</i> - - - -	<i>8th December</i>
<i>Laid before Parliament</i>	<i>11th December</i>
<i>Coming into force</i>	<i>1st January 1990</i>

The Secretary of State concerned with health in England, the Secretaries of State respectively concerned with health and with agriculture in Scotland and in Wales, the Ministry of Agriculture, Fisheries and Food, the Department of Health and Social Services for Northern Ireland, and the Department of Agriculture for Northern Ireland, acting jointly, in exercise of the powers conferred by sections 15(1) and 129(4) of the Medicines Act 1968(a) and now vested in them(b), 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 in accordance with section 129(6) of that Act, hereby make the following Order:—

Citation and commencement

1. This Order may be cited as the Medicines (Exemption from Licences) (Special and Transitional Cases) (Amendment) Order 1989 and shall come into force on 1st January 1990.

2. The Medicines (Exemption from Licences) (Special and Transitional Cases) Order 1971(c) shall be amended as follows—

In article 1(2)—

(a) after the definition of “the Act” there shall be inserted the following definition—

““intermediate feed” means a medicated feeding stuff sold, supplied or imported for use wholly or mainly as an ingredient in the preparation of a substance which is to be fed to one or more animals for a medicinal purpose or for purposes that include that purpose, with or without further processing;”;

(b) for the definition of “medicinal product” there shall be substituted the following definition—

““medicinal product” includes—

(a) substances or articles specified in Orders made under section 104 or section 105 of the Act which are for the time being in force and which direct that Part II of the Act shall have effect in relation to such substances or articles as that Part has effect in relation to medicinal products within the meaning of the Act;

(a) 1968 c. 67; “the appropriate Ministers” referred to in section 15(1) is defined in section 1 (*see also* the following footnote).

(b) In the case of the Secretaries of State concerned with health in England and in Wales by virtue of S.I. 1969/388, in the case of the Secretary of State concerned with agriculture in Wales by virtue of S.I. 1978/272 and in the case of the Northern Ireland Departments by virtue of the Northern Ireland Constitution Act 1973 (c. 36), section 40 and Schedule 5, and the Northern Ireland Act 1974 (c. 28), section 1(3) and Schedule 1, paragraph 2(1)(b).

(c) S.I. 1971/1450; relevant amendments are S.I. 1972/1200, 1978/1139, 1979/1585.

- (b) articles or substances described in paragraphs 2 and 3 of Schedule 1 to the Medicines (Specified Articles and Substances) Order 1976(a); and
- (c) intermediate feed;”.

Amendment of the Medicines (Exemption from Licences) (Special Cases and Miscellaneous Provisions) Order 1972

3. The Medicines (Exemption from Licences) (Special Cases and Miscellaneous Provisions) Order 1972(b) shall be amended as follows—

In article 1(2)—

- (1) after the definition of “the Act” there shall be following definition—
 - ““intermediate feed” means a medicated feeding stuff sold, supplied or imported for use wholly or mainly as an ingredient in the preparation of a substance which is to be fed to one or more animals for a medicinal purpose or for purposes that include that purpose, with or without further processing”;
- (2) for the definition of “medicinal product” there shall be substituted the following definition—
 - ““medicinal product”—
 - (a) shall include the articles or substances described in paragraph 3 of Schedule 1 to the Medicines (Specified Articles and Substances) Order 1967;
 - (b) shall not include intermediate feed;
 - (c) shall not include other substances or articles specified in Orders made under section 104 or section 105(1)(b) of the Act which are for the time being in force unless such Order specifically directs that this Order shall have effect in relation to such substances or articles as this Order has effect in relation to medicinal products within the meaning of the Act;”.

8th December 1989

Kenneth Clarke
Secretary of State for Health

7th December 1989

Sanderson of Bowden
Secretary of State for Scotland

8th December 1989

Peter Walker
Secretary of State for Wales

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 7th December 1989.



John Gummer
Minister of Agriculture, Fisheries and Food

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland this 8th December 1989.



J.J.M. Harbison
Under Secretary, on behalf of the Permanent Secretary

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland this 8th December 1989.



W.J. Hodges
Permanent Secretary

(a) S.I. 1976/968. The articles or substances described in paragraph 2 of Schedule 1 to that Order are contact lenses and associated substances and in paragraph 3 are intra-uterine contraceptive devices.
 (b) S.I. 1972/1200; relevant amendments are S.I. 1978/1139, 1979/1585.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Medicines (Exemption from Licences) (Special and Transitional Cases) Order 1971 and the Medicines (Exemption from Licences) (Special Cases and Miscellaneous Provisions) Order 1972 by extending the definition of “medicinal product” to include “intermediate feed”, as defined in article 1(2) in the former Order and to exclude it in the latter.