

Statutory Document No. 2020/0184



Emergency Powers Act 1936

EMERGENCY POWERS (CORONAVIRUS) (SALE OR SUPPLY OF MEDICINAL PRODUCTS AND APPLIANCES) REGULATIONS 2020¹

Laid before Tynwald: 27 March 2020
Approved by Tynwald: 27 March 2020
Coming into Operation: in accordance with regulation 2

The Governor in Council, by Order¹, makes the following Regulations under section 4 of the Emergency Powers Act 1936.

1 Title

These Regulations are the Emergency Powers (Coronavirus) (Sale or Supply of Medicinal Products and Appliances) Regulations 2020.

2 Commencement

These Regulations come into operation immediately after they are made².

3 Interpretation

In these Regulations —

“**appliance**” means an appliance which is a prescribed appliance within the meaning of section 8(1) of the National Health Service Act 2001;

“**Coronavirus**” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

“**the Coronavirus Proclamation period**” means the period for which the Proclamation of Emergency dated 16 March 2020³ is in operation;

¹ Section 4(1) specifies that “Where a proclamation of emergency has been made, and so long as such proclamation is in force, it shall be lawful for the Governor in Council, by Order, to make regulations ...”.

² By virtue of section 4(2) of the Emergency Powers Act 1936, these Regulations made by Order of the Governor in Council must be laid before Tynwald within 7 days of being made and continue in force beyond 7 days of being so laid if Tynwald passes a resolution to that effect.

³ SD 2020/0162

“**medicinal product**” has the meaning given in the Medicines Act 2003;

“**medicines legislation**” means the Misuse of Drugs Act 1976, the National Health Service Act 2001 and the Medicines Act 2003 and any legislation made under those Acts; and

“**Protocol**” means the Protocol issued, from time to time, under Regulation 5(1).

4 **General**

These Regulations provide for the sale or supply of medicinal products and appliances during the Coronavirus Proclamation period.

5 **Protocol for sale or supply of medicinal products**

(1) During the Coronavirus Proclamation period, the Department of Health and Social Care may, from time to time, issue a written Protocol detailing the circumstances in which medicinal products and appliances may be sold or supplied by a person otherwise than in accordance with the provisions of the medicines legislation.

Tynwald procedure – laying only.

(2) The sale or supply by a person of any medicinal product or appliance in accordance with the terms of the Protocol will not –

- (a) breach any provision of the medicines legislation; or
- (b) constitute an offence under the medicines legislation.

MADE 13:40 26TH MARCH 2020

ENDNOTES

Table of Endnote References

¹ The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.