

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5351 GIBRALTAR Thursday 15th October 2026

LEGAL NOTICE NO. 353 OF 2026

MEDICAL AND HEALTH ACT, 1997

MEDICINES (PRESCRIPTION ONLY) (AMENDMENT) REGULATIONS 2026

In exercise of the powers conferred upon her by section 66 of the Medical and Health Act, 1997, and all other enabling powers, the Minister has made the following Regulations-

Title.

1. These Regulations may be cited as the Medicines (Prescription Only) (Amendment) Regulations 2026.

Commencement.

2. These Regulations come into operation on the day of publication.

Amendment of the Medicines (Prescription Only) Regulations, 1987.

3.(1) The Medicines (Prescription Only) Regulations, 1987 are amended in accordance with this regulation.

(2) In regulation 2-

(a) before the definition of “dependant” insert the following definition-

““controlled drug” has the meaning given in section 502 of the Crimes Act 2011;”;

(b) in the definition of “GHA paramedic”-

(i) after “person” insert “who is registered as a paramedic in accordance with Part IIA of the Act and is”;

(ii) after “employment of” insert “, or otherwise working for,”;

(c) after the definition of “GHA policy” insert-

““Health and Care Professions Council register” means the register established and maintained by the Health and Care Professions Council of the United Kingdom under article 5 of the Health Professions Order 2001;”;

(d) after the definition of “Medical Director” insert-

““paramedic prescriber” means a person who-

- (a) is registered as a paramedic in accordance with Part IIA of the Act;
- (b) is employed by, or otherwise working for, the Gibraltar Health Authority;
- (c) is registered in Part 8 of the United Kingdom’s Health and Care Professions Council register; and
- (d) against whose name is recorded in the register referred to in (c) an annotation signifying that the person is qualified to prescribe medicines and appliances as a paramedic independent prescriber;

“pharmacist prescriber” means a person who-

- (a) is registered as a pharmacist in accordance with Part II of the Act;
- (b) is employed by, or otherwise working for, the Gibraltar Health Authority;
- (c) is registered in Part 1 of the Register of pharmacists and pharmacy technicians maintained under article 19(2) of the Pharmacy Order 2010; and
- (d) is noted in the register referred to in (c) as qualified to prescribe medicines and appliances as a pharmacist independent prescriber;”;

(e) in the definition of “prescription only medicine” for “has the same meaning as in the 1997 Order” substitute “has the meaning given in regulation 3(4)”;

(f) before the definition of “pupil” insert the following definition-

““product subject to special medical prescription” has the meaning given in regulation 213 of the Human Medicines Regulations 2012;”;

(g) after the definition of “pupil” insert the following definitions-

““relevant prescriber” means any of the following-

- (a) a medical practitioner;
- (b) a dentist;
- (c) a nurse prescriber;

- (d) a nurse practitioner;
- (e) a prescribing optometrist;
- (f) a pharmacist prescriber;
- (g) a paramedic prescriber;

“the Health Professions Order 2001” means the Health Professions Order 2001 of the United Kingdom (S.I. 2002 No. 254) as amended from time to time and includes any order or other instrument in force in substitution for that Order;

“the Human Medicines Regulations 2012” means the Human Medicines Regulations 2012 of the United Kingdom (S.I. 2012 No.1916) as from time to time amended and includes any order or other instrument in force in substitution for those Regulations;

“the Pharmacy Order 2010” means the Pharmacy Order 2010 of the United Kingdom (S.I.2010 No. 231) as amended from time to time and includes any order or other instrument in force in substitution for that Order.”.

(3) In regulation 3(1) for paragraphs (a) and (b) substitute-

“(a) no person shall sell by retail, or supply in circumstances corresponding to retail sale, a prescription only medicine, except in accordance with a prescription given by a medical or dental practitioner or-

- (i) (subject to subregulation (5)) a nurse practitioner;
- (ii) (subject to subregulation (5A)) a nurse prescriber;
- (iii) (subject to subregulation (6)) a prescribing optometrist;
- (iv) (subject to subregulation (6A)) a pharmacist prescriber; or
- (v) (subject to subregulation (6B)) a paramedic prescriber;

(b) subject to sub-regulation (10), no person shall administer (otherwise than to himself and a dependant under his care) any prescription only medicine unless he is a medical practitioner, dental practitioner or-

- (i) (subject to subregulation (5)) a nurse practitioner;
- (ii) (subject to subregulation (5A)) a nurse prescriber;
- (iii) (subject to subregulation (6)) a prescribing optometrist;

- (iv) (subject to subregulation (7)) a GHA paramedic;
 - (v) (subject to subregulation (6A)) a pharmacist prescriber; or
 - (vi) (subject to subregulation (6B)) a paramedic prescriber.”.
- (4) In regulation 3(3) for “medicinal product” substitute “prescription only medicine”;
- (5) For regulation 3(4) substitute-
- “(4) In these regulations references to a prescription only medicine are to a medicinal product which-
- (a) is a prescription only medicine for the purposes of the Human Medicines Regulations 2012; or
 - (b) during such period as they are not a prescription only medicine under the Human Medicines Regulations 2012, consist of, or contain a substance listed in the Schedule 1 to these Regulations.”.
- (6) In regulation 3(5) for the full stop at the end of that subregulation substitute a comma and after subparagraph (ii) insert the following endpiece-
- “which are suitable for treating medical conditions within their clinical competence.”.
- (7) In regulation 3 after subregulation (6) insert the following subregulations-
- “(6A) Subject to any conditions which the Authority deems appropriate, a pharmacist prescriber may prescribe or administer any prescription only medicine contained in the Gibraltar National Formulary that is suitable for treating medical conditions within their clinical competence unless that medicinal product contains a product that is-
- (a) a controlled drug listed in Schedule 1, 2, 2A, 2B or 3 of the Drugs (Misuse) Regulations 2005; or
 - (b) a product subject to a special medical prescription.
- (6B) Subject to any conditions which the Authority deems appropriate, a paramedic prescriber may prescribe or administer any prescription only medicine contained in the Gibraltar National Formulary that is suitable for treating medical conditions within their clinical competence unless that medicinal product contains a product that is a controlled drug or a product subject to special medical prescription other than-
- (a) morphine;
 - (b) diazepam;

- (c) midazolam;
- (d) lorazepam;
- (e) codeine.”.

(8) In regulation 3(9) delete “under the Drugs (Misuse) Act”.

(9) In regulation 3(9A) for the full stop at the end of paragraph (c) substitute a semi-colon and after paragraph (c) insert-

- “(d) a pharmacist prescriber, provided it is a medicinal product the pharmacist prescriber may prescribe in accordance with subregulation (6A);
- (e) a paramedic prescriber, provided it is a medicinal product the paramedic prescriber may prescribe in accordance with subregulation (6B).”.

(10) In regulation 4(1)-

- (a) for “medicinal product to which regulation 3 applies” substitute “prescription only medicine”;
- (b) for “handwriting” substitute “handwriting”; and
- (c) insert the following paragraph after paragraph (da)–
 - “(db) specify the relevant prescriber issuing it;”.

(11) In regulation 5-

- (a) in subregulation (1) for “medicinal product to which regulation 3 applies” substitute “prescription only medicine”;
- (b) in subregulation (2) for “Director of Public Health” substitute “Medical Director”.

(12) In regulation 7-

- (a) delete “specified in Schedule 1 to the Drugs (Misuse) Act” in the two places where it appears;
- (b) for subregulation (5) substitute-
 - “(5) The conditions specified in subregulations (2)(d) and (4)(c) shall not apply where the prescription only medicine consists of or contains phenobarbital or phenobarbital sodium (but no other substance specified that is a controlled drug) and is sold or supplied for use in the treatment of epilepsy.”.

Dated: 15th October 2026.

G ARIAS-VASQUEZ,
Minister with responsibility for Health.

EXPLANATORY MEMORANDUM

These Regulations amend the Medicines (Prescription Only) Regulations, 1987 so as to allow the issuing of prescriptions by pharmacist prescribers and paramedic prescribers who are employed by or otherwise working for the Gibraltar Health Authority who meet certain conditions. The regulations also make certain changes to modify and update a number of references in the regulations.

Copies may be purchased at 6, Convent Place, Price. £1.03