

**2014 No. 256 (W. 34)**

**PUBLIC HEALTH**

**The HIV Testing Kits and Services  
Regulations 1992 (Revocation)  
(Wales) Regulations 2014**

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations revoke the HIV Testing Kits and Services Regulations 1992 (S.I. 1992/460), which make it an offence, subject to various exceptions,

- to sell or supply an HIV testing kit or component to a member of the public;
- to sell or supply an HIV testing kit without an accompanying warning notice; and
- to provide HIV testing services which are not directed by a registered medical practitioner.

In addition, the HIV Testing Kits and Services Regulations 1992 place restrictions on advertisements for such kits, components and services.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Sponsorship, Screening and Communicable Disease Team, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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*Made* 10 February 2014

*Laid before the National Assembly for Wales*

11 February 2014

*Coming into force* 6 April 2014

The Welsh Ministers make the following Regulations in exercise of the powers conferred by section 23(1) to (3) of the Health and Medicines Act 1988<sup>(1)</sup> and now vested in them<sup>(2)</sup>.

**Title, extent and commencement**

**1.** The title of these Regulations is the HIV Testing Kits and Services Regulations 1992 (Revocation) (Wales) Regulations 2014.

**2.** These Regulations come into force on 6 April 2014 and apply in relation to Wales.

**Revocation**

**3.** The HIV Testing Kits and Services Regulations 1992<sup>(3)</sup> are revoked in relation to Wales.

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(1) 1988 c. 49.  
(2) Functions formerly exercisable by the Secretary of State (being, in relation to Wales) in relation to section 23 of the Health and Medicines Act 1988 were transferred to the National Assembly for Wales by S.I. 1999/672, article 2, Sch 1 and subsequently transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (2006 c.32).  
(3) The HIV Testing Kits and Services Regulations 1992 (S.I. 1992/460).

*Mark Drakeford*

Minister for Health and Social Services, one of the  
Welsh Ministers

10 February 2014