



Signature requirements for private prescriptions

In England, a private prescription can be presented to a pharmacy in two ways:

- A paper document, or
- An electronic prescription.

Paper private prescriptions

For paper prescriptions, the legal requirements are described in the Medicines, Ethics and Practice (MEP) guide, published by the [Royal Pharmaceutical Society](#).

From MEP Edition 43, July 2019, section 3.3.31 (page 44):

- *“Prescriptions need to be signed in ink by an appropriate practitioner in his or her own name.”*

The legal basis for this is the Human Medicines Regulations 2012, regulation 217:

- *“Condition A is that the prescription is signed in ink by the appropriate practitioner giving it.”* <https://www.legislation.gov.uk/ukxi/2012/1916/regulation/217/made>

Electronic private prescriptions

In addition, as the MEP describes, an ‘advanced electronic signature’ can be used to authorise an electronic prescription, but not for controlled drugs, and not for veterinary prescriptions:

- *“An advanced electronic signature is a signature that is linked uniquely to the signatory, capable of identifying the signatory and created using means over which the signatory can maintain sole control (Regulation 219(5) Human Medicines Regulations 2012). The RPS is unable to confirm whether or not individual systems are able to issue advanced electronic signatures. Suitable assurances should be obtained from the system manufacturer and business indemnity providers.”*

The legal basis for this is the Human Medicines Regulations 2012, regulations 219 (4) and 219(5):

*“(4) The conditions mentioned in paragraphs (2)(b) and (3)(b) are that the prescription is—
(a) created in electronic form;
(b) signed with an advanced electronic signature; and
(c) sent to the person by whom it is dispensed as an electronic communication (whether or not through one or more intermediaries).”*

*“(5) In this regulation “advanced electronic signature” means an electronic signature that is—
(a) uniquely linked to the person (“P”) giving the prescription;
(b) capable of identifying P;
(c) created using means that P can maintain under P’s sole control; and
(d) linked to the data to which it relates in such a manner that any subsequent change of data is detectable.”*

<https://www.legislation.gov.uk/ukxi/2012/1916/regulation/219/made>

It is therefore clear that an acceptable “electronic private prescription” has to be created in electronic form, and sent to the pharmacy as an electronic communication; and the electronic signature must be “advanced”, in that it is uniquely linked to the prescriber, and is created using a method that could only have been under the sole control of the prescriber.

From this we can see that:

- A computer printed or photocopied signature - not signed in ink by the prescriber - on a paper document is NOT an “electronic signature” and cannot legally be dispensed by a pharmacy.
- An “electronic signature”, such as a scanned image of a signature on an electronic document such as an email, PDF, or Word file, even if that document is password protected or encrypted, is not an “advanced electronic signature” and this cannot legally be dispensed by a pharmacy.

Practical guidance for pharmacies

If you receive a request to dispense a private “electronic prescription”, the legislation (see first page) infers that you can only do so if the prescribing system and the pharmacy system operate in such a way that the data can be transferred electronically from the prescriber’s system to the pharmacy system using an *advanced electronic signature* as defined above; and in such a way that the prescription cannot be dispensed multiple times (not including any ‘repeats’ specified on the prescription), and can be retained for the legally required period. You should also ensure that any such process is verified by your business indemnity provider prior to use.

If these conditions cannot be met, then you should request a paper prescription signed in ink by the prescriber.