

2005 No. 3259

MEDICINES

The Medicines (Pharmacies) (Applications for Registration and Fees) Amendment Regulations 2005

Made - - - - - *24th November 2005*
Laid before Parliament *1st December 2005*
Coming into force - - - *1st January 2006*

The Secretary of State for Health and the Department of Health, Social Services and Public Safety, acting jointly, make the following Regulations in exercise of the powers conferred on them by sections 75(1), 76(1), (2) and (6) and 129(5) of the Medicines Act 1968(a) or, as the case may be, the powers conferred by those provisions and now vested in them(b).

In accordance with section 129(6) of that Act, they have consulted such organisations as appear to them to be representative of interests likely to be affected by the Regulations.

Citation and commencement

1. These Regulations may be cited as the Medicines (Pharmacies) (Applications for Registration and Fees) Amendment Regulations 2005 and shall come into force on 1st January 2006.

Amendment of the Medicines (Pharmacies) (Applications for Registration and Fees) Regulations 1973

2. In regulation 3 of the Medicines (Pharmacies) (Applications for Registration and Fees) Regulations 1973(c) (fees)—

- (a) in paragraph (1) (fee for registration of premises), for “£460” substitute “£474” and for “£90” (fee where premises are in Northern Ireland) substitute “£93”;
- (b) in paragraph (2) (retention fee), for “£137” substitute “£150” and for “£118” (fee where premises are in Northern Ireland) substitute “£130”;
- (c) in paragraph (3) (additional sum by way of penalty), for “£460” substitute “£474” and for “£262” (sum where premises are in Northern Ireland) substitute “£270”.

(a) 1968 c.67; the expression “the Health Ministers” is defined in section 1(1)(a) of that Act, as amended by article 2(2) of, and Schedule 1 to S.I. 1969/388, and by article 5 of, and paragraph 1(1) of the Schedule to, S.I. 1999/3142; the word “prescribed” is defined in section 132(1) of that Act.
(b) In the case of the Secretary of State for Health, by virtue of article 2(2) of, and Schedule 1 to, S.I. 1969/388, and by articles 2(1) and 5 of, and paragraph 1(1) of the Schedule to, S.I. 1999/3142; and in the case of the Department of Health, Social Services and Public Safety, the powers vested in the Minister in charge of that Department by virtue of section 95(5) of, and paragraph 10 of Schedule 12 to, the Northern Ireland Act 1998 (c.47) may now be exercised by the Department by virtue of section 1(8) of, and paragraph 4(1)(b) of the Schedule to, the Northern Ireland Act 2000 (c.1); the Department was renamed by virtue of article 3(6) of S.I. 1999/283 (N.I.I.).
(c) S.I. 1973/1822; relevant amending instruments are S.I. 1980/1806 and S.I. 2004/3197.

Revocation

3. The Medicines (Pharmacies) (Applicants for Registration and Fees) Amendment Regulations 2004(a) are revoked.

Signed by authority of the Secretary of State for Health

22nd November 2005

Jane Kennedy
Minister of State,
Department of Health

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety

24th November 2005

Andrew McCormick
Permanent Secretary,
Department of Health, Social Services and Public Safety

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Medicines (Pharmacies) (Applications for Registration and Fees) Regulations 1973 (“the principal Regulations”) as follows—

- (a) regulation 2(a) increases the fees for registration of premises at which a retail pharmacy business is, or is to be, carried on from £460 to £474 (where the premises are in Great Britain) and from £90 to £93 (where the premises are in Northern Ireland);
- (b) regulation 2(b) increases subsequent annual fees (retention fees) from £137 to £150 (where the premises are in Great Britain) and from £118 to £130 (where the premises are in Northern Ireland);
- (c) regulation 2(c) increases the penalty for failure to pay retention fees (payable in circumstances specified in section 76(2) of the Medicines Act 1968) from £460 to £474 (where the premises are in Great Britain) and from £262 to £270 (where the premises are in Northern Ireland).

These Regulations also revoke the Medicines (Pharmacies) (Applications for Registration and Fees) Amendment Regulations 2004, which increased the fees in the principal Regulations, the effect of which is spent on the coming into force of these Regulations.

A full Regulatory Impact Assessment of the effect that this instrument will have on the costs of business is available from the Department of Health, Pharmacy and Prescription Branch, Room 520, Eileen House, 80-90 Newington Causeway, London SE1 6EE. Copies have been placed in the libraries of both Houses of Parliament.

(a) S.I. 2004/3197

£3.00

© Crown copyright 2005

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty’s
Stationery Office and Queen’s Printer of Acts of Parliament.

E1670 12/2005 151670T 19585