STATUTORY INSTRUMENTS

2007 No. 289

HEALTH CARE AND ASSOCIATED PROFESSIONS

PHARMACISTS

The Pharmacists and Pharmacy Technicians Order 2007

Made - - - 7th February 2007 Coming into force in accordance with article 1(2) and (3)

THE PHARMACISTS AND PHARMACY TECHNICIANS ORDER 2007

PART 1

Preliminary

- 1. Citation and commencement
- 2. Extent
- 3. Interpretation
- 4. The Society's general duties
- 5. The Council
- 6. The Council's duties in respect of publications
- 7. The statutory committees
- 8. Remuneration and allowances of Council members, committee members and specialist advisers
- 9. Appointment etc. of the Registrar and any Deputy Registrar

PART 2

Registration of pharmacists

- 10. The Register of Pharmacists
- 11. Entitlement to registration in the Register of Pharmacists
- 12. Preregistration requirements for pharmacists in respect of qualifications and additional education, training or experience
- 13. General functions of the Society in respect of pharmacists' and prospective pharmacists' education, training and the acquisition of experience

- 14. Specific obligations of the Society in respect of pharmacists' and prospective pharmacists' education, training and the acquisition of experience
- 15. Specific powers of the Society in respect of pharmacists' and prospective pharmacists' education, training and the acquisition of experience
- 16. Supplemental matters in connection with articles 14 and 15
- 17. Form, manner and content of applications for registration in the Register of Pharmacists or retention in that register
- Notification of decisions on applications for entry in the Register of Pharmacists
- 19. Relationship between registration in the Register of Pharmacists and membership of the Society
- 20. Offences relating to the Register of Pharmacists

PART 3

Registration of pharmacy technicians

- 21. The Register of Pharmacy Technicians
- 22. Entitlement to registration in the Register of Pharmacy Technicians
- 23. Preregistration requirements for pharmacy technicians in respect of qualifications and additional education, training or experience
- 24. General functions of the Society in respect of pharmacy technicians' and prospective pharmacy technicians' education, training and the acquisition of experience
- 25. Specific obligations of the Society in respect of pharmacy technicians' and prospective pharmacy technicians' education, training and the acquisition of experience
- 26. Specific powers of the Society in respect of pharmacy technicians' and prospective pharmacy technicians' education, training and the acquisition of experience
- 27. Supplemental matters in connection with articles 25 and 26
- 28. Form, manner and content of applications for registration in the Register of Pharmacy Technicians or retention in that register
- 29. Offences relating to the Register of Pharmacy Technicians

PART 4

Matters common to both of the Society's registers

- 30. The Society's registers
- 31. Specialisations
- 32. Certificates of registration
- 33. Registrants' duties with regard to their registration entries
- 34. Corrections of the register
- 35. Fitness to practise matters before registration
- 36. Moving between different parts of a register
- 37. Voluntary removal from the registers
- 38. Indemnity arrangements
- 39. Continuing professional development
- 40. Fees in connection with registration
- 41. Restoration to the Society's registers of persons removed under Parts 2 to 4
- 42. Appealable registration decisions
- 43. Appeals to the Registration Appeals Committee
- 44. Appeals from the Registration Appeals Committee

PART 5

Fitness to practise

- 45. Guidance in respect of standards of conduct, practice and performance
- 46. Disclosure of information: general
- 47. Disclosure of fitness to practise matters in the public interest
- 48. Impairment of fitness to practise
- 49. Initial action in respect of allegations
- 50. Consideration by the Investigating Committee
- 51. Consideration by the Health Committee
- 52. Consideration by the Disciplinary Committee
- 53. Professional performance assessments
- 54. Interim Orders
- 55. Restoration of names to the register: fitness to practise
- 56. Appeals against appealable fitness to practise decisions
- 57. The taking effect of directions in respect of appealable fitness to practise decisions
- 58. Interim measures pending a direction taking effect

PART 6

Proceedings

- 59. Rules in respect of proceedings
- 60. Procedure of fitness to practise committees and the Registration Appeals Committee
- 61. Legal advisers
- 62. Clinical and other specialist advisers

PART 7

Miscellaneous

- 63. General fees
- 64. Education and training outside the United Kingdom
- 65. Prosecutions
- 66. Rules
- 67. Amendments, repeals and revocations
- 68. Transitional provisions
- 69. Privy Council procedures etc.

Signature

SCHEDULE 1 — AMENDMENTS, REPEALS AND REVOCATIONS

PART 1 — Primary legislation

- 1. Repeal of the Pharmacy Act 1954
- 2. Amendment of the Medicines Act 1968
- 3. Amendment of the Poisons Act 1972
- 4. Amendment of the National Health Service (Scotland) Act 1978
- 5. Amendment of the Value Added Tax Act 1994
- 6. Repeal of the Pharmacists (Fitness to Practise) Act 1997
- 7. Amendment of the Data Protection Act 1998

- 8. Amendment of the National Health Service Reform and Health Care Professions Act 2002
- 9. Amendment of the Income Tax (Earnings and Pensions) Act 2003
- 10. Amendment of the National Health Service Act 2006
- 11. Amendment of the National Health Service (Wales) Act 2006 PART 2 Secondary legislation
- 12. Amendment of the Rehabilitation of Offenders Act 1974 (Exceptions)
 Order 1975
- 13. Amendment of the Medicines (Sale or Supply) (Miscellaneous Provisions) Regulations 1980
- 14. Amendment of the Medicines (Pharmacy and General Sale Exemption)
 Order 1980
- 15. Amendment of the Pharmaceutical Qualifications (EEC Recognition) Order 1987
- 16. Amendment of the National Health Service (Pharmaceutical Services) Regulations 1992
- 17. Amendment of the Medicines for Human Use (Marketing Authorisations Etc.) Regulations 1994
- 18. Amendment of the National Health Service (Pharmaceutical Services) (Scotland) 1995
- 19. Revocation of the Pharmaceutical Qualifications (Recognition) Regulations 1996
- 20. Amendment of the Prescription Only Medicines (Human Use) Order 1997
- 21. Amendment of the Transfer of Functions (Lord Advocate and Secretary of State) Order 1999
- 22. Amendment of the Scotland Act 1998 (Functions Exercisable in or as Regards Scotland) Order 1999
- 23. Amendment of the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999
- 24. Amendment of the National Health Service (Charges for Drugs and Appliances) Regulations 2000
- 25. Amendment of the National Health Service (Charges for Drugs and Appliances) (Wales) Regulations 2001
- 26. Amendment of the Adults with Incapacity (Countersignatories of Applications for Authority to Intromit) (Scotland) Regulations 2001
- 27. Amendment of the National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 2001
- 28. Amendment of the Council for the Regulation of Health Care Professionals (Appointment etc.) Regulations 2002
- 29. Amendment of the European Communities (Recognition of Professional Qualifications) (Second General System) Regulations 2002
- 30. Amendment of the Adults with Incapacity (Ethics Committee) (Scotland) Regulations 2002
- 31. Amendment of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003
- 32. Amendment of the European Qualifications (Health Care Professions) Regulations 2003
- 33. Amendment of the Medicines (Child Safety) Regulations 2003
- 34. Amendment of the National Health Service (General Medical Services Contracts) Regulations 2004
- 35. Amendment of the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004

- 36. Amendment of the National Health Service (Personal Medical Services Agreements) Regulations 2004
- 37. Amendment of the Medicines for Human Use (Clinical Trials) Regulations 2004
- 38. Amendment of the European Qualifications (Health and Social Care Professions and Accession of New Member States) Regulations 2004
- 39. Amendment of the Cosmetic Products (Safety) Regulations 2004
- 40. Amendment of the National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004
- 41. Amendment of the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004
- 42. Amendment of the National Health Service (Pharmaceutical Services) Regulations 2005
- 43. Amendment of the Medicines for Human Use (Prescribing) Order 2005
- 44. Amendment of the Gender Recognition (Disclosure of Information) (England, Wales and Northern Ireland) (No. 2) Order 2005
- 45. Amendment of the Gender Recognition (Disclosure of Information (Scotland) Order 2005

SCHEDULE 2 — TRANSITIONAL PROVISIONS

PART 1 — General

- 1. Interpretation of this Schedule and construction of old legislation
- 2. Continuation in office of the Registrar and Deputy Registrar
- 3. Continuation of the old committees
- 4. The Society's byelaws

PART 2 — Registration of pharmacy technicians

- 5. Entry in the Register of Pharmacy Technicians: persons on the voluntary register
- 6. Transitional arrangements in respect of persons practising as pharmacy technicians before the statutory register is opened

PART 3 — Outstanding registration cases

- 7. Outstanding referrals to, and cases before, the Statutory Committee where no direction has been given
- 8. Outstanding appeals to the Council
- 9. Outstanding appeals to the county court or the sheriff

PART 4 — Fitness to practise

- 10. Outstanding fitness to practise proceedings
- 11. Applicants for registration or restoration who are subject to directions given under the 1954 Act
- 12. Outstanding appeals to the courts against directions of the Statutory Committee
 - PART 5 Transfer of responsibilities under the Medicines Act 1968
- 13. Referral of outstanding business and premises cases from the Statutory Committee to the Disciplinary Committee

Explanatory Note