

SCHEDULE 1

AMENDMENTS, REPEALS AND REVOCATIONS

PART 1

Primary legislation

Amendment of the Medicines Act 1968

2.—(1) The Medicines Act 1968⁽¹⁾ is amended as follows.

(2) In section 40⁽²⁾ (medicated animal feeding stuffs), in subsection (12), for the definition of “the registrar” substitute the following definition—

““the registrar” means the person appointed under article 9(1) of the Pharmacists and Pharmacy Technicians Order 2007 as Registrar for the purposes of that Order.”

(3) In section 57⁽³⁾ (power to extend or modify exemptions), in subsection (2D), for the definition of “the registrar” substitute the following definition—

““the registrar” means the person appointed under article 9(1) of the Pharmacists and Pharmacy Technicians Order 2007 as Registrar for the purposes of that Order.”

(4) In section 69⁽⁴⁾ (general provisions for Part 4), in subsection (3)—

(a) in the definition of “the registrar”, for “appointed under section 1 of the Pharmacy Act 1954 as registrar for the purposes of that Act,” substitute “appointed under article 9(1) of the Pharmacists and Pharmacy Technicians Order 2007 as Registrar for the purposes of that Order,”;

(b) after the definition of “the registrar” insert the following definitions—

““the relevant disciplinary committee” means—

(a) in relation to Great Britain, the Disciplinary Committee established under article 7(1)(b) of the Pharmacists and Pharmacy Technicians Order 2007; and

(b) in relation to Northern Ireland, the Statutory Committee appointed under Article 19 of the Pharmacy (Northern Ireland) Order 1976⁽⁵⁾;

“relevant European State” means either an EEA State other than the United Kingdom or Switzerland.”; and

(c) omit the definition of “the Statutory Committee”.

(5) In section 70⁽⁶⁾ (business carried on by individual pharmacist or by partners), as it has effect before its substitution by section 27 of the Health Act 2006—

(a) in subsection (1) for “section 4A of the Pharmacy Act 1954 (qualification by European diploma), or any corresponding provision applying to Northern Ireland,” substitute “a qualification in pharmacy awarded in a relevant European State,”; and

(b) in subsection (3), for “the Pharmacy Act 1954” substitute “Part 2 of the Pharmacists and Pharmacy Technicians Order 2007”.

(1) 1968 c.67.

(2) Section 40 was substituted by the Animal Health and Welfare Act 1984 (c.40), section 13(1).

(3) Section 57(2D) was inserted by the Animal Health and Welfare Act 1984, section 14.

(4) Section 69(3) has been amended by the Statute Law Repeals Act 1993 (c.50), Schedule 1, Part 12, and by S.I. 1976/1213.

(5) S.I. 1976/1212 (N.I. 22).

(6) In section 70, subsection (1) has been amended by S.I. 1987/2202 and subsection (3) by S.I. 1976/1213, and is to be substituted by section 27 of the Health Act 2006 (c.28) on a date to be appointed.

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- (6) In section 70, as it has effect after its substitution by section 27 of the Health Act 2006—
- (a) in subsection (3)(b), for “the Pharmacy Act 1954” substitute “Part 2 of the Pharmacists and Pharmacy Technicians Order 2007”; and
 - (b) in subsection (5) for “section 4A of the Pharmacy Act 1954 (qualification by European diploma), or any corresponding provision applying to Northern Ireland” substitute “a qualification in pharmacy awarded in a relevant European State”.
- (7) In section 71(7) (bodies corporate) as it has effect before its substitution by section 28 of the Health Act 2006, in subsection (1), for “section 4A of the Pharmacy Act 1954, or any corresponding provision applying to Northern Ireland,” substitute “a qualification in pharmacy awarded in a relevant European State,”.
- (8) In section 71 (business carried on by a body corporate) as it has effect after its substitution by section 28 of the Health Act 2006—
- (a) in subsection (3)(b), for “the Pharmacy Act 1954” substitute “Part 2 of the Pharmacists and Pharmacy Technicians Order 2007”; and
 - (b) in subsection (5) for “section 4A of the Pharmacy Act 1954 (qualification by European diploma), or any corresponding provision applying to Northern Ireland” substitute “a qualification in pharmacy awarded in a relevant European State”.
- (9) In section 72 (representative of pharmacist in case of death or disability)—
- (a) in subsection (2B)(8), for “the Pharmacy Act 1954” substitute “Part 2 of the Pharmacists and Pharmacy Technicians Order 2007”; and
 - (b) in subsection (3)(9), for “the Statutory Committee” substitute “the relevant disciplinary committee”.
- (10) In section 72B(10) (section 72A: supplementary), in subsection (1)—
- (a) for “section 8 of the Pharmacy Act 1954” substitute “article 48(1)(a) of the Pharmacists and Pharmacy Technicians Order 2007”, and
 - (b) for “Statutory Committee” substitute “the relevant disciplinary committee”.
- (11) In section 78(11) (restrictions on use of titles, descriptions and emblems), in subsection (5), for “not a pharmacist” substitute “neither a pharmacist nor registered in Part 2 of the Register of Pharmacists maintained under article 10(1) of the Pharmacists and Pharmacy Technicians Order 2007”.
- (12) In section 80(12) (power for Statutory Committee to disqualify and direct removal from register)—
- (a) in subsections (1) (twice), (2) (twice), (3) and (4) (twice), for “the Statutory Committee” substitute “the relevant disciplinary committee”; and
 - (b) in subsection (5), after “the Pharmacy Act 1954,” insert “the Pharmacists and Pharmacy Technicians Order 2007,”,
- and in the heading of that section, for “Statutory Committee” substitute “relevant disciplinary committee”.
- (13) In section 81 (grounds for disqualification in certain cases), in subsection (1)—

(7) Section 71(1) has been amended by [S.I. 1987/2202](#) and is to be substituted by section 28 of the Health Act 2006 on a date to be appointed.

(8) To be inserted by section 29 of the Health Act 2006 on a date to be appointed.

(9) Section 72(3) has been amended by the [Adults with Incapacity \(Scotland\) Act 2000 \(asp.4\)](#), Schedule 5, paragraph 12(b), and Schedule 6.

(10) To be inserted by section 30(1) of the Health Act 2006 on a date to be appointed.

(11) Section 78(5) has been amended by the Statute Law (Repeals) Act [1993 \(c.50\)](#), Schedule 1, Part 12.

(12) Section 80(5) has been amended by the Misuse of Drugs Act [1971 \(c.38\)](#), section 12(7), and by [S.I. 1976/1213](#).

- (a) for “the Statutory Committee” substitute “the relevant disciplinary committee”; and
 - (b) for “the Committee” (twice) substitute “the committee”.
- (14) In section 82(13) (procedure relating to disqualification), in subsections (1) and (5), for “the Statutory Committee” substitute “the relevant disciplinary committee”.
- (15) In section 83(14) (revocation of disqualification)—
- (a) in subsections (1) and (2), for “the Statutory Committee” substitute “the relevant disciplinary committee”; and
 - (b) in subsection (2), for “the Committee” substitute “the committee”.
- (16) In section 132(15) (general interpretation provisions), in subsection (1), in the definition of “pharmacist” for “the register of pharmaceutical chemists established in pursuance of the Pharmacy Act 1852 and maintained in pursuance of section 2(1) of the Pharmacy Act 1954,” substitute “Part 1 of the Register of Pharmacists maintained under article 10(1) of the Pharmacists and Pharmacy Technicians Order 2007,”.

(13) There are no relevant amendments to section 82.

(14) There are no relevant amendments to section 83.

(15) Section 132(1) has been amended by: the National Health Reorganisation Act 1973 (c.32), Schedule 4, paragraph 128(3); the National Health Service Act 1977 (c.49), Schedule 15, paragraph 50; the Medical Act 1983 (c.54), Schedule 5, paragraph 5; the Dentists Act 1984 (c.24), Schedule 5, paragraph 2; the Animal Health and Welfare Act 1984, section 13(3); the Food Safety Act 1990 (c.16), Schedule 3, paragraph 11, and Schedule 5; and by S.I. 1976/1213, 1992/3271, 1996/1496, 2002/236, 2003/232 and 2004/1031.