STATUTORY INSTRUMENTS

2008 No. 2789

The Medicines (Pharmacies) (Responsible Pharmacist) Regulations 2008

Absence of the responsible pharmacist

3.—(1) The maximum period for which the responsible pharmacist may be absent from the premises is two hours during the pharmacy's business hours.

(2) If there is more than one responsible pharmacist during the pharmacy's business hours, the maximum period in paragraph (1) relates to the total period of absence for all of them.

(3) The responsible pharmacist must not be absent from the premises unless the arrangements in paragraph (4) or (5) have been put in place.

(4) Where it is reasonably practicable for the responsible pharmacist to be contactable throughout the period of absence, arrangements must ensure that the responsible pharmacist can—

(a) be contacted by other pharmacy staff throughout the period of absence; and

(b) return to the premises with reasonable promptness if, in the opinion of the responsible pharmacist, this is necessary to secure the safe and effective running of the pharmacy business.

(5) For any period of absence where it is not reasonably practicable to put in place the arrangements specified in paragraph (4), arrangements must ensure that another pharmacist is both available and contactable to provide advice to other pharmacy staff.

(6) The retail sale of medicinal products(**1**) on a general sale list(**2**) from the premises may continue during the period of absence of the responsible pharmacist.

(7) In this regulation—

"business hours" means the period during which the pharmacy business is operational on any day;

"day" means the 24-hour period beginning and ending at midnight.

(**1**) "Medicinal products" is defined in section 130 of the Act, as amended by sections 13(2) and 16 of, and paragraph 3 of Schedule 1 and Schedule 2 to, the Animal Health and Welfare Act 1984, regulation 2(a) and (b) of S.I. 1994/3119, regulations 1(2) and 25(1)(c) and (d) of S.I. 2005/50 and regulations 1 and 44(2) of, and paragraphs 1 and 66 of Schedule 8 to, S.I. 2006/2407.

(**2**) "Medicinal product on a general sale list" is defined in section 51(2) of the Act.