SCHEDULE 1

Article 2(1)

Property, rights and liabilities transferring to the Council

Furniture, fittings, plant, equipment and machinery

1.—(1) The property, rights and liabilities which the Society has in relation to the items specified in sub-paragraph (2), in so far as these items are used by, or in connection with, the regulatory activity of the Society, are to pass to the Council on the transfer date.

(2) The items referred to in sub-paragraph (1) are—

(a) the software, data and hardware relating to the 2007 registers and the premises register ("the Concept system");

(b) information relating to inspections of registered pharmacies in Great Britain contained in the Inspectors Record of Visits ("the IROV Database");

(c) the database relating to the Case Management System and the information contained in that database;

(d) all computers, mobile telephones, data cards and electronic instruments used by relevant staff;

(e) all office furniture including desks, chairs, filing cabinets used by relevant staff;

(f) all goods, stocks, inventory, stores and raw materials used by or in connection with, or otherwise attributable to, the Society's regulatory activity; and

(g) all assets, whether tangible or intangible, purchased through money supplied by way of grants made by the Department of Health to the Society in relation to the Society's work in preparing for the establishment of the Council.

Contracts and agreements

2.—(1) The property, rights and liabilities which the Society has in relation to the contracts and agreements specified in sub-paragraph (2), in so far as these relate to the regulatory activity of the Society, are to pass to the Council on the transfer date.

(2) The contracts and agreements referred to in sub-paragraph (1) are—

(a) all maintenance contracts in respect of the Concept system;

(b) all operating leases and maintenance contracts for cars, photocopiers, printers and other electronic equipment used by relevant staff;

(c) all policies of insurance taken out and maintained by the Society in relation to the regulatory activity of the Council; and

(d) all other contracts, agreements, arrangements, engagements, assignments and orders which relate to the regulatory activity of the Society.

Intellectual property and records

3.—(1) The intellectual property, rights and liabilities which the Society has in relation to the items specified in sub-paragraph (2), in so far as these relate to the regulatory activity of the Society, are to pass to the Council on the transfer date.

(2) The items referred to in sub-paragraph (1) are—

(a) all books, records and other documents held by the Society in connection with the Society's regulatory activity (including any documents or records that are kept by means of a computer or other electronic device) including—

(i) information contained in the 2007 registers and the premises registers,

(ii) all records relating to persons who are or have been entered in the 2007 registers as a practising pharmacist or pharmacy technician,

(iii) all records relating to pre-registration students who have applied for entry in the 2007 registers as a practising pharmacist or pharmacy technician, and

(iv) all records relating to registered pharmacies entered in the premises register;

(b) all records or evidence (including physical evidence obtained by an inspector appointed by the Society under section 9 of the Poisons Act 1972 in the exercise of any power under that section) held by the Society relating to any investigation or proceedings conducted by the Society against a person carrying on a retail pharmacy business at a registered pharmacy entered in the premises register;

(c) all records or evidence (including physical evidence obtained by an inspector appointed by the Society under section 9 of the Poisons Act 1972) held by the Society in connection with any inspection conducted by such an inspector on behalf of or in conjunction with a relevant UK regulatory body which does not relate to the regulatory activity of the Society;

(d) all records relating to the pre-registration exam and pre-registration students including the records of questions set in previous examinations and any questions set for future examinations;

(e) all records and other data relating to the quality assurance of education and training provision;

(f) all employment records relating to relevant staff;

(g) all domain names registered by the Society in respect of the Council; and

(h) all authorisations and quality assurance markings held by the Society in connection with the regulation of the retail pharmacy business carried on by registered pharmacies over the internet.