

1973. No. 537

[C]

MEDICINES**Registration of Druggists**

ORDER, DATED 21ST DECEMBER 1973, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTIONS 134 AND 136 OF THE MEDICINES ACT 1968.

The Ministry of Health and Social Services, on behalf of the Secretary of State and in exercise of powers conferred on it by section 134 of and paragraph 1 of Schedule 4 to the Medicines Act 1968(a) and of every other power enabling it in that behalf, after consulting such organisations as appear to it to be representative of interests likely to be substantially affected by the following Order, hereby makes the following Order:—

1. This Order may be cited as the Medicines Act (Registration of Druggists) Order (Northern Ireland) 1973.

2.—(1) The 1st January 1974 shall be the day appointed for the coming into operation, in relation to druggists, of section 135(4) of the Medicines Act 1968 (in this Order referred to as “the Act”) for the purpose of the enactments specified in column 1 of Schedule 1 to this Order to the extent specified in column 3 of that Schedule.

(2) In this Order unless the context otherwise requires “registered druggist” means a person registered in accordance with section 9 of the Pharmacy and Poisons Act (Northern Ireland) 1925(b).

3. Without prejudice to the preceding Article and until all the provisions of the Pharmacy and Poisons Act (Northern Ireland) 1925, the Medicines, Pharmacy and Poisons Act (Northern Ireland) 1945(c), the Pharmacy and Poisons Act (Northern Ireland) 1955(d), and the Pharmacy Act (Northern Ireland) 1967(e) specified in Schedule 8 to the Act have been repealed, those provisions of the said Acts that have effect in relation to premises for which an annual licence is in force under the said Acts shall apply to the premises of a registered druggist (in this Order referred to as “a registered druggist’s premises”) as if such registered druggist’s premises were premises having an annual licence under the said Acts and if those provisions were set out in this Order.

4. The provisions of sections 74, 75, 76 and 77 of the Act which apply to persons carrying on or intending to carry on a retail pharmacy business shall also apply in Northern Ireland to persons carrying on the business of registered druggist subject to the provisions of this Order. It shall be the duty of the registrar to keep a register (referred to as “the druggists’ register”) and subject to the provisions of the Act as adapted and of this Order, on payment of the prescribed fee, to enter in the druggists’ register any premises in respect of which an application is made under this Order.

(a) 1968. c. 67.

(b) 15 & 16 Geo. 5 c. 8 (N.I.).

(c) 1945. c. 9.

(d) 1955. c. 31.

(e) 1967. c. 12 (N.I.).

5.—(1) Every application for registration as a registered druggist's premises under section 75 or 76(4) of the Act shall be made in writing and shall be given or sent to the registrar.

(2) Every such application shall be made and signed by or on behalf of the person carrying on, or who intends to carry on the business of a registered druggist in the premises to which the application for registration aforesaid relates.

(3) Every such application shall contain or be accompanied by the particulars specified in Schedule 2.

(4) An application for registration as aforesaid shall be made in respect of each separate premises.

6.—(1) Subject to paragraph (4) the fee payable in respect of the registration of a druggist's premises under section 75 of the Act shall be £2.10.

(2) The retention fee payable under the provisions of section 76(1) of the Act shall be £2.10.

(3) The additional sum by way of penalty for the purposes of section 76(2) of the Act shall be £2.00.

(4) Where section 74(2) of the Act has effect in relation to any registered druggist's premises and no application is made in respect of such premises by virtue of section 76(4) of the Act, the fee payable in respect of registration of such premises under section 75 of the Act shall, in addition to the fee prescribed in paragraph (1) include a sum equal to the appropriate retention fee.

7. The demand under section 76(2) of the Act for the payment of a retention fee shall be made in writing and shall be sent by registered post or recorded delivery.

Scaled with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 21st day of December 1973.

(L.S.)

G. Buchanan,
Assistant Secretary.

SCHEDULE 1

Article 2

Column 1 <i>Chapter</i>	Column 2 <i>Act</i>	Column 3 <i>Extent of repeal</i>
15 & 16 Geo. 5 c. 8 (N.I.)	Pharmacy & Poisons Act (Northern Ireland) 1925	Section 17(1) Section 17(2) provided that the Registrar shall retain the record of the annual licences held by registered druggists as on 31st December 1973 Section 17(3) Schedule 3
1955 c. 31 (N.I.)	Pharmacy & Poisons Act (Northern Ireland) 1955	Section 14

SCHEDULE 2

Article 5(3)

Particulars required in an application for registration of a druggist's premises

1.—(1) Name of the person carrying on or intending to carry on the business of a registered druggist and his private residential address.

(2) In the case of a partnership carrying on or intending to carry on such a business the names and such addresses of all the partners.

(3) In the case of a body corporate the registered name and the address of the registered office of the body.

(4) In the case where such a business is being carried on by a representative of a druggist and the business is under the personal control of a registered druggist the latter druggist's name.

2. Where a person or, as the case may be, a partnership or body corporate is carrying or intends to carry on such a business under a business name which does not correspond to the name of the person or, as the case may be, the names of the partner or the name of the corporate body, the business name under which such business is being, or is to be, carried on.

3. Names of the druggist or if more than one the names of all the druggists under whose personal control the business is, or is to be, carried on at all the relevant premises and in the case of a body corporate the name of the superintendent under whose management the business is, or is to be, carried on.

4. The full postal address of the premises to which the application relates.

5. Except where an annual licence for the premises has been in force for a period ending 31st December 1973—

(a) where the application for registration relates to premises in respect of which there has been a change of ownership of the business of registered druggist the name and address of the immediate former owner of that business and the date of such change of ownership;

(b) the date or intended date of the commencement of such business;

(c) a brief description of the premises including a sketch plan drawn to scale of the internal layout of the premises noted to show where the various activities of the business will take place.

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order provides for the registration of druggist's premises in Northern Ireland under Part IV of the Medicines Act 1968.