

*Draft Order laid before Parliament and the Scottish Parliament under section 62(10) of the Health Act 1999, for approval by resolution of each House of Parliament and of the Scottish Parliament.*

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## DRAFT STATUTORY INSTRUMENTS

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# 2010 No. 000

## HEALTH CARE AND ASSOCIATED PROFESSIONS

### PHARMACY

### The Pharmacy Order 2010

*Made*        -        -        -        -        000

*Coming into force*        -        -        000

At the Court at Buckingham Palace, the 000 day of 000

Present,

The Queen's Most Excellent Majesty in Council

This Order in Council is made in exercise of the powers conferred by sections 60 and 62(4) and (4A) of, and Schedule 3 to, the Health Act 1999<sup>(1)</sup> as read with paragraph 1A of Schedule 2 to the European Communities Act 1972<sup>(2)</sup>.

This Order makes provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Secretary of State and the Scottish Ministers that it is necessary for the reference to Directive [2005/36/EC](#) of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications<sup>(3)</sup> to be construed as a reference to that Directive as amended from time to time.

The Secretary of State and the Scottish Ministers published a draft Order and invited representations as required by paragraph 9(1) and (3) of Schedule 3 to the Health Act 1999.

The period of three months mentioned in paragraph 9(4) of that Schedule expired before a draft of this Order in Council was laid before Parliament and the Scottish Parliament.

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- (1) [1999 c.8](#). Section 60 was amended by section 26(9) of the National Health Service Reform and Health Care Professions Act [2002 \(c.17\)](#) ("the 2002 Act"), by paragraph 1 of Schedule 8, paragraph 10 of Schedule 10 and Part 2 of Schedule 15 to the Health and Social Care Act [2008 \(c.14\)](#) ("the 2008 Act") and by [S.I.2002/253](#) and [254](#). Subsection (4) of section 62 of the Act was substituted by subsections (4) and (4A) as inserted by paragraph 11 of Schedule 10 to the 2008 Act. Schedule 3 has been amended as follows: by section 26(10) of the 2002 Act; by paragraph 67 of Schedule 11, and Part 4 of Schedule 14, to the Health and Social Care (Community Health and Standards) Act [2003 \(c.43\)](#); by Schedule 9 to the Health Act [2006 \(c.28\)](#); by paragraphs 3 to 10 of Schedule 8, paragraph 12 of Schedule 10 and Part 2 of Schedule 15, to the 2008 Act; and by [S.I.2002/254](#).
- (2) [1972 c.68](#). Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act [2006 \(c.51\)](#) and amended by [S.I.2007/1388](#).
- (3) OJNo. L255, 30.09.2005, p22, as amended by Council Directive [2006/100/EEC](#) of 20 November 2006, OJ No. L363 of 20.12.2006, p141.

A draft of this Order in Council has been approved by resolution of each House of Parliament and the Scottish Parliament in accordance with section 62(10) of the Health Act 1999.

Accordingly, Her Majesty is pleased, by and with the advice of Her Privy Council, to make the following Order in Council: