



Medicines Act 1968

1968 CHAPTER 67

PART VIII

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

126 Presumptions.

- (1) For the purposes of any proceedings under this Act for an offence consisting of—
 - ^{F1}(a)
 - ^{F2}(b)
 - (c) offering a medicinal product for sale in contravention of section 63(b) of this Act,

where it is proved that the ^{F3}... medicinal product in question was found on a vehicle from which ^{F4}... medicinal products are sold, it shall be presumed, unless the contrary is proved, that the person in charge of the vehicle offered that ^{F3}... medicinal product for sale and, in a case falling within paragraph (b) of this subsection, that he offered it for sale by retail.

- (2) For the purposes of any proceedings under this Act for an offence consisting of a contravention of so much of any provision to which this subsection applies as relates to a person's having any medicinal product ^{F5}... in his possession for the purpose of sale or supply, where it is proved that the medicinal product ^{F5}... in question was found on premises at which the person charged with the offence carries on a business consisting of or including the sale or supply of medicinal products ^{F6}..., it shall be presumed, unless the contrary is proved, that he had that medicinal product or animal feeding stuff in his possession for the purpose of sale or supply.
- (3) Subsection (2) of this section applies to the following provisions of this Act, that is to say, section 63(b), ^{F7}... subsection (2) of section 87 and subsection (3) of section 88^{F8}... as applied by subsection (1) of section 90, and to subsection (2) of section 90 except in so far as it relates to leaflets.

^{F9}(4)

Changes to legislation: Medicines Act 1968, Section 126 is up to date with all changes known to be in force on or before 30 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** S. 126(1)(a) omitted (1.10.2006) by virtue of [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), [reg. 1](#), [Sch. 8 para. 64\(a\)\(i\)](#) (with [regs. 2\(4\), 3](#))
- F2** S. 126(1)(b) omitted (14.8.2012) by virtue of [The Human Medicines Regulations 2012 \(S.I. 2012/1916\)](#), [reg. 1\(2\)](#), [Sch. 34 para. 28\(a\)](#) (with [Sch. 32](#))
- F3** Words in s. 126(1) omitted (1.10.2006) by virtue of [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), [reg. 1](#), [Sch. 8 para. 64\(a\)\(ii\)](#) (with [regs. 2\(4\), 3](#))
- F4** Words in s. 126(1) omitted (1.10.2006) by virtue of [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), [reg. 1](#), [Sch. 8 para. 64\(a\)\(iii\)](#) (with [regs. 2\(4\), 3](#))
- F5** Words in s. 126(2) omitted (1.10.2006) by virtue of [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), [reg. 1](#), [Sch. 8 para. 64\(b\)\(i\)](#) (with [regs. 2\(4\), 3](#))
- F6** Words in s. 126(2) omitted (1.10.2006) by virtue of [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), [reg. 1](#), [Sch. 8 para. 64\(b\)\(ii\)](#) (with [regs. 2\(4\), 3](#))
- F7** Words in s. 126(3) omitted (14.8.2012) by virtue of [The Human Medicines Regulations 2012 \(S.I. 2012/1916\)](#), [reg. 1\(2\)](#), [Sch. 34 para. 28\(b\)](#) (with [Sch. 32](#))
- F8** Words in s. 126(3) omitted (1.10.2006) by virtue of [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), [reg. 1](#), [Sch. 8 para. 64\(c\)](#) (with [regs. 2\(4\), 3](#))
- F9** S. 126(4) omitted (14.8.2012) by virtue of [The Human Medicines Regulations 2012 \(S.I. 2012/1916\)](#), [reg. 1\(2\)](#), [Sch. 34 para. 28\(c\)](#) [Sch. 35](#) (with [Sch. 32](#))

Modifications etc. (not altering text)

- C1** Pt. VIII (ss. 104–136) extended by S.I.s 1982/425, art. 3, 1984/187 art. 2; and extended with modifications by [S.I. 1985/403](#), [art. 3\(1\)](#)
- C2** S. 126 extended (with modifications) (14.2.1994) by [S.I.1994/105](#), [reg. 19](#), [Sch.4](#)
S. 126 applied (1.1.1995) by [S.I. 1994/3142](#), [reg. 18\(2\)](#)
S. 126 applied (with modifications) (1.1.1995) by [S.I. 1994/3144](#), [reg.10](#), [Sch. 4](#)
S. 126 applied (31.3.1997) by [S.I. 1997/322](#), [reg. 34](#), [Sch.5](#)
- C3** Ss. 121-127 applied (with modifications) (30.10.2005) by [Medicines \(Traditional Herbal Medicinal Products for Human Use\) Regulations 2005 \(S.I. 2005/2750\)](#), [regs. 1\(a\), 11](#), [Schs. 4](#) (with [Sch. 6](#))
- C4** S. 126(4) applied (with modifications) (3.4.1992) by [S.I. 1992/605](#), [reg. 2\(1\)\(2\)](#), [Sch.](#)

Changes to legislation:

Medicines Act 1968, Section 126 is up to date with all changes known to be in force on or before 30 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 69(1A)(1B) added (prosp.) by [1997 c. 19 s. 1Sch. para. 5\(b\)](#)
- s. 84B inserted by [S.I. 2016/372 art. 12](#)