

HEALTH ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 Chapter 2

Medicines and Pharmacies

Section 28: Control of pharmacy premises: bodies corporate

141. **Section 28** substitutes section 71 of the Medicines Act, which relates to the requirements for a retail pharmacy business carried on by a body corporate. The requirement in section 71 for a body corporate conducting a pharmacy business to have a superintendent pharmacist remains. Section 71 is however altered so as to remove the existing requirement that at pharmacy premises where the business is carried on, the retail sale or supply of medicines must be under the personal control of a pharmacist. This requirement is replaced by a requirement to have a responsible pharmacist, subject to the same conditions as apply under the new section 70 of the Medicines Act substituted by section 27. Section 28(2) makes a consequential amendment to section 124(2)(b) of the Medicines Act, which concerns offences by bodies corporate.