
STATUTORY INSTRUMENTS

1971 No. 1445

**The Medicines (Retail Pharmacists—Exemptions
from Licensing Requirements) Order 1971**

Modifications of exemptions for pharmacists

3. The provisions of section 10 of the Act (exemptions for pharmacists from licensing requirements) shall have effect as modified as follows:—

- (a) by the addition in subsection (1)(b) after the words “medicinal product” of the words “provided that where the assembling takes place in a registered pharmacy—
- (i) it shall be in a registered pharmacy at which the business in medicinal products carried on is restricted to retail sale or to supply in circumstances corresponding to retail sale and the assembling is done with a view to such sale or supply either at that registered pharmacy or at any other such registered pharmacy forming part of the same retail pharmacy business, and
 - (ii) the medicinal product has not been the subject of an advertisement”;
- (b) by the addition at the end of subsection (4)(b) after the words “of this subsection” of the words “provided that such stock is prepared with a view to retail sale or to supply in circumstances corresponding to retail sale and the preparation is done with a view to such sale or supply either at that registered pharmacy or at any other registered pharmacy forming part of the same retail pharmacy business”;
- (c) by the addition after subsection (4) of the following subsections—
- “(5) Without prejudice to the preceding subsections, the restrictions imposed by section 7 of this Act do not apply to the preparation or dispensing in a registered pharmacy of a medicinal product by or under the supervision of a pharmacist where—
- (a) the medicinal product is prepared or dispensed otherwise than in pursuance of an order from any other person, and
 - (b) the medicinal product is prepared with a view to retail sale or supply in circumstances corresponding to retail sale at the registered pharmacy at which it is prepared, and
 - (c) the medicinal product has not been the subject of an advertisement.
- (6) Without prejudice to the preceding subsections, the restrictions imposed by section 8(2) of this Act do not apply to anything which is done in a registered pharmacy by or under the supervision of a pharmacist and consists of preparing a medicinal product with a view to retail sale or to supply in circumstances corresponding to retail sale at that registered pharmacy.
- (7) Without prejudice to the preceding subsections, the restrictions imposed by section 8(3) of this Act do not apply to anything which is done in a registered pharmacy by or under the supervision of a pharmacist and amounts to wholesale dealing, where such dealing constitutes no more than an inconsiderable part of the business carried on by the pharmacist at that pharmacy.

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(8) For the purposes of this section “advertisement” shall have the meaning assigned to it by section 92 of this Act, except that it shall not include words inscribed on the medicinal product, or on its container or package.”.

4.—(1) So long as section 12 of the Pharmacy and Poisons Act 1933 remains in force in its application to Great Britain, section 10 of the Act, as it has effect subject to the exceptions or modifications specified in this order, in so far as that section relates to a registered pharmacy shall apply to anything that is done in the premises of an authorised seller of poisons within the meaning of the Pharmacy and Poisons Act 1933, being premises that are entered in the register kept under section 12 of that Act.

(2) So long as section 17 of the Pharmacy and Poisons Act (Northern Ireland) 1925 remains in force, section 10 of the Act, as it has effect subject to the exceptions or modifications specified in this order, in so far as section 10 relates to a registered pharmacy, shall apply to anything that is done in premises for which an annual licence is in force under the said section 17.