
STATUTORY INSTRUMENTS

2010 No. 231

The Pharmacy Order 2010

PART 3

Registered Pharmacies: Standards in retail pharmacies

Standards: general

7.—^{F1}(1) In the exercise of its functions under article 4(3)(b), the Council must set standards that are to be met in connection with the carrying on of a retail pharmacy business at or from a registered pharmacy by the person carrying on that business.]

^{F2}(2)

^{F3}(3) The standards may, in particular, relate to—

- (a) governance arrangements for registered pharmacies, including arrangements for managing and monitoring the safe and effective provision of pharmacy services at or from registered pharmacies;
- (b) the working environment at and the condition of registered pharmacies;
- (c) the patient and public experience of pharmacy services provided at or from registered pharmacies;
- (d) the condition of the equipment and facilities used in the provision of pharmacy services at or from registered pharmacies;
- (e) the working environment at and condition of associated premises and the condition of equipment and facilities at associated premises (being premises at which activities are carried on which are integral to the provision of pharmacy services at or from registered pharmacies), but only to the extent appropriate for ensuring the safe and effective provision of pharmacy services at or from registered pharmacies;
- (f) training of staff of the retail pharmacy business;
- (g) arrangements for ensuring staff of the retail pharmacy business—
 - (i) have the authority and ability to act to ensure, and
 - (ii) are properly held accountable for,the health, safety and well-being of patients to whom pharmacy services are provided at or from registered pharmacies, and of other persons at registered pharmacies.]

(4) The Council ^{F4}may] make provision in rules—

- (a) requiring any person carrying on a retail pharmacy business to provide information to the Council;
- (b) for such information to be provided—
 - (i) at the request of the Council, ^{F5}...

- [^{F6}(ia) on or within a specified period after the occurrence of any event (which includes a decision that an event is to occur) of a description specified in the rules, or]
- [^{F7}(ii) on such dates or at such intervals as may be specified in the rules or the Council may determine (whether generally, in relation to a description of persons carrying on a retail pharmacy business or in relation to particular persons carrying on such a business); and]
- (c) in respect of—
- (i) the form and manner in which such information is to be provided to the Council, and
 - (ii) the time within which such information is to be provided to the Council pursuant to a request under sub-paragraph (b)(i).
- (5) Rules under paragraph (4) [^{F8}may,] in particular, enable the Council to obtain the following information—
- (a) details of the person carrying on the retail pharmacy business including—
 - (i) where the business is carried on by an individual, details of the home address in the Register of that individual,
 - (ii) where the business is carried on by a partnership, details of the address of the principal office of the partnership and of the names and home addresses of the partners in the partnership,
 - (iii) where the business is carried on by a body corporate, details of the address of the registered or principal office of the body corporate and of the names and home addresses of its directors;
 - (b) a list of all premises at which the retail pharmacy business is carried on;
 - [^{F9}(c) where medicinal products are sold by retail, or supplied in circumstances corresponding to retail sale, at or from premises of a body corporate that is carrying on a retail pharmacy business at or from those premises, the name and home address of the superintendent pharmacist of that business;]
 - (d) details of the type or types of activities undertaken at the premises at which the retail pharmacy business is carried on; and
 - (e) details of any relevant offence or relevant investigation.
- (6) For the purposes of paragraph (5)(e)—
- (a) a relevant offence is—
 - (i) where the retail pharmacy business is carried on by an individual, a criminal offence with which that individual has been charged [^{F10}or for which that individual has been cautioned],
 - (ii) where the retail pharmacy business is carried on by a partnership, a criminal offence with which any partner in the partnership [^{F11}or the partnership (whether or not as an entity separate from the partners) has been charged or for which the partner or partnership has been cautioned],
 - (iii) where the retail pharmacy business is carried on by a body corporate, a criminal offence with which the body corporate or any of its directors [^{F12}or (if not a director) its superintendent pharmacist has been charged or for which the body corporate, a director or the superintendent pharmacist has been cautioned],
 and a criminal offence is a relevant offence whether or not the charge has resulted in a caution or conviction;

- (b) a relevant investigation is an investigation by a licensing, regulatory or other body into the conduct of—
- (i) where the retail pharmacy business is carried on by an individual, that individual,
 - (ii) where the retail pharmacy business is carried on by a partnership, [^{F13}the partnership or] any partner in the partnership,
 - (iii) where the retail pharmacy business is carried on by a body corporate, that body corporate or any director [^{F14}or (if not a director) the superintendent pharmacist] of it,
- and the reference to details of a relevant investigation includes details of the outcome of that investigation.

^{F15}(7)

Textual Amendments

- F1** Art. 7(1) substituted (24.5.2018) by The Pharmacy (Premises Standards, Information Obligations, etc.) Order 2016 (S.I. 2016/372), arts. 1(3), **19(2)**; S.I. 2018/512, art. 2(1)(b)
- F2** Art. 7(2) omitted (24.5.2018) by virtue of The Pharmacy (Premises Standards, Information Obligations, etc.) Order 2016 (S.I. 2016/372), arts. 1(3), **19(3)**; S.I. 2018/512, art. 2(1)(b)
- F3** Art. 7(3) substituted (24.5.2018) by The Pharmacy (Premises Standards, Information Obligations, etc.) Order 2016 (S.I. 2016/372), arts. 1(3), **19(4)**; S.I. 2018/512, art. 2(1)(b)
- F4** Word in art. 7(4) substituted (24.5.2018) by The Pharmacy (Premises Standards, Information Obligations, etc.) Order 2016 (S.I. 2016/372), arts. 1(3), **19(5)(a)**; S.I. 2018/512, art. 2(1)(b)
- F5** Word in art. 7(4)(b)(i) omitted (24.5.2018) by virtue of The Pharmacy (Premises Standards, Information Obligations, etc.) Order 2016 (S.I. 2016/372), arts. 1(3), **19(5)(b)(i)**; S.I. 2018/512, art. 2(1)(b)
- F6** Art. 7(4)(b)(ia) inserted (24.5.2018) by The Pharmacy (Premises Standards, Information Obligations, etc.) Order 2016 (S.I. 2016/372), arts. 1(3), **19(5)(b)(ii)**; S.I. 2018/512, art. 2(1)(b)
- F7** Art. 7(4)(b)(ii) substituted (24.5.2018) by The Pharmacy (Premises Standards, Information Obligations, etc.) Order 2016 (S.I. 2016/372), arts. 1(3), **19(5)(b)(iii)**; S.I. 2018/512, art. 2(1)(b)
- F8** Word in art. 7(5) substituted (24.5.2018) by The Pharmacy (Premises Standards, Information Obligations, etc.) Order 2016 (S.I. 2016/372), arts. 1(3), **19(6)(a)**; S.I. 2018/512, art. 2(1)(b)
- F9** Art. 7(5)(c) substituted (24.5.2018) by The Pharmacy (Premises Standards, Information Obligations, etc.) Order 2016 (S.I. 2016/372), arts. 1(3), **19(6)(b)**; S.I. 2018/512, art. 2(1)(b)
- F10** Words in art. 7(6)(a)(i) inserted (24.5.2018) by The Pharmacy (Premises Standards, Information Obligations, etc.) Order 2016 (S.I. 2016/372), arts. 1(3), **19(7)(a)(i)**; S.I. 2018/512, art. 2(1)(b)
- F11** Words in art. 7(6)(a)(ii) substituted (24.5.2018) by The Pharmacy (Premises Standards, Information Obligations, etc.) Order 2016 (S.I. 2016/372), arts. 1(3), **19(7)(a)(ii)**; S.I. 2018/512, art. 2(1)(b)
- F12** Words in art. 7(6)(a)(iii) substituted (24.5.2018) by The Pharmacy (Premises Standards, Information Obligations, etc.) Order 2016 (S.I. 2016/372), arts. 1(3), **19(7)(a)(iii)**; S.I. 2018/512, art. 2(1)(b)
- F13** Words in art. 7(6)(b)(ii) inserted (24.5.2018) by The Pharmacy (Premises Standards, Information Obligations, etc.) Order 2016 (S.I. 2016/372), arts. 1(3), **19(7)(b)(i)**; S.I. 2018/512, art. 2(1)(b)
- F14** Words in art. 7(6)(b)(iii) inserted (24.5.2018) by The Pharmacy (Premises Standards, Information Obligations, etc.) Order 2016 (S.I. 2016/372), arts. 1(3), **19(7)(b)(ii)**; S.I. 2018/512, art. 2(1)(b)
- F15** Art. 7(7) omitted (24.5.2018) by virtue of The Pharmacy (Premises Standards, Information Obligations, etc.) Order 2016 (S.I. 2016/372), arts. 1(3), **19(8)**; S.I. 2018/512, art. 2(1)(b)

Commencement Information

- I1** Art. 7 in force at 10.2.2010 for specified purposes, see **art. 1(3)**
- I2** Art. 7 in force at 11.2.2010 in so far as not already in force, see **art. 1(2)(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Pharmacy Order 2010, Section 7.