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STATUTORY INSTRUMENTS

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**2010 No. 231**

**HEALTH CARE AND  
ASSOCIATED PROFESSIONS**

**The Pharmacy Order 2010**

*Made - - - - 10th February 2010*

*Coming into force in accordance with article 1*

At the Court at Buckingham Palace, the 10th day of February 2010

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 Her Majesty, with the advice of Her Privy Council, 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.

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:

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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) OJ No. 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.

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**Status:** *This is the original version (as it was originally made).*

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