

SCHEDULES

SCHEDULE 2

Article 11

AMENDMENTS RELATING TO CARRYING ON OF RETAIL PHARMACY BUSINESS FROM PREMISES

1. The 1968 Act is amended in accordance with paragraphs 2 to 21.

Commencement Information

- I1** Sch. 2 para. 1 not in force at made date, see [art. 1\(3\)](#)
I2 [Sch. 2 para. 1](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

2. In section 10(1) (exemptions for pharmacists)—
 - (a) in subsection (1)(b)(i), after “at”, in each place, insert “or from”;
 - (b) in subsection (4)(b), after “at”, in both places, insert “or from”;
 - (c) in subsection (5)(b), after “at”, in the first place it occurs, insert “or from”; and
 - (d) in subsection (6), after “at” insert “or from”.

Commencement Information

- I3** Sch. 2 para. 2 not in force at made date, see [art. 1\(3\)](#)
I4 [Sch. 2 para. 2](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

3. In section 70(2) (business carried on by individual pharmacist or by partners)—
 - (a) in subsection (1), for “where” substitute “at or from which”;
 - (b) in subsection (2)—
 - (i) for “the business at” substitute “the business carried on at or from”;
 - (ii) in paragraph (a), after “retail sale at” insert “or from”, and
 - (iii) in paragraph (b), after “supply at” insert “or from”; and
 - (c) in subsection (3)(c), for “the business at” substitute “the business carried on at or from”.

Commencement Information

- I5** Sch. 2 para. 3 not in force at made date, see [art. 1\(3\)](#)
I6 [Sch. 2 para. 3](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

4. In section 71(3) (business carried on by body corporate)—

- (1) Section 10 was amended by the Regulation of Care (Scotland) Act 2001 ([asp 8](#)), Schedule 3, paragraph 5, the Health Act 2006 ([c. 28](#)), section 26, and [S.I. 1971/1445](#), [1994/2987](#), [2006/2407](#), [2011/2581](#) and [2012/1916](#).
- (2) Section 70 was amended by the Health Act 2006 ([c. 28](#)), section 27(1), and by [S.I. 2010/231](#) and [2011/2647](#).
- (3) Section 71 was substituted by the Health Act 2006 ([c. 28](#)), section 28, and then amended by [S.I. 2010/231](#), [2011/2647](#) and [2019/593](#).

Changes to legislation: There are currently no known outstanding effects for the The Pharmacy (Responsible Pharmacists, Superintendent Pharmacists etc.) Order 2022, SCHEDULE 2. (See end of Document for details)

- (a) in subsection (1)(b), for “where” substitute “at or from which”;
- (b) in subsection (2)—
 - (i) for “the business at” substitute “the business carried on at or from”,
 - (ii) in paragraph (a), after “retail sale at” insert “or from”, and
 - (iii) in paragraph (b), after “supply at” insert “or from”; and
- (c) in subsection (3)(c), for “the business at” substitute “the business carried on at or from”.

Commencement Information

- I7** Sch. 2 para. 4 not in force at made date, see [art. 1\(3\)](#)
- I8** Sch. 2 para. 4 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

- 5.** In section 72(4) (representative of pharmacist in case of death or disability)—
 - (a) in subsection (2)(b), after “premises at” insert “or from”;
 - (b) in subsection (2A)—
 - (i) for “the business at” substitute “the business carried on at or from”,
 - (ii) in paragraph (a), after “retail sale at” insert “or from”, and
 - (iii) in paragraph (b), after “supply at” insert “or from”; and
 - (c) in subsection (2B)(c), for “the business at” substitute “the business carried on at or from”.

Commencement Information

- I9** Sch. 2 para. 5 not in force at made date, see [art. 1\(3\)](#)
- I10** Sch. 2 para. 5 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

- 6.** In section 72A(5) (the responsible pharmacist), in subsection (1)—
 - (a) for “business at” substitute “business carried on at or from”;
 - (b) in paragraph (a), after “retail sale at” insert “or from”; and
 - (c) in paragraph (b), after “supply at” insert “or from”.

Commencement Information

- I11** Sch. 2 para. 6 not in force at made date, see [art. 1\(3\)](#)
- I12** Sch. 2 para. 6 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

- 7.** In section 72B(6) (supplementary), in subsection (4), for “the business at” substitute “the business carried on at or from”.

Commencement Information

- I13** Sch. 2 para. 7 not in force at made date, see [art. 1\(3\)](#)

- (4) Section 72 was amended by: the Insolvency Act 1985 (c. 65), Schedule 8, paragraph 15, and Schedule 9, paragraph 11(2); the Insolvency Act 1986 (c. 45), Schedule 14; the Adults with Incapacity (Scotland) Act 2000 (asp 4), Schedule 5, paragraph 12, and Schedule 6, paragraph 1; the Mental Capacity Act 2005 (c. 9), Schedule 6, paragraph 14; the Health Act 2006 (c. 28), section 29; and [S.I. 2007/289](#), [2010/231](#) and [2012/1916](#).
- (5) Section 72A was inserted by the Health Act 2006 (c. 28), section 30(1), and then amended by [S.I. 2006/2407](#).
- (6) Section 72B was inserted by the Health Act 2006, section 30(1), and then amended by [S.I. 2010/231](#).

I14 Sch. 2 para. 7 in force at 1.12.2022 by S.I. 2022/1023, art. 2

- 8.** In section 74B(7) (conditions for registration: Great Britain)—
- (a) in subsection (4)—
 - (i) in paragraph (a)(ii), after “business at” insert “or from”, and
 - (ii) in paragraph (b), after “business at” insert “or from”; and
 - (b) in subsection (5)—
 - (i) in paragraph (a), after “business at” insert “or from”, and
 - (ii) in paragraph (b)(i) and (ii), after “business at” insert “or from”.

Commencement Information

I15 Sch. 2 para. 8 not in force at made date, see art. 1(3)

I16 Sch. 2 para. 8 in force at 1.12.2022 by S.I. 2022/1023, art. 2

- 9.** In section 74C(8) (supplementary provision in respect of registration of premises: Great Britain), in subsection (3)—

- (a) after “previously carried on at” insert “or from”; and
- (b) in paragraph (b), after “business at” insert “or from”.

Commencement Information

I17 Sch. 2 para. 9 not in force at made date, see art. 1(3)

I18 Sch. 2 para. 9 in force at 1.12.2022 by S.I. 2022/1023, art. 2

- 10.** In section 74D(9) (conditional registration: Great Britain)—
- (a) in subsection (1), for “at” substitute “in the course of the business carried on at or from”;
 - (b) in subsection (3), after “business at” insert “or from”; and
 - (c) in subsection (5), after “business at” insert “or from”.

Commencement Information

I19 Sch. 2 para. 10 not in force at made date, see art. 1(3)

I20 Sch. 2 para. 10 in force at 1.12.2022 by S.I. 2022/1023, art. 2

- 11.** In section 74E(10) (supplementary provision in respect of conditional registration: Great Britain)—

- (a) in subsection (1), after “business at” insert “or from”; and
- (b) in subsection (5), after “business at” insert “or from”.

Commencement Information

I21 Sch. 2 para. 11 not in force at made date, see art. 1(3)

(7) Section 74B was inserted by S.I. 2010/231 and then amended by S.I. 2016/372.

(8) Section 74C was inserted by S.I. 2010/231.

(9) Section 74D was inserted by S.I. 2010/231.

(10) Section 74E was inserted by S.I. 2010/231.

Changes to legislation: There are currently no known outstanding effects for the The Pharmacy (Responsible Pharmacists, Superintendent Pharmacists etc.) Order 2022, SCHEDULE 2. (See end of Document for details)

I22 Sch. 2 para. 11 in force at 1.12.2022 by S.I. 2022/1023, **art. 2**

12. In section 74F(**11**) (giving of notice by registrar: Great Britain), in subsection (6), for “the premises, or at” substitute “or from the premises, or at or from”.

Commencement Information

I23 Sch. 2 para. 12 not in force at made date, see **art. 1(3)**

I24 Sch. 2 para. 12 in force at 1.12.2022 by S.I. 2022/1023, **art. 2**

13. In section 74G(**12**) (voluntary removal from the register: Great Britain), in subsection (1), after “business at” insert “or from”.

Commencement Information

I25 Sch. 2 para. 13 not in force at made date, see **art. 1(3)**

I26 Sch. 2 para. 13 in force at 1.12.2022 by S.I. 2022/1023, **art. 2**

14. In section 74H(**13**) (change of ownership of retail pharmacy business: Great Britain)—

- (a) in subsections (1) and (3)—
 - (i) after “carried on at” insert “or from”, and
 - (ii) after “business at” insert “or from”;
- (b) in subsection (6)(c), after “business at” insert “or from”; and
- (c) in subsection (9), after “business at” insert “or from”.

Commencement Information

I27 Sch. 2 para. 14 not in force at made date, see **art. 1(3)**

I28 Sch. 2 para. 14 in force at 1.12.2022 by S.I. 2022/1023, **art. 2**

15. In section 74I(**14**) (supplementary provision in respect of change of ownership of retail pharmacy business: Great Britain), in subsection (2)(b), after “business at” insert “or from”.

Commencement Information

I29 Sch. 2 para. 15 not in force at made date, see **art. 1(3)**

I30 Sch. 2 para. 15 in force at 1.12.2022 by S.I. 2022/1023, **art. 2**

16. In section 74J(**15**) (temporary registration with regard to emergencies involving loss of human life or human illness etc.)—

- (a) in subsection (4), for “at” substitute “in the course of the business carried on at or from”; and
- (b) in subsection (8), after “business at” insert “or from”.

(11) Section 74F was inserted by S.I. 2010/231.

(12) Section 74G was inserted by S.I. 2010/231.

(13) Section 74H was inserted by S.I. 2010/231 and then amended by S.I. 2016/372.

(14) Section 74I was inserted by S.I. 2010/231.

(15) Section 74J was inserted by S.I. 2010/231.

Commencement Information

- I31** Sch. 2 para. 16 not in force at made date, see [art. 1\(3\)](#)
I32 [Sch. 2 para. 16](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

17. In section 75(16) (registration of premises: Northern Ireland), in subsection (7)(b), after “business at” insert “or from”.

Commencement Information

- I33** Sch. 2 para. 17 not in force at made date, see [art. 1\(3\)](#)
I34 [Sch. 2 para. 17](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

18. In section 76(17) (supplementary provisions as to registration of premises: Northern Ireland)

- (a) in subsections (1) and (2), after “business at” insert “or from”;
- (b) in subsection (3), after “carried on at” insert “or from”; and
- (c) in subsection (5)(b), after “business at” insert “or from”.

Commencement Information

- I35** Sch. 2 para. 18 not in force at made date, see [art. 1\(3\)](#)
I36 [Sch. 2 para. 18](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

19. In section 77(18) (annual return of premises to registrar)—

- (a) after “business at” insert “or from”; and
- (b) in paragraph (a), after “premises at” insert “or from”.

Commencement Information

- I37** Sch. 2 para. 19 not in force at made date, see [art. 1\(3\)](#)
I38 [Sch. 2 para. 19](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

20. In section 78(19) (restrictions on use of titles, descriptions and emblems)—

- (a) in subsection (3)(a) and (b), after “premises at” insert “or from”;
- (b) in subsection (5)(b), after “other person) at” insert “or from”;
- (c) in subsection (5A), after “other person) at” insert “or from”; and
- (d) in subsection (7)—
 - (i) after “a business carried on at” insert “or from”, and
 - (ii) for “the business at” substitute “the business carried on at or from”.

(16) Section 75 was amended by [S.I. 2010/231](#) and [2016/372](#).

(17) Section 76 was amended by the Statute Law (Repeals) Act 1993 (c. 50), Schedule 1(12), paragraph 1, and [S.I. 2006/2407](#) and [2010/231](#).

(18) Section 77 was amended by the Health Act 2006 (c. 28), Schedule 9, paragraph 1, and [S.I. 2010/231](#).

(19) Section 78 was amended by the Statute Law (Repeals) Act 1993 (c. 50), Schedule 1(12), paragraph 1, the Health Act 2006 (c. 28), section 27, and [S.I. 2010/231](#) and [2019/593](#).

Changes to legislation: There are currently no known outstanding effects for the The Pharmacy (Responsible Pharmacists, Superintendent Pharmacists etc.) Order 2022, SCHEDULE 2. (See end of Document for details)

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Commencement Information

I39 Sch. 2 para. 20 not in force at made date, see [art. 1\(3\)](#)

I40 [Sch. 2 para. 20](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

21. In section 124(**20**) (offences by bodies corporate), in subsection (2)(b), for “at any premises where” substitute “in respect of any premises at or from which”.

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Commencement Information

I41 Sch. 2 para. 21 not in force at made date, see [art. 1\(3\)](#)

I42 [Sch. 2 para. 21](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

(20) Section 124 was amended by the Health Act 2006 (c. 28), section 28(2).

Changes to legislation:

There are currently no known outstanding effects for the The Pharmacy (Responsible Pharmacists, Superintendent Pharmacists etc.) Order 2022, SCHEDULE 2.