

SCHEDULES

SCHEDULE 1

Article 9

AMENDMENTS CONSEQUENTIAL ON ARTICLES 5 AND 6

Medicines Act 1968

1. The 1968 Act is amended in accordance with paragraphs 2 to 8.

Commencement Information

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

2. For the title to section 72B(1) substitute “Sections 72A and 72AA: supplementary”.

Commencement Information

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

3. In section 72B—
 - (a) in subsection (1), for the words from “section 72A” to “under that section,” substitute “section 72A or 72AA of this Act, or of rules or regulations made under section 72A,”;
 - (b) omit subsection (2); and
 - (c) in subsection (3)—
 - (i) in paragraph (a), before “regulations made” insert “rules or”, and
 - (ii) in paragraph (b), before “regulations made” insert “rules or”, and for “subsection (7) (b)” substitute “subsection (7)”.

Commencement Information

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

4. In section 84(2) (offences under Part 4), omit subsection (A1).

Commencement Information

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

(1) Section 72B was inserted by the Health Act 2006, section 30(1), and then amended by [S.I. 2010/231](#).
(2) Subsection (A1) was inserted into section 84 by the Health Act 2006 (c. 28), section 30(3).

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

5. In section 84A(3) (rules by the General Pharmaceutical Council)—
- (a) in subsection (2), for “Part 4 of this Act” substitute “any provision of Part 4 of this Act other than section 72A”; and
 - (b) after subsection (2), insert the following subsections—
 - “(3) The power of the General Pharmaceutical Council to make rules under section 72A may be exercised so as to make different provision for different areas or in relation to different cases or different circumstances to which the power is applicable, and to make any such provision subject to such exceptions, limitations and conditions (if any) as the General Pharmaceutical Council considers necessary or expedient.
 - (4) Before making rules under section 72A, the General Pharmaceutical Council must publish draft rules and invite representations to be made to it about the draft by—
 - (a) the Secretary of State, the Scottish Ministers and the Welsh Ministers, and
 - (b) any other persons appearing to it appropriate to consult about the draft.
 - (5) No rules made under section 72A by the General Pharmaceutical Council are to come into force until approved by order of the Privy Council.
 - (6) The power vested in the Privy Council to make an order under subsection (5) may be exercised by any two or more members of the Privy Council.
 - (7) The making of an order under subsection (5) is sufficiently signified by an instrument signed by the Clerk of the Privy Council.
 - (8) Where an order under subsection (5) is signified by an instrument purporting to be signed by the Clerk of the Privy Council, that is evidence and in Scotland sufficient evidence of—
 - (a) the fact that the order was duly made, and
 - (b) the order’s terms.”.

Commencement Information

I9 Sch. 1 para. 5 not in force at made date, see [art. 1\(3\)](#)

I10 Sch. 1 para. 5 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

6. In section 108(4) (enforcement in England and Wales)—
- (a) omit subsection (6A);
 - (b) in subsection (6B), for “the other provisions of section 72A of this Act, and any regulations made under them,” substitute “the provisions of sections 72A and 72AA of this Act, and any rules made under section 72A,”;
 - (c) in subsection (6C), for “those other provisions, or any regulations made under them,” substitute “those provisions, or any rules made under section 72A,”;
 - (d) in subsection (6D)—
 - (i) in paragraph (a), for “those other provisions, or any regulations made under them,” substitute “those provisions, or any rules made under section 72A,” and
 - (ii) in paragraph (b), for “those other provisions or those regulations” substitute “those provisions or those rules”; and

(3) Section 84A was inserted by [S.I. 2010/231](#).

(4) Section 108 was amended by the Food Safety Act 1990 (c. 16), Schedule 3, paragraph 8, and the Health Act 2006 (c. 28), section 31(1), and by [S.I. 1968/1699](#), [2006/2407](#), [2010/231](#) and [2012/1916](#).

- (e) in subsection (10), for the words from “subsections (6A) or (6B)” to the end of that subsection substitute “subsection (6B) to enforce any provisions or rules mentioned in that subsection, and that the public interest requires that the provisions or rules in question should be enforced in relation to it, the appropriate Minister may enforce those provisions or rules in relation to that matter.”.

Commencement Information

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

7. In section 110(5) (enforcement in Northern Ireland)—
- (a) omit subsection (3A);
 - (b) in subsection (3B), for “the other provisions of section 72A of this Act, and any regulations made under them,” substitute “the provisions of sections 72A and 72AA of this Act, and any regulations made under section 72A,”;
 - (c) in subsection (3C), for “those other provisions, or any regulations made under them,” substitute “those provisions, or any regulations made under section 72A,”; and
 - (d) in subsection (3D)—
 - (i) in paragraph (a), for “those other provisions, or any regulations made under them,” substitute “those provisions, or any regulations made under section 72A,”; and
 - (ii) in paragraph (b), omit “other”.

Commencement Information

- I13** Sch. 1 para. 7 not in force at made date, see [art. 1\(3\)](#)
I14 Sch. 1 para. 7 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

8. In section 129(6) (orders and regulations)—
- (a) in subsection (2), before “paragraph 1” insert “section 72A of this Act or”; and
 - (b) in subsection (3)(a), after “79” insert “, 84A(5)”.

Commencement Information

- I15** Sch. 1 para. 8 not in force at made date, see [art. 1\(3\)](#)
I16 Sch. 1 para. 8 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

Commencement Information

- I1** Sch. 1 para. 1 not in force at made date, see [art. 1\(3\)](#)
I2 Sch. 1 para. 1 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)
I3 Sch. 1 para. 2 not in force at made date, see [art. 1\(3\)](#)
I4 Sch. 1 para. 2 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)
I5 Sch. 1 para. 3 not in force at made date, see [art. 1\(3\)](#)

(5) Section 110 was amended by the Health Act 2006 (c. 28), section 31(3), by S.R. (N.I.) 1973/211, and by [S.I. 2006/2407](#) and [2012/1916](#).
(6) Section 129 was amended by the the Food Standards Act 1999 (c. 28), Schedule 3, paragraph 15, the Health Act 2006 (c. 28), section 32, and by [S.I. 2006/2407](#) and [2012/1916](#).

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

- I6 Sch. 1 para. 3 in force at 1.12.2022 by S.I. 2022/1023, art. 2
- I7 Sch. 1 para. 4 not in force at made date, see art. 1(3)
- I8 Sch. 1 para. 4 in force at 1.12.2022 by S.I. 2022/1023, art. 2
- I9 Sch. 1 para. 5 not in force at made date, see art. 1(3)
- I10 Sch. 1 para. 5 in force at 1.12.2022 by S.I. 2022/1023, art. 2
- I11 Sch. 1 para. 6 not in force at made date, see art. 1(3)
- I12 Sch. 1 para. 6 in force at 1.12.2022 by S.I. 2022/1023, art. 2
- I13 Sch. 1 para. 7 not in force at made date, see art. 1(3)
- I14 Sch. 1 para. 7 in force at 1.12.2022 by S.I. 2022/1023, art. 2
- I15 Sch. 1 para. 8 not in force at made date, see art. 1(3)
- I16 Sch. 1 para. 8 in force at 1.12.2022 by S.I. 2022/1023, art. 2

Pharmacy (Northern Ireland) Order 1976

9. In Article 25A of the Pharmacy (Northern Ireland) Order 1976(7) (regulations: procedure), at the end insert—

“(3) Before making regulations under section 72A of the Medicines Act 1968 the Council must publish draft regulations and invite representations to be made to it about the draft by—

- (a) the Department; and
- (b) any other persons appearing to it appropriate to consult about the draft.”.

Commencement Information

- I17 Sch. 1 para. 9 not in force at made date, see art. 1(3)
- I18 Sch. 1 para. 9 in force at 1.12.2022 by S.I. 2022/1023, art. 2

Health Act 2006

10. In the Health Act 2006(8), omit section 30(3) (the responsible pharmacist).

Commencement Information

- I19 Sch. 1 para. 10 not in force at made date, see art. 1(3)
- I20 Sch. 1 para. 10 in force at 1.12.2022 by S.I. 2022/1023, art. 2

Pharmacy Order 2010

11. Paragraph 66 of Schedule 4 to the Pharmacy Order 2010(9) (amendments, repeals and revocations – amendment of the Medicines (Pharmacies) (Responsible Pharmacist) Regulations 2008) is revoked.

Commencement Information

- I21 Sch. 1 para. 11 not in force at made date, see art. 1(3)
- I22 Sch. 1 para. 11 in force at 1.12.2022 by S.I. 2022/1023, art. 2

(7) S.I. 1976/1213 (N.I. 22), as amended by S.R. 2012/308.

(8) 2006 c. 28.

(9) S.I. 2010/231.

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

- I23** Sch. 2 para. 1 not in force at made date, see [art. 1\(3\)](#)
I24 Sch. 2 para. 1 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

2. In section 10(**10**) (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

- I25** Sch. 2 para. 2 not in force at made date, see [art. 1\(3\)](#)
I26 Sch. 2 para. 2 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

3. In section 70(**11**) (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

- I27** Sch. 2 para. 3 not in force at made date, see [art. 1\(3\)](#)
I28 Sch. 2 para. 3 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

4. In section 71(**12**) (business carried on by body corporate)—
 - (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

(10) 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](#).

(11) Section 70 was amended by the Health Act 2006 ([c. 28](#)), section 27(1), and by [S.I. 2010/231](#) and [2011/2647](#).

(12) 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. (See end of Document for details)

(c) in subsection (3)(c), for “the business at” substitute “the business carried on at or from”.

Commencement Information

I29 Sch. 2 para. 4 not in force at made date, see [art. 1\(3\)](#)

I30 Sch. 2 para. 4 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

5. In section 72(13) (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

I31 Sch. 2 para. 5 not in force at made date, see [art. 1\(3\)](#)

I32 Sch. 2 para. 5 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

6. In section 72A(14) (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

I33 Sch. 2 para. 6 not in force at made date, see [art. 1\(3\)](#)

I34 Sch. 2 para. 6 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

7. In section 72B(15) (supplementary), in subsection (4), for “the business at” substitute “the business carried on at or from”.

Commencement Information

I35 Sch. 2 para. 7 not in force at made date, see [art. 1\(3\)](#)

I36 Sch. 2 para. 7 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

8. In section 74B(16) (conditions for registration: Great Britain)—
- (a) in subsection (4)—
 - (i) in paragraph (a)(ii), after “business at” insert “or from”, and

(13) 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](#).

(14) Section 72A was inserted by the Health Act 2006 (c. 28), section 30(1), and then amended by [S.I. 2006/2407](#).

(15) Section 72B was inserted by the Health Act 2006, section 30(1), and then amended by [S.I. 2010/231](#).

(16) Section 74B was inserted by [S.I. 2010/231](#) and then amended by [S.I. 2016/372](#).

- (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

- I37** Sch. 2 para. 8 not in force at made date, see [art. 1\(3\)](#)
- I38** [Sch. 2 para. 8](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

9. In section 74C(17) (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

- I39** Sch. 2 para. 9 not in force at made date, see [art. 1\(3\)](#)
- I40** [Sch. 2 para. 9](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

10. In section 74D(18) (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

- I41** Sch. 2 para. 10 not in force at made date, see [art. 1\(3\)](#)
- I42** [Sch. 2 para. 10](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

11. In section 74E(19) (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

- I43** Sch. 2 para. 11 not in force at made date, see [art. 1\(3\)](#)
- I44** [Sch. 2 para. 11](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

12. In section 74F(20) (giving of notice by registrar: Great Britain), in subsection (6), for “the premises, or at” substitute “or from the premises, or at or from”.

(17) Section 74C was inserted by [S.I. 2010/231](#).
(18) Section 74D was inserted by [S.I. 2010/231](#).
(19) Section 74E was inserted by [S.I. 2010/231](#).
(20) Section 74F 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. (See end of Document for details)

Commencement Information

- I45** Sch. 2 para. 12 not in force at made date, see [art. 1\(3\)](#)
I46 [Sch. 2 para. 12](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

13. In section 74G(**21**) (voluntary removal from the register: Great Britain), in subsection (1), after “business at” insert “or from”.

Commencement Information

- I47** Sch. 2 para. 13 not in force at made date, see [art. 1\(3\)](#)
I48 [Sch. 2 para. 13](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

- 14.** In section 74H(**22**) (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

- I49** Sch. 2 para. 14 not in force at made date, see [art. 1\(3\)](#)
I50 [Sch. 2 para. 14](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

15. In section 74I(**23**) (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

- I51** Sch. 2 para. 15 not in force at made date, see [art. 1\(3\)](#)
I52 [Sch. 2 para. 15](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

- 16.** In section 74J(**24**) (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”.

Commencement Information

- I53** Sch. 2 para. 16 not in force at made date, see [art. 1\(3\)](#)
I54 [Sch. 2 para. 16](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

(21) Section 74G was inserted by [S.I. 2010/231](#).
(22) Section 74H was inserted by [S.I. 2010/231](#) and then amended by [S.I. 2016/372](#).
(23) Section 74I was inserted by [S.I. 2010/231](#).
(24) Section 74J was inserted by [S.I. 2010/231](#).

17. In section 75(25) (registration of premises: Northern Ireland), in subsection (7)(b), after “business at” insert “or from”.

Commencement Information

I55 Sch. 2 para. 17 not in force at made date, see [art. 1\(3\)](#)

I56 Sch. 2 para. 17 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

18. In section 76(26) (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

I57 Sch. 2 para. 18 not in force at made date, see [art. 1\(3\)](#)

I58 Sch. 2 para. 18 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

19. In section 77(27) (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

I59 Sch. 2 para. 19 not in force at made date, see [art. 1\(3\)](#)

I60 Sch. 2 para. 19 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

20. In section 78(28) (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”.

Commencement Information

I61 Sch. 2 para. 20 not in force at made date, see [art. 1\(3\)](#)

I62 Sch. 2 para. 20 in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

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

(26) 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](#).

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

(28) 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. (See end of Document for details)

21. In section 124(29) (offences by bodies corporate), in subsection (2)(b), for “at any premises where” substitute “in respect of any premises at or from which”.

Commencement Information

I63 Sch. 2 para. 21 not in force at made date, see [art. 1\(3\)](#)

I64 [Sch. 2 para. 21](#) in force at 1.12.2022 by [S.I. 2022/1023](#), [art. 2](#)

(29) 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.