

### SCHEDULE 3

#### Amendments to the Pharmacists and Pharmacy Technicians Order 2007

##### **Amendment of article 69**

**25.** In article 69 (Privy Council procedures etc.)—

(a) after paragraph (1) insert the following paragraphs—

“(1A) Subject to paragraph (1B), any power of the Privy Council to make an order under this Order, apart from an order approving byelaws which are made under paragraph 4(1) of Schedule 2 or an order approving rules which are made under article 7 (or article 7 together with article 66(1)), shall be exercisable by statutory instrument.

(1B) An order of the Privy Council approving rules which are made under article 7 (or article 7 together with article 66(1)) shall be made by statutory instrument if—

(a) it approves rules that amend rules that were approved by an order made by statutory instrument; or

(b) it also approves rules that are not made under article 7 (or article 7 together with article 66(1)).”;

(b) in paragraph (2)—

(i) for the words from “Any power” to “except for” substitute “A statutory instrument that contains an order made by the Privy Council other than an order made solely under article 68(2) or”,

(ii) for sub-paragraph (a) substitute the following sub-paragraph—

“(a) approving rules made under article 7 (or article 7 together with article 66(1)); or”,

(iii) omit “an order of the Privy Council under this Order”, and

(iv) after “House of Parliament” insert “or, if the order approves rules that include measures relating to the regulation of pharmacy technicians, a resolution of either House of Parliament or of the Scottish Parliament”;

(c) in paragraph (3)—

(i) before “16,” insert “7,” and

(ii) after “House of Parliament” insert “or (if the rules include measures relating to the regulation of pharmacy technicians) a resolution of either House of Parliament or of the Scottish Parliament”; and

(d) for paragraph (4) substitute the following paragraph—

“(4) For the purposes of section 1 of the Statutory Instruments Act 1946 (definition of “Statutory Instrument”), any power to which paragraph (1A) or (1B) applies is to be taken to be conferred by an Act of Parliament.”