

SCHEDULE 3

Amendments to the Pharmacists and Pharmacy Technicians Order 2007

New articles 19A and 19B

6. After article 19, insert the following articles—

“Temporary registration with regard to emergencies involving loss of human life or human illness etc.

19A.—(1) If the Secretary of State advises the Registrar that an emergency has occurred, is occurring or is about to occur and that action should be considered under this article, the Registrar may register under this article—

- (a) a person in Part 1 of the Register of Pharmacists, if the Registrar considers that the person is a fit, proper and suitably experienced person to be registered in Part 1 of the Register of Pharmacists with regard to the emergency; or
- (b) the persons comprising a specified group of persons in Part 1 of the Register of Pharmacists, if the Registrar considers that the group is comprised of persons who may reasonably be considered fit, proper and suitably experienced persons to be registered in Part 1 of the Register of Pharmacists with regard to the emergency.

(2) The Registrar may register under this article by virtue of paragraph (1)(b) all of the persons comprising a specified group of persons without first identifying each person in the group.

(3) The registration of a person under this article is subject to such conditions as the Registrar may specify, and the Registrar may at any time vary the conditions to which a person’s registration under this article is subject (including by adding to the conditions or revoking any conditions).

(4) The registration of any person registered under this article by virtue of paragraph (1)(b) as one of a specified group may be subject to the same conditions as the registration of other members of the group, or it may be subject to different conditions.

(5) A person’s registration under this article shall cease to have effect if revoked by the Registrar, which—

- (a) the Registrar must do if the Secretary of State advises the Registrar that the circumstances that led the Secretary of State to advise the Registrar as mentioned in paragraph (1) no longer exist;
- (b) the Registrar may do for any other reason at any time, including where the Registrar has grounds for suspecting that the person’s fitness to practise may be impaired.

(6) The registration of a person registered under this article by virtue of paragraph (1)(b) as one of a specified group may be revoked without revoking the registration of the other members of the group, or it may be revoked by virtue of a decision to revoke the registration of all the members of the group.

(7) Articles 11 to 18, 35, 38 and 39, and Part 5 apart from articles 45 to 47, shall not apply to persons registered under this article (in their capacity as such).

(8) If a person who is registered under this article is already registered in Part 2 of the Register of Pharmacists, that person shall—

- (a) while that person is registered under this article, be considered as solely registered in Part 1 of that register; and

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- (b) once that person ceases to be registered under this article, be considered as registered in Part 2 of that register.
- (9) Notwithstanding article 19—
 - (a) a person who is registered under this article is not a member of the Society, unless immediately prior to registration under this article that person was registered in Part 2 of the Register of Pharmacists;
 - (b) where a person is considered as registered in Part 2 of the Register of Pharmacists by virtue of paragraph (8)(b), that person does not cease to be a member of the Society when that person’s registration under this article ceases.
- (10) If a person breaches any condition to which the person’s registration under this article is subject, anything done by that person in breach of that condition is to be treated as not being done by a pharmacist registered in Part 1 of the Register of Pharmacists.
- (11) The Registrar may make available information to assist with the identification of persons registered under this article in such manner as the Registrar sees fit.

Temporary annotations with regard to emergencies involving loss of human life or human illness etc.

19B.—(1) If the Secretary of State advises the Registrar that an emergency has occurred, is occurring or is about to occur and that action should be considered under this article, the Registrar may annotate—

- (a) the entry of a registrant in Part 1 of the Register of Pharmacists to indicate that the registrant is qualified to order drugs, medicines and appliances in a specified capacity, notwithstanding that the registrant is not so qualified, if the Registrar considers that the registrant is a fit, proper and suitably experienced person to order drugs, medicines and appliances in that capacity with regard to the emergency; or
 - (b) the entries of a specified group of registrants in Part 1 of the Register of Pharmacists to indicate that they are qualified to order drugs, medicines and appliances in a specified capacity, notwithstanding that they are not so qualified, if the Registrar considers that the group is comprised of registrants who are of a type who may reasonably be considered fit, proper and suitably experienced persons to order drugs, medicines and appliances in that capacity with regard to the emergency.
- (2) The Registrar may make the annotation in such a way so as to distinguish registrants whose entry is annotated by virtue of paragraph (1) from registrants in respect of whom the annotation is made otherwise than by virtue of paragraph (1).
- (3) Annotations made by virtue of paragraph (1)—
- (a) must be removed by the Registrar if the Secretary of State advises the Registrar that the circumstances that led the Secretary of State to advise the Registrar as mentioned in paragraph (1) no longer exist;
 - (b) may be removed by the Registrar at any time, including where the Registrar has grounds for suspecting that the person’s fitness to order drugs, medicines or appliances may be impaired.
- (4) A registrant whose entry in Part 1 of the Register of Pharmacists is annotated by virtue of paragraph (1)(b) as one of a specified group may have that annotation removed without the Registrar removing the equivalent annotations of the other members of the group or by virtue of a decision to remove the annotations made by virtue of paragraph (1)(b) of all the members of the group.”