

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.
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”.
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”.
4. In section 71(3) (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
 - (c) in subsection (3)(c), for “the business at” substitute “the business carried on at or from”.
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

(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.

(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.

Status: This is the original version (as it was originally made).

- (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”.
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”.
 7. In section 72B(6) (supplementary), in subsection (4), for “the business at” substitute “the business carried on at or from”.
 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”.
 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”.
 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”.
 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”.
 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”.
 13. In section 74G(12) (voluntary removal from the register: Great Britain), in subsection (1), after “business at” insert “or from”.
 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

(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.

(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.

(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.

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

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

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

(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](#).

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