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DRAFT STATUTORY INSTRUMENTS

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**2010 No.**

**The Pharmacy Order 2010**

**PART 4**

**Registration**

**Establishment, maintenance of and access to the Register**

**19.**—(1) The Registrar must establish and maintain a register of pharmacists and pharmacy technicians and, for the purposes of section 74A of the Medicines Act 1968 (registration of premises: Great Britain) and section 74J of that Act (temporary registration with regard to emergencies involving loss of human life or human illness etc.)(1), premises.

(2) The Register is to be divided into five parts as follows—

- (a) Part 1, relating to pharmacists other than visiting practitioners;
- (b) Part 2, relating to pharmacy technicians other than visiting practitioners;
- (c) Part 3, relating to premises;
- (d) Part 4, relating to pharmacists who are visiting practitioners; and
- (e) Part 5, relating to pharmacy technicians who are visiting practitioners.

(3) The Council may make such provision in rules in connection with the Register as it considers appropriate and may, in particular, make provision with regard to—

- (a) the form and keeping of the Register and the making of entries in, and alterations and corrections to, the Register;
- (b) the recording of the date of a registrant's entry in the Register, or of that of a registered pharmacy, and of the period for which the entry is valid;
- (c) the recording of home addresses of registrants;
- (d) in any case where a retail pharmacy business carried on at a registered pharmacy is owned by a partnership or a body corporate, the recording of the address of the principal office of the partnership or the address of the registered or principal office of the body corporate;
- (e) the recording of qualifications and specialisations of a registrant;
- (f) the recording of any specialisations of a retail pharmacy business carried on at a registered pharmacy;
- (g) the recording of continuing professional development matters;
- (h) the recording of fitness to practise matters, including any warnings or advice given by, or undertakings agreed with, the Investigating Committee or the Fitness to Practise Committee;
- (i) the recording of any improvement notices to which a person carrying on a retail pharmacy business at a registered pharmacy is subject;

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(1) Sections 74A and 74J are inserted into the Act by paragraph 1(8) of Schedule 4 to this Order.

- (j) the recording of any conditions subject to which the entry of a registered pharmacy in the Register has effect; and
  - (k) the recording of the matters listed in sub-paragraphs (a) to (j), or of any other matters, in the Register in the Welsh language where appropriate.
- (4) Rules under paragraph (3) may provide—
- (a) for the marking of the Register so as to distinguish those registrants who are entered in Part 1 or 2 of the Register under article 34 from other registrants; and
  - (b) for the marking of the Register so as to distinguish those registered pharmacies which are entered in Part 3 of the Register under section 74J of the Medicines Act 1968 (temporary registration with regard to emergencies involving loss of human life or human illness etc.) from other registered pharmacies.
- (5) The Registrar must, in such manner as the Registrar sees fit, compile lists comprising information in or derived from entries in the Register, but those lists must not include information in or derived from entries in respect of persons or premises whose entry in the Register is suspended.
- (6) The Council must determine the information that the lists are to contain, which may include—
- (a) a note specifying in which part of the Register a registrant is entered;
  - (b) the number of the entry of a registrant or of a registered pharmacy;
  - (c) the area (by reference to a city, town, district or country) in which a registrant lives or in which a registered pharmacy is located and contact details, but a registrant's home address must not be published without that registrant's consent;
  - (d) a note regarding any fitness to practise matters, including—
    - (i) any conditions to which a registrant's entry in the Register is subject,
    - (ii) any warnings or advice given by, or undertakings agreed with, the Investigating Committee or the Fitness to Practise Committee regarding a registrant's future conduct;
  - (e) a note in respect of any improvement notices to which a person carrying on a retail pharmacy business at a registered pharmacy is subject;
  - (f) a note in respect of any conditions subject to which the entry of a registered pharmacy in the Register has effect;
  - (g) a note in respect of a registrant's specialisations which are the subject of any annotations;
  - (h) a note in respect of the specialisations of a retail pharmacy business carried on at a registered pharmacy which are the subject of any annotations;
  - (i) a note to distinguish those registrants who are entered in Part 1 or 2 of the Register under article 34 from other registrants;
  - (j) a note to distinguish annotations made in respect of registrants under article 35 from other annotations made in respect of registrants who are qualified to order drugs, medicines and appliances in a specified capacity;
  - (k) a note to distinguish those registered pharmacies entered in Part 3 of the Register under section 74J(2) of the Medicines Act 1968 (temporary registration with regard to emergencies involving loss of human life or human illness etc.) from other registered pharmacies; and
  - (l) a note to distinguish annotations made under section 74K of the Medicines Act 1968(3) (temporary annotations with regard to emergencies involving loss of human life or

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(2) Section 74J is inserted into the Act by paragraph 1(8) of Schedule 4 to this Order.

(3) Section 74K is inserted into the Act by paragraph 1(8) of Schedule 4 to this Order.

human illness etc.) from other annotations of entries made in respect of registered pharmacies which are designated as registered pharmacies from which drugs, medicines and appliances may be ordered in a specified capacity.

(7) The Council must publish the lists compiled by the Registrar under paragraph (5) and may do so in such manner as it considers appropriate.

(8) If a registrant's entry in any part of the Register is suspended, the registrant must be treated as not being entered in that part of the Register, even though that part of the Register still contains the registrant's name, except—

(a) for the purposes of articles 28 to 31 and 43 and Part 6 (and rules under or that relate to those provisions); and

(b) for such other purposes of this Order as the Council may prescribe.

(9) Accordingly, a person whose entry in any part of the Register is suspended is not to be treated for the purposes of any enactment other than this Order as being entered in that part.