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DRAFT STATUTORY INSTRUMENTS

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**2010 No.**

**The Pharmacy Order 2010**

**PART 4**

**Registration**

**Fees in connection with entry**

**36.**—(1) Subject to paragraph (3), the Council may make rules with respect to the charging of fees in connection with the entry in the Register of a person or of premises at which a retail pharmacy business is, or is to be, carried on, and in particular with respect to—

- (a) applications for entry to, or for the renewal of an entry in, the Register of a person or premises under article 23 or, as the case may be, under section 74A of the Medicines Act 1968<sup>(1)</sup> (registration of premises: Great Britain);
- (b) applications for the restoration of an entry to the Register pursuant to—
  - (i) article 37 (including provision for additional fees to be charged in connection with the application),
  - (ii) article 57,
  - (iii) under section 74C(1) of the Medicines Act 1968<sup>(2)</sup> (supplementary provision in respect of registration of premises: Great Britain), and
  - (iv) section 74I(1) of the Medicines Act 1968<sup>(3)</sup> (supplementary provision in respect of change of ownership of retail pharmacy business: Great Britain);
- (c) amendments to the Register (including any amendments required to reflect the transfer of ownership of the retail pharmacy business carried on at a registered pharmacy or the voluntary removal of a registered pharmacy from the Register);
- (d) applications for entering annotations in, or restoring annotations to, the Register;
- (e) applications for the renewal of annotations in the Register; and
- (f) issuing further notices of a registrant's entry in the Register pursuant to article 26(3).

(2) The Council must publish any such rules in such manner as it sees fit.

(3) Rules under paragraph (1) must not provide for fees to be charged in respect of the entry or the renewal of an entry of a person in Part 4 or 5 of the Register.

(4) Rules under paragraph (1) may provide for a fee not to be charged, or to be waived in whole or in part, in prescribed cases or circumstances (which may include cases or circumstances defined by reference to the discretion of the Registrar).

(5) Rules under paragraph (1) may also, in relation to the entry of registered pharmacies in the Register, provide for—

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

- (a) fees to be charged by reference to different periods; and
  - (b) fees to be charged by reference to the location of a registered pharmacy.
- (6) Before making rules under paragraph (1), the Council must consult such persons as it considers appropriate including, where it considers appropriate, persons appearing to it to represent—
- (a) registrants;
  - (b) professional bodies or organisations recognised by the Council as representing registrants;
  - (c) persons carrying on a retail pharmacy business at a registered pharmacy; or
  - (d) persons or bodies commissioning or funding the services provided by registrants or at registered pharmacies.