
DRAFT STATUTORY INSTRUMENTS

2022 No.

**The Pharmacy (Responsible Pharmacists,
Superintendent Pharmacists etc.) Order 2022**

PART 2

Responsible pharmacists and superintendent pharmacists

Responsible pharmacists

5.—(1) Section 72A of the 1968 Act⁽¹⁾ (the responsible pharmacist) is amended as follows.

(2) Before subsection (1) insert the following subsection—

“(A1) Nothing in this Part is to be taken as requiring there to be a responsible pharmacist in respect of premises at or from which a retail pharmacy business is carried on at a time when no medicinal products (whether they are on a general sale list or not) are being—

- (a) offered or exposed for sale by retail or supply in circumstances corresponding to retail sale at or from the premises, or
- (b) assembled, prepared or dispensed at or from the premises with a view to such sale or supply.”

(3) In subsection (2), for “the Ministers in regulations” substitute “the General Pharmaceutical Council in rules in relation to premises in Great Britain or the Council of the Pharmaceutical Society of Northern Ireland in regulations in relation to premises in Northern Ireland”.

(4) Omit subsections (3) to (5).

(5) For subsections (6) and (7) substitute the following subsections—

“(6) The General Pharmaceutical Council may make further provision in rules in relation to the responsible pharmacist in respect of premises in Great Britain, and the Council of the Pharmaceutical Society of Northern Ireland may make further provision in regulations in relation to the responsible pharmacist in respect of premises in Northern Ireland.

(6A) In making any such provision, the General Pharmaceutical Council and the Council of the Pharmaceutical Society of Northern Ireland must have regard to the principle that the burdens imposed on businesses by rules or regulations should be the minimum necessary to secure the benefits, considered in general terms, which are expected to result from the rules or regulations.

(7) The rules and regulations mentioned in subsection (6) may (amongst other things)—

- (a) make further provision about the matters mentioned in subsection (1);
- (b) make provision about the responsible pharmacist’s absence from the premises.

(7A) If such rules or regulations make provision about the responsible pharmacist’s absence from the premises, they must also provide that the retail sale of medicinal products

⁽¹⁾ Section 72A was inserted by the Health Act 2006 (c. 28), section 30(1), and amended by S.I. 2006/2407.

on a general sale list may continue at or from the premises during any period in which the responsible pharmacist is absent from the premises.”.

(6) Omit subsection (8).