

## 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

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(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.

- (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

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(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)
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- (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”.

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(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).