



Medicines Act 1968

1968 CHAPTER 67

PART II

LICENCES AND CERTIFICATES RELATING TO MEDICINAL PRODUCTS

General provisions and exemptions

10 Exemptions for pharmacists.

- (1) Subject to the next following subsection, the restrictions imposed by sections 7 and 8 of this Act do not apply to anything which is done in a registered pharmacy, a hospital or a health centre and is done there by or under the supervision of a pharmacist and consists of—
- (a) preparing or dispensing a medicinal product in accordance with a prescription given by a practitioner, or
 - (b) assembling a medicinal product [^{F1}provided that where the assembling takes place in a registered pharmacy—
 - (i) it shall be in a registered pharmacy at which the business in medicinal products carried on is restricted to retail sale or to supply in circumstances corresponding to retail sale and the assembling is done with a view to such sale or supply either at that registered pharmacy or at any other such registered pharmacy forming part of the same retail pharmacy business, and
 - (ii) the medicinal product has not been the subject of an advertisement]; and those restrictions do not apply to anything done by or under the supervision of a pharmacist which consists of procuring the preparation or dispensing of a medicinal product in accordance with a prescription given by a practitioner, or of procuring the assembly of a medicinal product.
- (2) The exemption conferred by the preceding subsection does not apply to a vaccine specially prepared for administration to poultry, and does not apply to any other

Status: Point in time view as at 31/12/1994. This version of this provision has been superseded.

Changes to legislation: Medicines Act 1968, Section 10 is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

vaccine or any plasma or serum prepared or dispensed for administration to an animal or herd unless—

- (a) in the case of a vaccine, it is specially prepared for administration to the animal from which it is derived, or
- (b) in the case of plasma or a serum, it is specially prepared for administration to one or more animals in the herd from which it is derived,

and (in either case) it is so prepared in accordance with a prescription given by a veterinary surgeon or veterinary practitioner.

- (3) Those restrictions do not apply to the preparation or dispensing in a registered pharmacy of a medicinal product by or under the supervision of a pharmacist in accordance with a specification furnished by the person to whom the product is or is to be sold or supplied, where—

- (a) the product is prepared or dispensed for administration to that person or to a person under his care, or
- (b) the product, not being a vaccine, plasma or serum, is prepared or dispensed for administration to an animal or herd which is in the possession or under the control of that person.

- (4) Without prejudice to the preceding subsections, the restrictions imposed by sections 7 and 8 of this Act do not apply to anything which is done in a registered pharmacy by or under the supervision of a pharmacist and consists of—

- (a) preparing or dispensing a medicinal product for administration to a person where the pharmacist is requested by or on behalf of that person to do so in accordance with the pharmacist's own judgment as to the treatment required, and that person is present in the pharmacy at the time of the request in pursuance of which that product is prepared or dispensed, or
- (b) preparing a stock of medicinal products with a view to dispensing them as mentioned in subsection (1)(a) or subsection (3) of this section or in paragraph (a) of this subsection [^{F2}provided that such stock is prepared with a view to retail sale or to supply in circumstances corresponding to retail sale and the preparation is done with a view to such sale or supply either at that registered pharmacy or at any other registered pharmacy forming part of the same retail pharmacy business];

and those restrictions do not apply to anything which is done in a hospital or a health centre by or under the supervision of a pharmacist and consists of preparing a stock of medicinal products with a view to dispensing them as mentioned in subsection (1) (a) of this section.

- [^{F3}(5) Without prejudice to the preceding subsections, the restrictions imposed by section 7 of this Act do not apply to the preparation or dispensing in a registered pharmacy of a medicinal product by or under the supervision of a pharmacist where—

- (a) the medicinal product is prepared or dispensed otherwise than in pursuance of an order from any other person, and
- (b) the medicinal product is prepared with a view to retail sale or supply in circumstances corresponding to retail sale at the registered pharmacy at which it is prepared, and
- (c) the medicinal product has not been the subject of an advertisement.

- (6) Without prejudice to the preceding subsections, the restrictions imposed by section 8(2) of this Act do not apply to anything which is done in a registered pharmacy by or under the supervision of a pharmacist and consists of preparing a medicinal

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product with a view to retail sale or to supply in circumstances corresponding to retail sale at that registered pharmacy.

[The preceding provisions of this section shall not have effect so as to exempt from ^{F4}(6A) the restrictions imposed by sections 7 and 8 of this Act anything done in a registered pharmacy by or under the supervision of a pharmacist in relation to a ready-made veterinary medicinal product as defined in Article 1.2 of the 1981 Directive.]

(7) Without prejudice to the preceding subsections, the restrictions imposed by section 8(3) [^{F5}or (3A)] of this Act do not apply to anything which is done in a registered pharmacy by or under the supervision of a pharmacist and amounts to wholesale dealing, where such dealing constitutes no more than an inconsiderable part of the business carried on by the pharmacist at that pharmacy.

(8) For the purposes of this section “advertisement” shall have the meaning assigned to it by section 92 of this Act, except that it shall not include words inscribed on the medicinal product, or on its container or package.]

Textual Amendments

- F1 Words added by S.I. 1971/1445, art. 3(a)
- F2 Words added by S.I. 1971/1445, art. 3(b)
- F3 S. 10(5)–(8) added by S.I. 1971/1445, art. 3(c)
- F4 S. 10(6A) inserted (31.12.1994) by S.I.1994/2987, reg. 11(2)
- F5 Words in s. 10(7) inserted (14.4.1993) by S.I. 1993/834, reg. 3

Modifications etc. (not altering text)

- C1 Pt. II(ss. 6–50) extended with modifications by S.I. 1985/1403, art. 3(1)
- C2 S. 10 amended (E.W.S.) (*prosp*) by 1954 c. 61, s. 131(1)(b) (as inserted (*prosp.*) by 1997 c. 19, ss. 1, 2(1), Sch. para.2)

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