



Medicines Act 1968

1968 CHAPTER 67

PART IV

PHARMACIES

Registration of pharmacies

75 Registration of premises.

- (1) It shall be the duty of the registrar to keep a register for the purposes of this section (in this Part of this Act referred to as “the register”) and, subject to the following provisions of this section, on payment of the prescribed fee to enter in the register any premises in respect of which an application is made under this section.
- (2) Any application for the registration of premises under this section shall be made in the prescribed manner and shall specify the premises to which the application relates and shall contain such other particulars as may be prescribed.
- (3) On the making of any such application the registrar shall notify the appropriate Minister, specifying the premises to which the application relates and the date on which the application was made, and shall not enter those premises in the register before the end of the period of two months from that date, unless before the end of that period the appropriate Minister consents to his doing so.
- (4) If it appears to the appropriate Minister that in a material respect the premises do not comply with the requirements of regulations made under section 66 of this Act which are for the time being in force, and accordingly he proposes to certify that the premises are unsuitable for registration under this section, he shall, before the end of the period referred to in subsection (3) of this section, serve on the applicant a notice stating his proposals and the reasons for them, and shall serve a copy of that notice on the registrar; and, where a copy of such a notice is served on him, the registrar shall not enter the premises in the register except where required to do so in accordance with the following provisions of this section.

Status: Point in time view as at 30/10/2005. This version of this provision has been superseded.

Changes to legislation: Medicines Act 1968, Section 75 is up to date with all changes known to be in force on or before 30 June 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)

- (5) If, within the time allowed after the service on him of a notice under subsection (4) of this section, the applicant gives notice to the appropriate Minister of his desire to be heard with respect to the proposals, or makes representations in writing to the appropriate Minister with respect to the proposals, then, before determining whether to issue a certificate under this section in respect of the premises,—
- (a) if the applicant has given notice of his desire to be heard, the appropriate Minister shall afford to him an opportunity of appearing before, and being heard by, a person appointed by that Minister for the purpose, or
 - (b) if he has made representations in writing, that Minister shall consider those representations.
- (6) Where the appropriate Minister has served a notice under subsection (4) of this section, then—
- (a) if he determines not to issue a certificate certifying that the premises are unsuitable for registration under this section, he shall notify the applicant and the registrar of his decision and (subject to subsection (7) of this section) the registrar shall forthwith enter the premises in the register;
 - (b) if the appropriate Minister issues such a certificate, he shall transmit the certificate to the registrar and shall notify the applicant that he has done so, and, if so required by the applicant, shall inform him of the reasons for his decision to issue such a certificate.
- (7) Notwithstanding anything in the preceding provisions of this section, the registrar shall not enter any premises in the register in pursuance of an application under this section unless it is shown to his reasonable satisfaction either—
- (a) that at the time of the application the applicant is a person lawfully conducting a retail pharmacy business, or
 - (b) that, if the premises are entered in the register, and the applicant begins to carry on a retail pharmacy business at those premises, then as from the time when he begins to do so he will be a person lawfully conducting a retail pharmacy business.
- (8) In this section “the appropriate Minister”—
- (a) in relation to premises in England or Wales, means [^{F1}the Secretary of State];
 - (b) in relation to premises in Scotland, means the Secretary of State; and
 - (c) in relation to premises in Northern Ireland, means the Minister of Health and Social Services for Northern Ireland,
- and “the time allowed” means the period of twenty-eight days or such extended period as the appropriate Minister may in any particular case allow.

Textual Amendments

F1 Words substituted by virtue of S.I. 1968/1699, arts. 2, 5(4)(a)

Modifications etc. (not altering text)

C1 Functions of Secretary of State in matters only affecting Wales exercisable by Secretary of State for Wales: S.I. 1969/388, art. 2(1)

Status:

Point in time view as at 30/10/2005. This version of this provision has been superseded.

Changes to legislation:

Medicines Act 1968, Section 75 is up to date with all changes known to be in force on or before 30 June 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.