



Medicines Act 1968

1968 CHAPTER 67

PART IV

PHARMACIES

Registration of pharmacies

76 Supplementary provisions as to registration of premises

- (1) Where any premises have been entered in the register, then, in respect of each year subsequent to the year in which the premises were so entered, a further fee (in this section referred to as a "retention fee") of the prescribed amount shall be payable by the person carrying on a retail pharmacy business at those premises.
- (2) If, on demand being made to him in the prescribed manner, the person carrying on a retail pharmacy business at any premises entered in the register fails to pay a retention fee in respect of those premises within two months from the date on which the demand is made, the Council may direct the registrar to remove the premises from the register; but if, before the end of the year in respect of which the retention fee is payable or such longer period as in any particular case the Council may allow, the person carrying on the business pays to the registrar the retention fee in respect of that year, together with such additional sum (if any) by way of penalty as may be prescribed.—
 - (a) the registrar shall restore the premises to the register, and
 - (b) if the Council so direct, the restoration shall be deemed to have had effect as from the date on which the premises were removed from the register.
- (3) Where a change occurs in the ownership of a retail pharmacy business carried on at any premises registered under section 75 of this Act, the registration of the premises under that section—
 - (a) if the change occurs on the death of the person carrying on the business, or, in the case of a partnership, on the death of one of the partners, shall become void at the end of the period of three months from the date of the death, and
 - (b) in any other case, shall become void at the end of the period of twenty-eight days from the date on which the change occurs.

Status: This is the original version (as it was originally enacted).

- (4) Where section 74(2) of this Act has effect in relation to any premises, an application for the premises to be entered in the register may be made in the prescribed manner at any time before the end of the year which includes the appointed day; and where such an application is made by virtue of this subsection—
- (a) the provisions of section 75 of this Act shall not apply, and
 - (b) on payment of a fee equal to a retention fee, the registrar shall enter the premises in the register.
- (5) Where the registration of any premises under section 75 of this Act in respect of a business becomes void by virtue of subsection (3) of this section, an application for the premises to be restored to the register may be made by the person who, in consequence of the change of ownership, has become the owner of the business ; and where such an application is made, and it is shown to the reasonable satisfaction of the registrar 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 restored to the register, and the applicant thereafter carries 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,
- and (in a case where, if the registration had not become void, a retention fee would have become payable) a fee equal to a retention fee has been paid, the registrar shall restore the premises to the register.
- (6) Any regulations prescribing anything for the purposes of section 75 of this Act or this section shall be made by the Health Ministers.
- (7) A document purporting to be a certificate signed by the registrar and stating that, on a specified date, specified premises were, or were not, entered in the register shall be admissible in any proceedings as evidence (and, in Scotland, shall be sufficient evidence) that those premises were, or were not, entered in the register on that date.
- (8) Any fees received by the registrar by virtue of the last preceding section or this section shall be applicable for the purposes of the Pharmaceutical Society.
- (9) In the application of this section to Northern Ireland, any reference to the Council shall be construed as a reference to the Minister of Health and Social Services for Northern Ireland, the reference to subsection (2) of section 74 of this Act shall be construed as a reference to that subsection as modified by subsection (4) of that section, and subsection (8) shall be omitted.