

Status: Point in time view as at 01/10/2006.

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SCHEDULES

FIRST SCHEDULE

Section 7.

THE STATUTORY COMMITTEE

Constitution

- 1 (1) Subject to the provisions of the next following sub-paragraph, the Statutory Committee (hereafter in this Schedule referred to as “the committee”) shall consist of six members, of whom one, who shall be chairman, shall be appointed by the Privy Council, and of whom five shall be appointed by the Council.
- (2) If by reason of illness or other infirmity the chairman becomes temporarily incapable of performing the duties of his office, the Privy Council may appoint another person to be a member of the committee and to act in the place of the chairman; and in relation to any period during which any person is appointed under this sub-paragraph, any reference to the chairman of the Statutory Committee in any enactment (other than the foregoing provisions of this Schedule) shall be construed as a reference to that person.
- 2 A person may be appointed to be a member of the committee whether he is or is not a member of the Society or of the Council, but—
- (a) the chairman shall be a person having practical legal experience; and
 - (b) if, on the occurrence of a vacancy among the members appointed by the Council, none of the remaining members so appointed is a pharmaceutical chemist resident in Scotland, the person appointed to fill the vacancy shall be a pharmaceutical chemist so resident.
- 3 (1) Subject to the provisions of the next following sub-paragraph, a member of the committee, other than a person appointed under sub-paragraph (2) of paragraph 1 of this Schedule, shall hold office for a period of five years, and a person appointed under the said sub-paragraph (2) shall hold office for the period (not exceeding six months) for which he is appointed; and any member shall be eligible for re-appointment at the expiration of his period of office.
- (2) Any member of the committee may at any time resign his office by giving notice in writing of his resignation—
- (a) in the case of a member appointed by the Council, to the registrar;
 - (b) in any other case, to the Clerk of the Privy Council;
- and the body by whom a member of the committee is appointed may remove the member from his appointment for inability to perform his duties or for misbehaviour.

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Textual Amendments

- F1** Sch. 1 para. 3A repealed (1.10.2006) by [Health Act 2006 \(c. 28\)](#), s. 83(7), Sch. 8 para. 3, [Sch. 9](#); [S.I. 2006/2603](#), art. 4(5)(c)(i)(e), Sch.

Procedure

- 4 (1) The quorum of the committee shall be three, of whom the chairman shall be one.
- (2) The committee may act by a majority of the members present, and in the case of an equality of votes the chairman shall have a casting vote.
- 5 (1) The committee may make regulations as to the procedure to be followed by the committee in exercising the jurisdiction conferred upon it by this Act and the Act of 1933, but no such regulations shall come into operation until they are approved by the Privy Council.
- (2) The Privy Council may approve any such regulations with or without modifications; but where the Privy Council propose to modify any such regulations, they shall give the committee a reasonable opportunity of making observations to the Privy Council on the proposed modifications and shall, before approving the regulations, take into consideration any observations made by the committee by virtue of this sub-paragraph.
- (3) The power conferred by this paragraph to approve regulations shall be exercisable by statutory instrument, and any statutory instrument approving regulations made under this paragraph shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Expenses

- 6 The Society shall pay to members of the committee such reasonable travelling expenses as are fixed by the Council with the approval of the Privy Council, and may pay to any member of the committee such fees as are so fixed; and all other expenses of the committee shall be defrayed by the Society.

[^{F2}SCHEDULE 1A

Section 4A

QUALIFYING EUROPEAN DIPLOMAS

Textual Amendments

- F2** Sch. 1A substituted (31.12.2003) by [The European Qualifications \(Health Care Professions\) Regulations 2003 \(S.I. 2003/3148\)](#), regs. 1(1)(c), 8(8), [Sch. 3](#)

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<i>Country</i>	<i>Title of qualification</i>	<i>Awarding body</i>	<i>[^{F3}Certificate accompanying qualification]</i>
Austria	Staatliches Apothekerdiplom	Bundesministerium für Arbeit, Gesundheit und Soziales	
Belgium	— Diploma van apotheker — Diplôme de pharmaciens	1. De universiteiten/ les universités 2. De bevoegde Examencommissie van de Vlaamse Gemeenschap/ le Jury compétent d'enseignement de la Communauté française	
[^{F4} Cyprus	Πιστοποιητικό Εγγραφής Φαρμακοποιού	Συμβούλιο Φαρμακευτικής]	
[^{F4} Czech Republic	Diplom o ukončení studia ve studijním programu farmacie (magistr, Mgr.)	Farmaceutická fakulta univerzity v České republice	Vysvědčení o státní závěrečné zkoušce]
Denmark	Bevis for bestået farmaceutisk kandidateksamen	Danmarks Farmaceutiske Højskole	
[^{F4} Estonia	Diplom proviisori õppekava läbimise	Tartu Ülikool]	
Finland	Proviisorin tutkinto/ provisorexamen	1. Helsingin yliopisto/ Helsingfors universitet 2. Kuopion yliopisto	
France	Diplôme d'Etat de pharmacien/Diplôme d'Etat de docteur en pharmacie	Universités	
Germany	Zeugnis über die Staatliche	Zuständige Behörden	

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<i>Country</i>	<i>Title of qualification</i>	<i>Awarding body</i>	<i>[^{F3}Certificate accompanying qualification]</i>
	Pharmazeutische Prüfung		
Greece	Άδεια άσκησης φαρμακευτικού επαγγέλματος	Νομ-αρχιακή Αυτοδιοίκηση	
[^{F4} Hungary	Okleveles gyógyszerész oklevél (magister pharmaciae, abbrev.: mag.pharm)	Egyetem]	
Iceland	Próf í lyfjafræði	Háskóli Íslands	
Ireland	Certificate of Registered Pharmaceutical Chemist		
Italy	Diploma o certificato di abilitazione all'esercizio della professione di farmacista ottenuto in seguito ad un esame di Stato	Università	
[^{F4} Latvia	Farmaceita diploms	Universitātes tipa augstskola]	
Liechtenstein	The diplomas, certificates and other titles awarded in another EEA State and listed in this Schedule accompanied by a certificate on the completed practical training issued by the competent authorities		
[^{F4} Lithuania	Aukštojo mokslo diplomas, nurodantis suteiktą vaistninko profesinę kvalifikaciją	Universitetas]	
Luxembourg	Diplôme d'Etat de pharmacien	Jury d'examen d'Etat + visa du ministre de l'éducation nationale	
[^{F4} Malta	Lawrja fil-farmaċija	Università 'ta' Malta]	

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<i>Country</i>	<i>Title of qualification</i>	<i>Awarding body</i>	<i>[^{F3}Certificate accompanying qualification]</i>
Netherlands	Getuigschrift van met goed gevolg afgelegd apothekersexamen	Faculteit Farmacie	
Norway	Vitnemål for fullført grad <i>candidata/candidatus pharmaciae</i> , short form: <i>cand. pharm.</i>	Universitetsfakultet	
[^{F4} Poland]	Dyplom ukończenia studiów wyższych na kierunku farmacja z tytułem magistra	1.. Akademia Medyczna 2.. Uniwersytet Medyczny 3.. Collegium Medicum Uniwersytetu Jagiellońskiego]	
Portugal	Carta de curso de licenciatura em Ciências Farmacêuticas	Universidades	
[^{F4} Slovakia]	Vysokoškolský diplom o udelení akademického titulu "magister farmacie" ("Mgr.")	Vysoká škola]	
[^{F4} Slovenia]	Diploma, s katero se podeljuje strokovni naziv "magister farmacije/magistra farmacije"	Univerza	Potrdilo o opravljenem strokovnem izpitu za poklic magister farmacije/magistra farmacije]
Spain	Título de licenciado en farmacia	Ministerio de Educación y Cultura/ El rector de una Universidad	
Sweden	Apotekarexamen	Uppsala universitet	
Switzerland	Titulaire du diplôme fédéral de pharmacien, eidgenössisch diplomierter Apotheker, titolare di diploma federale di farmacista	The Département fédéral de l'intérieur]	

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Textual Amendments

- F3** Words in Sch. 1A inserted (18.8.2004) by [The European Qualifications \(Health and Social Care Professions and Accession of New Member States\) Regulations 2004 \(S.I. 2004/1947\)](#), **reg. 13(4)(a)**
- F4** Words in Sch. 1A inserted (18.8.2004) by [The European Qualifications \(Health and Social Care Professions and Accession of New Member States\) Regulations 2004 \(S.I. 2004/1947\)](#), **reg. 13(4)(b)**

PROSPECTIVE

^{F5}SCHEDULE 1B

THE HEALTH COMMITTEE

Textual Amendments

- F5** Act repealed (30.3.2007 as notified in the Belfast, Edinburgh and London Gazettes dated 23.3.2007) by [The Pharmacists and Pharmacy Technicians Order 2007 \(S.I. 2007/289\)](#), art. 1(3), **Sch. 1 para. 1** (with Sch. 2)

^{F5} *Interpretation*

^{F51}

^{F5} *Constitution*

^{F52}

^{F5} *Term of office and resignation*

^{F53}

^{F5} *Procedure*

^{F54}

^{F5} *Expenses*

^{F55}

^{F5} *Legal assessors*

^{F56}

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PROSPECTIVE

^{F5} SCHEDULE 1C

APPEAL TRIBUNALS

^{F5} *Interpretation*

^{F5}₁

^{F5} *Constitution*

^{F5}₂

^{F5} *Appeal tribunals panel*

^{F5}₃

^{F5} *Term of office and resignation*

^{F5}₄

^{F5} *Clerks of tribunals*

^{F5}₅

^{F5} *Expenses*

^{F5}₆

^{F6} SECOND SCHEDULE

Textual Amendments

F6 Sch. 2 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt.XII.

- 1 The Council may direct the registrar to register any name which was removed in pursuance of section ten of the Pharmacy Act 1868 from the register of chemists and druggists.
- 2 If any person whose name has been removed in pursuance of subsection (4) of section one of the Act of 1933 from the register of chemists and druggists for non-payment of

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any fee pays to the Society, before the expiration of such period (if any) as the Council allow, the fee and any additional sum prescribed in pursuance of subsection (2) of section twelve of this Act, it shall be the duty of the registrar, subject to the provisions of any direction of the Statutory Committee which is in force in relation to the name, to register the name of that person; and, if the Council so direct, the registration shall have effect from the date on which the name was removed from the register of chemists and druggists.

- 3 Where any person whose name has been removed as mentioned in the last foregoing paragraph or a person employed by him in the carrying on of his business, has (whether before or after the removal of the name) been convicted of any such criminal offence or been guilty of such misconduct as, in the opinion of the Statutory Committee, renders the convicted or guilty person unfit to have his name on the register, the Committee may, after inquiring into the matter, direct that the name removed as aforesaid shall not be registered or shall not be registered until the Committee otherwise directs; and where the Committee directs that a name shall not be registered until the Committee otherwise directs, it may further direct that no application to the Committee in respect of the registration of the name shall be entertained until the expiration of such period as is specified in the direction or the fulfilment of such conditions as are so specified.
- 4 Where the name of any person was absent from the register immediately before the commencement of this Act in pursuance of a direction given under subsection (1) of section seven of the Act of 1933 for the removal of the name from the register of chemists and druggists, the Statutory Committee may, either of its own motion or on the application of that person, being an application made consistently with any direction of the Statutory Committee applicable to him, direct the registrar to register the name of that person, either without fee or on payment to the Society of such fee as is prescribed in pursuance of subsection (2) of section eight of this Act; but where the High Court has dismissed an appeal against the direction given under the said subsection (1), a direction under this paragraph shall not take effect unless it is approved by the Privy Council.
- 5 The provisions of subsection (3) of section eight, section nine, section ten and subsection (3) of section eleven of this Act shall apply in relation to a direction of the Statutory Committee under paragraph 3 of this Schedule and the said provisions (except section nine) shall apply in relation to such a direction under paragraph 4 thereof as they apply in relation to a direction under the said section eight, and the provisions of subsection (3) of the said section eight and the said section ten shall apply in relation to a refusal of an application under the said paragraph 4 as they apply in relation to such a refusal as is mentioned in paragraph (b) of subsection (3) of the said section eight.
- 6 Any direction given under subsection (1) or subsection (2) of section seven of the Act of 1933 or section four of the Pharmacy and Medicines Act 1941 which, immediately before the commencement of this Act, related to the Register of Pharmaceutical Chemists shall be deemed to be a direction duly given under the corresponding provision of this Act on the date on which the direction was actually given.

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- 7 Nothing in subsection (2) of section twenty-five of this Act shall affect any appointment, byelaw, demand, nomination, order or regulation made, approval, certificate, confirmation, direction or notice given, register published, registration effected, proceeding instituted or thing done under any enactment repealed by this Act, and, subject to the provisions of the last foregoing paragraph, any such appointment, approval, byelaw, certificate, confirmation, demand, direction, nomination, notice, order, register, registration, proceeding or thing shall, if in force immediately before the commencement of this Act, continue in force and be deemed to be made, given, published, effected, instituted or done, as the case may be, under the corresponding provision of this Act, and, in the case of an appointment or demand be deemed to have been duly made under the said corresponding provision on the date on which it was actually made.
- 8 Any reference in any document (excluding the Act of 1933) to any Act or enactment repealed by this Act shall be construed as a reference to this Act or to the corresponding enactment in this Act; and any reference in any document (including the Act of 1933) to the Statutory Committee appointed under the Act of 1933 shall be construed as a reference to the Statutory Committee appointed under this Act.
- 9 Every certificate of registration which was issued before the thirty-first day of December nineteen hundred and fifty-three and which certifies that the person therein specified is registered as a chemist and druggist according to the provisions of the Pharmacy Act 1868, shall, for such period as is prescribed, be deemed to be a certificate of registration issued in pursuance of section five of this Act certifying that the person therein specified is a registered pharmaceutical chemist, and the said certificate shall throughout the said period have effect accordingly.
- 10 Where any offence (being an offence for the continuance of which a penalty was provided) has been committed under any enactment repealed by this Act, proceedings may be taken under this Act in respect of the continuance of the offence after the commencement of this Act in the same manner as if the offence had been committed under the corresponding provisions of this Act.
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- 11 In this Schedule “the register of chemists and druggists” means the register of chemists and druggists established under the Pharmacy Act 1868.

^{F7}THIRD SCHEDULE

Textual Amendments

F7 Sch. 3 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt.XII.

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The Pharmacy and Poisons Act, 1933 (23 & c 24 Geo. 5. c. 25)

After section eleven there shall be inserted the following section—

“(11A) The Statutory Committee shall not, without the assent of the chairman of the Committee, direct—

- (a) that a body corporate shall cease to be or shall be disqualified for any period from being an authorised seller of poisons or that all or any of the premises of a body corporate shall be removed from the register of premises or be disqualified for any period from being registered therein ; or
- (b) that the representatives of a pharmacist shall cease to be authorised sellers of poisons or cease to be entitled to use any title, emblem or description.”

In section twenty-five, in subsections (1) AND (4), after the words “ Part I of this Act” there shall be inserted the words “ and of section nineteen and subsections (2) and (3) of section twenty of the Pharmacy Act 1954”.

In section twenty-nine, in the definition of “ Byelaws” after the word “ Society” there shall be inserted the words “ and approved by the Privy Council”; in the definition of “ Certificate of registration” for the words “ section thirteen of the Pharmacy Act, 1868” there shall be substituted the words “ section five of the Pharmacy Act, 1954”; in the definition of “ Pharmacy Acts” for the words from “ Pharmacy Act, 1852” to “ Pharmacy Act, 1908” there shall be substituted the words “ Pharmacy Act, 1954”; and in the definition of “ Registrar” for the words “ section four of the Pharmacy Act, 1852” there shall be substituted the words “ section one of the Pharmacy Act, 1954”.

F8F8 FOURTH SCHEDULE

Textual Amendments

F8 S. 25(2), Sch. 4 repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), [Sch. Pt. XI](#)

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