

1973 No. 1822

## MEDICINES

**The Medicines (Pharmacies) (Applications for  
Registration and Fees) Regulations 1973**

*Made* - - - - - 31st October 1973

*Laid before Parliament* 8th November 1973

*Coming into Operation* 1st December 1973

The Secretaries of State respectively concerned with health in England, in Wales and in Scotland and the Secretary of State for Northern Ireland, acting jointly, in exercise of powers conferred by sections 75(1) and (2) and 76(1), (2), (4) and (6) of the Medicines Act 1968(a) and now vested in them (b) and of all other powers enabling them in that behalf, after consulting such organisations as appear to them to be representative of interests likely to be substantially affected by the following regulations, hereby make the following regulations:—

*Citation, commencement and interpretation*

1.--(1) These regulations may be cited as the Medicines (Pharmacies) (Applications for Registration and Fees) Regulations 1973 and shall come into operation on 1st December 1973.

(2) In these regulations unless the context otherwise requires, "the Act" means the Medicines Act 1968 and other expressions have the same meanings as expressly given in Part IV of the Act and, where there is no such express meaning given in that Part, as in the Act.

(3) Except in so far as the context otherwise requires, any reference in these regulations to any enactment shall be construed as a reference to that enactment as amended, extended or re-enacted by any other enactment.

(4) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(c) shall apply for the purposes of the interpretation of these regulations as they apply for the purposes of the interpretation of an Act of Parliament.

*Applications for registration*

2.--(1) Every application for the registration of premises under section 75 or section 76(4) of the Act shall be made in writing and shall be given or sent to the registrar.

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(a) 1968 c. 67.

(b) In the case of the Secretaries of State concerned with health in England and in Wales by virtue of Article 2(2) of, and Schedule 1 to, the Transfer of Functions (Wales) Order 1969 (SI 1969/388 (1969 I, p. 1070)), and in the case of the Secretary of State for Northern Ireland by virtue of the provisions of section 1(1) (a) of the Northern Ireland (Temporary Provisions) Act 1972 (c. 22).

(c) 1889 c. 63.

(2) Every such application shall be made and signed by or on behalf of the person carrying on, or who intends to carry on, a retail pharmacy business (within the meaning of section 69(1) of the Act) in the premises to which the application for registration as aforesaid relates.

(3) Every such application shall contain or be accompanied by the particulars specified in the Schedule to these regulations.

(4) Except as provided in paragraph (5) of this regulation, a separate application for registration as aforesaid shall be made in respect of each of the premises to be registered.

(5) Where the premises are premises to which section 74(2) of the Act for the time being applies, one application for registration as aforesaid may be made in respect of all such premises.

#### *Fees*

3.—(1) Subject to paragraph (4) of this regulation, the fee payable in respect, and for the purposes, of the registration of each premises under section 75 of the Act shall be £8 except that, where the premises are situated in Northern Ireland, the fee shall be £5.25.

(2) The retention fee payable under the provisions of section 76(1) of the Act shall be £8 except that, where the registered pharmacy is situated in Northern Ireland, the fee shall be £5.25.

(3) The additional sum by way of penalty for the purposes of section 76(2) of the Act shall be £5.

(4) Where section 74(2) of the Act has effect in relation to any premises and no application is made in respect of such premises by virtue of section 76(4) of the Act, the fee payable in respect, and for the purposes, of the registration of such premises under section 75 of the Act shall, in addition to the fee prescribed in paragraph (1) this regulation, include a sum equal to the appropriate retention fee.

#### *Demand for retention fee*

4. The demand under section 76(2) of the Act for the payment of a retention fee shall be made in writing and shall be sent by the registrar by registered post or recorded delivery.

*Keith Joseph,*

Secretary of State for Social Services.

25th October 1973.

*Peter Thomas,*

Secretary of State for Wales.

27th October 1973.

*Gordon Campbell,*

Secretary of State for Scotland.

29th October 1973.

*W. S. I. Whitelaw,*

Secretary of State for Northern Ireland.

31st October 1973.

## Regulation 2(3)

## SCHEDULE

*Particulars required in an application for registration of premises*

1.—(1) Name of the person carrying on, or intending to carry on, a retail pharmacy business and his private residential address.

(2) In the case of a partnership carrying on, or intending to carry on, such a business the names and such addresses of all the partners.

(3) In the case of a body corporate carrying on, or intended to carry on, such a business the registered name and the address of the registered office of the body.

(4) In the case where such a business is being carried on by a representative of a pharmacist (as defined by section 72 of the Act) and the business is under the personal control of a pharmacist (in accordance with Section 72(2)(a) of the Act) the latter pharmacist's name and the number of his certificate of registration.

2. Where a person or, as the case may be, a partnership or body corporate is carrying on or intends to carry on, such a business under a business name which does not correspond to the name of the person or, as the case may be, the names of the partners or the name of the corporate body, the business name under which such business is being, or is to be, carried on.

3. Name of the pharmacist or if more than one the names of all the pharmacists under whose personal control the business is or is to be carried on at all the premises to which the application relates and in the case of a body corporate the name of the superintendent under whose management the business is or is to be carried on and the number of the certificate of registration of each such pharmacist and, as the case may be, superintendent.

4. The full postal address of the premises to which the application relates.

5. Except where the premises are premises to which section 74(2) of the Act applies—

(a) where the application for registration relates to premises in respect of which there has been a change of ownership of the business thereat carried on, being a retail pharmacy business, the name and address of the immediate former owner of that business and the date of such change of ownership;

(b) the date or intended date of the commencement of such business;

(c) a brief description of the premises including the internal layout of the premises as respects the areas where medicinal products are or are intended to be sold or supplied, prepared, dispensed or stored together with—

(i) a statement showing whether or not there are arrangements so as to enable supervision to be exercised by a pharmacist of any dispensing and sale of medicinal products at one and the same time, and

(ii) a sketch plan, drawn to scale, showing the areas and the layouts to which this paragraph relates.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations prescribe the manner of making, and the particulars to be contained in, applications for registration under section 75 or section 76(4) of the Medicines Act 1968 of premises at which a retail pharmacy business is or is to be carried on (Regulation 2), the fees to be paid on the application for such registration, the subsequent annual fees (referred to in that Act as "retention fee") and the amount of the penalty for failure to pay the retention fee within the time laid down in the Act (Regulation 3). Regulation 4 prescribes the manner in which the demand for the payment of the retention fee is to be made.

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