

2004 No. 3197

MEDICINES

**The Medicines (Pharmacies) (Applications for Registration and Fees)
Amendment Regulations 2004**

<i>Made</i> - - - -	<i>3rd December 2004</i>
<i>Laid before Parliament</i>	<i>10th December 2004</i>
<i>Coming into force</i> - -	<i>1st January 2005</i>

As respects England, Scotland and Wales, the Secretary of State concerned with health in England and, as respects Northern Ireland, the Department of Health, Social Services and Public Safety, acting jointly as the Health Ministers, in exercise of the powers conferred on them by sections 75(1), 76(1), (2) and (6) and 129(5) of the Medicines Act 1968(a) or, as the case may be, those powers conferred by those provisions 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 these Regulations, pursuant to section 129(6) of that Act, hereby make the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Medicines (Pharmacies) (Applications for Registration and Fees) Amendment Regulations 2004 and shall come into force on 1st January 2005.

Amendment of the Medicines (Pharmacies) (Applications for Registration and Fees) Regulations 1973

2. In regulation 3 of the Medicines (Pharmacies) Applications for Registration and Fees) Regulations 1973(c) (fees)—

- (a) in paragraph (1) (fee for registration of premises), for “£163” substitute “£460” and for “£86” (fee where premises are in Northern Ireland) substitute “£90”;
- (b) in paragraph (2) (retention fee), for “£125” substitute “£137” and for “£112” (fee where premises are in Northern Ireland) substitute “£118”;
- (c) in paragraph (3) (additional sum by way of penalty), for “£336” substitute “£460” and for “£250” (sum where premises are in Northern Ireland) substitute “£262”.

(a) 1968 (c.67); the expression “the Health Ministers” is defined in section 1(1)(a) of that Act, as amended by article 2(2) of, and Schedule 1 to S.I. 1969/288, and by article 5 of, and paragraph 1(1) of the Schedule to, S.I. 1999/3142; the word “prescribed” is defined in section 132(1) of that Act.

(b) In the case of the Secretary of State concerned with health in England, by virtue of article 2(2) of, and Schedule 1 to, S.I. 1969/388, and by articles 2(1) and 5 of, and paragraph 1(1) of the Schedule to, S.I. 1999/3142; and in the case of Department of Health, Social Services and Public Safety, the powers vested in the Minister in charge of that Department by virtue of section 95(5) of, and paragraph 10 of Schedule 12 to, the Northern Ireland Act 1998 (c.47) may now be exercised by the Department by virtue of section 1(8) of, and paragraph 4(1)(b) of the Schedule to, the Northern Ireland Act 2000 (c.1); the Department was renamed by virtue of Article 3(6) of S.I. 1999/283 (N.I.1.).

(c) S.I. 1973/1822; relevant amending instruments are S.I. 1980/1806 and S.I./2003/3141.

Revocation

3. The Medicines (Pharmacies) (Applicants for Registration and Fees) Amendment Regulations 2003(a) are revoked.

Signed by authority of the Secretary of State for Health

2nd December 2004

Rosie Winterton
Minister of State,
Department of Health

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety

3rd December 2004

D. C. Gowdy
Permanent Secretary, Department of Health,
Social Services and Public Safety

(a) S.I.2003/3141.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Medicines (Pharmacies) (Applications for Registration and Fees) Regulations 1973 (“the principal Regulations”) as follows—

- (a) regulation 2(a) increases the fees for registration of premises at which a retail pharmacy business is, or is to be, carried on from £163 to £460 (where the premises are in Great Britain) and from £86 to £90 (where the premises are in Northern Ireland);
- (b) regulation 2(b) increases subsequent annual fees (retention fees) from £125 to £137 (where the premises are in Great Britain) and from £112 to £118 (where the premises are in Northern Ireland);
- (c) regulation 2(c) increases the penalty for failure to pay retention fees (payable in circumstances specified in section 76(2) of the Medicines Act 1968) from £336 to £460 (where the premises are in Great Britain) and from £250 to £262 (where the premises are in Northern Ireland).

These Regulations also revoke the Medicines (Pharmacies) (Applications for Registration and Fees) Amendment Regulations 2003, which increased the fees in the principal Regulations, the effect of which is spent on the coming into force of the Regulations.

A Regulatory Impact Assessment in relation to these Regulations has been placed in the libraries of both Houses of Parliament, and copies can be obtained from the Department of Health, Pharmacy and Prescription Branch, Room 520, Eileen House, 80-90 Newington Causeway, London, SE1 6EE.

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