
STATUTORY INSTRUMENTS

2016 No. 372

**The Pharmacy (Premises Standards,
Information Obligations, etc.) Order 2016**

PART 1

General provisions

Privy Council procedures and legislative procedures

4.—(1) Any power vested in the Privy Council to make an order under this Part may be exercised by any two or more members of the Privy Council.

(2) Any power of the Privy Council to make an order under this Part is exercisable by statutory instrument, and for the purposes of section 1 of the Statutory Instruments Act 1946(1) (definition of “Statutory Instrument”), any power of the Privy Council to make an order under this Part is to be taken to be conferred by an Act of Parliament.

(3) Before making an order under this Part that includes measures relating to the regulation of pharmacy technicians, the Privy Council must consult the Scottish Ministers.

(4) An order made (wholly or partly) under article 3(1) is subject to annulment by resolution of either House of Parliament.

(5) If an order of the description given in paragraph (4) includes measures relating to the regulation of pharmacy technicians in Scotland—

- (a) that order is in addition subject to the negative procedure in the Scottish Parliament; and
- (b) sections 28 and 31 of the Interpretation and Legislative Reform (Scotland) Act 2010(2) (negative procedure etc.) apply in relation to the order as they apply in relation to devolved subordinate legislation (within the meaning of Part 2 of that Act) that is subject to the negative procedure, but as if references to a Scottish statutory instrument were references to a statutory instrument.

(6) Before making an order under article 1(3) that commences—

- (a) an amendment of the 1968 Act as it applies in Northern Ireland; or
- (b) a provision of Part 3,

the Privy Council must obtain the agreement of the Minister for Health, Social Services and Public Safety to the making of the order.

(7) Any act of the Privy Council under this Part is sufficiently signified by an instrument signed by the Clerk of the Privy Council.

(8) Where an order of the Privy Council under this Part is signified by an instrument purporting to be signed by the Clerk of the Privy Council, that is evidence and in Scotland sufficient evidence of—

(1) 1946 c. 36. Section 1(1A) was inserted by the Government of Wales Act 1998 (c. 38), Schedule 12, paragraph 2, and substituted by the Government of Wales Act 2006 (c. 32), Schedule 10, paragraph 2.

(2) 2010 asp 10.

- (a) the fact that the order was duly made; and
- (b) the order's terms.