
STATUTORY INSTRUMENTS

1976 No. 1213

Pharmacy (Northern Ireland) Order 1976

PART III

**REGISTRATION OF PHARMACEUTICAL
CHEMISTS, DRUGGISTS AND STUDENTS**

[F1]Temporary extension of prescribing powers in certain emergencies

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9A.—(1) In the register mentioned in Article 6(1)(a), the registrar may record an annotation under paragraph (2) against—

- (a) the name of a registered person; or
- (b) the names of the persons comprising a specified group of registered persons,

if the conditions set out in paragraph (3) are satisfied.

(2) An annotation under this paragraph indicates that the person is qualified to order drugs, medicines and appliances in a specified capacity, notwithstanding that the person would not (but for this Article) be so qualified.

(3) The conditions are that—

- (a) the Department has advised the registrar that an emergency has occurred, is occurring or is about to occur and that the registrar should consider acting under this Article; and
- (b) the registrar considers that the emergency annotation requirement is met in relation to the person or group of persons.

(4) The emergency annotation requirement is met—

- (a) in relation to a registered person, if the person is a fit, proper and suitably experienced person to order drugs, medicines and appliances in a specified capacity with regard to the emergency; and
- (b) in relation to a group of registered persons, if the group is comprised of persons who may reasonably be considered fit, proper and suitably experienced persons to order drugs, medicines and appliances in a specified capacity with regard to the emergency.

(5) The registrar may record the annotation in such a way as to distinguish between annotations recorded by virtue of this Article and other annotations.

(6) Annotations recorded by virtue of this Article—

- (a) must be removed by the registrar if the Department advises the registrar that the circumstances that led the Department to give the advice referred to in paragraph (3)(a) no longer exist;

Changes to legislation: *Pharmacy (Northern Ireland) Order 1976, Section 9A is up to date with all changes known to be in force on or before 05 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(b) may at any time be removed by the registrar for any other reason including where the registrar has grounds for suspecting that the person's fitness to order drugs, medicines and appliances may be impaired.

(7) An annotation recorded against the name of a person in the register as a member of a specified group may be removed—

(a) without the removal by the registrar of the annotations recorded against the names in the register of the other members of the group; or

(b) by virtue of a decision by the registrar to remove the annotations recorded against the names in the register of all the members of the group.

(8) Regulations made under Article 5 with respect to the following matters do not apply to persons with an annotated entry—

(a) paragraph (1)(e) (fees);

(b) paragraph (1)(ff) (annotations of the register); and

(c) such other matters as the Council may by regulations provide;

but this is subject to paragraph (10).

(9) The following provisions of this Order do not apply to persons with an annotated entry—

(a) Article 4A (continuing professional development);

(b) Article 8 (qualifications for registration); and

(c) such other provisions as the Council may by regulations provide;

but this is subject to paragraph (10).

(10) The Council may make regulations that provide that the following apply to persons with an annotated entry—

(a) regulations with respect to any of the matters referred to in paragraph (8)(a) to (c); and

(b) any of the provisions of this Order referred to in paragraph (9)(a) to (c).

(11) In this Article—

“emergency” means an emergency of the kind described in section 19(1)(a) of the Civil Contingencies Act 2004 (meaning of “emergency”), read with subsection (2)(a) and (b) of that section;

“person with an annotated entry” means a person who has an annotation under paragraph (2) against their name in the register; and

“specified” means specified in a direction given by the registrar or by a person authorised by the registrar.]

<p>F1 Art. 9A inserted (temp.) (25.3.2020) by virtue of Coronavirus Act 2020 (c. 7), s. 87(1), Sch. 4 para. 6 (with ss. 88-90)</p>

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 3 para. 8(1A)(1B) inserted by [S.I. 2016/372 art. 15\(3\)](#)
- Sch. 3 para. 8(10A) inserted by [S.I. 2016/372 art. 15\(10\)](#)
- art. 5A inserted by [S.I. 2016/372 art. 13](#)