

SCHEDULES

SECOND SCHEDULE

Section 25.

TRANSITIONAL PROVISIONS

- 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 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

Status: This is the original version (as it was originally enacted).

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.
- 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.
- 11 In this Schedule "the register of chemists and druggists" means the register of chemists and druggists established under the Pharmacy Act, 1868.