

2006 No. 3264

MEDICINES

The Medicines (Pharmacies) (Applications for Registration and Fees) Amendment Regulations 2006

<i>Made</i> - - - -	<i>6th December 2006</i>
<i>Laid before Parliament</i>	<i>12th December 2006</i>
<i>Coming into force</i> - -	<i>1st January 2007</i>

The Secretary of State and the Department of Health, Social Services and Public Safety, acting jointly, make the following Regulations in exercise of powers conferred upon them by sections 75(1), 76(1) and (2) and 129(1) and (5) of the Medicines Act 1968(a), or, in the case of the Department, the powers conferred by those provisions and now vested in it(b).

In accordance with section 129(6) of that Act, they have consulted such organisations as appear to them to be representative of interests likely to be affected by the Regulations.

Citation and commencement

1. These Regulations may be cited as the Medicines (Pharmacies) (Applications for Registration and Fees) Amendment Regulations 2006 and shall come into force on 1st January 2007.

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 “£474” substitute “£492” and for “£93” (fee where premises are in Northern Ireland) substitute “£97”;
- (b) in paragraph (2) (retention fee), for “£150” substitute “£156” and for “£130” (fee where premises are in Northern Ireland) substitute “£135”; and
- (c) in paragraph (3) (additional sum by way of penalty), for “£474” substitute “£492” and for “£270” (sum where premises are in Northern Ireland) substitute “£281”.

(a) 1968 c.67. The expression “the Ministers”, which is relevant to the powers being exercised in the making of these Regulations, is defined in section 1 of the Act as amended by Schedule 1 to S.I. 1969/388, paragraph 1(1) of the Schedule to S.I. 1999/3142 and paragraph 2 of Part 1 of Schedule 8 to S.I. 2006/2407; section 76(6) of the Act was omitted by paragraph 40 of Part 1 of Schedule 8 to S.I. 2006/2407. The word “prescribed” is defined in section 132(1) of the Act.

(b) The powers were vested in the Ministers 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) and 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. 2005/3259.

Revocation

3. The Medicines (Pharmacies) (Applications for Registration and Fees) Amendment Regulations 2005^(a) are revoked.

Signed by authority of the Secretary of State for Health

6th December 2006

Andy Burnham
Minister of State,
Department of Health

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

6th December 2006

Andrew McCormick
Permanent Secretary,
Department of Health, Social Services and Public Safety

^(a) S.I. 2005/3259.

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 £474 to £492 (where the premises are in Great Britain) and from £93 to £97 (where the premises are in Northern Ireland);
- (b) regulation 2(b) increases subsequent annual fees (retention fees) from £150 to £156 (where the premises are in Great Britain) and from £130 to £135 (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 £474 to £492 (where premises are in Great Britain) and from £270 to £281 (where the premises are in Northern Ireland).

These Regulations also revoke the Medicines (Pharmacies) (Applications for Registration and Fees) Amendment Regulations 2005, which increased the fees in the principal Regulations, the effect of which is spent.

A full Regulatory Impact Assessment of the effect that this instrument will have on the costs of business is available from the Department of Health, Pharmacy and Prescription Branch, Room 520, Eileen House, 80-90 Newington Causeway, London SE1 6EE. Copies have been placed in the libraries of both Houses of Parliament.

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