



New South Wales

# Pharmacy (General) Amendment (Exceptions) Regulation 2005

under the

Pharmacy Act 1964

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Pharmacy Act 1964*.

MORRIS IEMMA, M.P.,  
Minister for Health

## Explanatory note

Section 25 of the *Pharmacy Act 1964* (*the Act*) provides that a person (other than a pharmacist), a corporation or an unincorporated body must not have an interest in a pharmacy business except in certain circumstances, including circumstances prescribed by the regulations. Clause 21 of the *Pharmacy (General) Regulation 1998* prescribes those circumstances and operates to continue exceptions for interests in pharmacy businesses that were permitted under provisions of section 25 of the Act that were repealed in 1990.

The object of this Regulation is to amend the *Pharmacy (General) Regulation 1998* to remove one of the conditions of the continuance of the exceptions—the condition that the relevant pharmacy business not relocate on or after 1 January 2003. The requirement that the relevant pharmacy business is carried on in either the shop in which that business was carried on immediately before 5 October 1990 or a shop in the prescribed area for the original shop is not removed.

This Regulation is made under the *Pharmacy Act 1964*, including sections 25 and 38 (the general regulation-making power).

## **2005 No 239**

Clause 1 Pharmacy (General) Amendment (Exceptions) Regulation 2005

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# **Pharmacy (General) Amendment (Exceptions) Regulation 2005**

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Pharmacy Act 1964

### **1 Name of Regulation**

This Regulation is the *Pharmacy (General) Amendment (Exceptions) Regulation 2005*.

### **2 Amendment of Pharmacy (General) Regulation 1998**

The *Pharmacy (General) Regulation 1998* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 2)

**[1] Clause 21 Savings for pecuniary interests before 5 October 1990 (section 25)**

Omit “the shop in which it was carried on immediately before the commencement of the *Pharmacy (General) Amendment (Exceptions) Regulation 2002*, and that shop is” from clause 21 (1) (c).

**[2] Clause 21 (4)**

Omit “and before the commencement of the *Pharmacy (General) Amendment (Exceptions) Regulation 2002*”.