

Notification of a New Superintendent to a Body Corporate under Section 71 Subsection (2)

A Body Corporate must notify the Registrar immediately of any change of Superintendent

It is a requirement for each body corporate or limited company to have in place a Superintendent Pharmacist.

Section 71 of the Medicines Act states that:

- a. The Superintendent is a pharmacist.
- b. The form is signed by him on behalf of the body corporate, specifying whether he is a board member.
- c. He does not act in a similar capacity for another body corporate.

A pharmacist who relinquishes the post of Superintendent must inform the organisation immediately of his resignation by completing the "Notification of Resignation of Superintendent" form, the owner/director/managing director will need to complete the first part of the form.

The owner/director/managing director also needs to submit a "Nomination of Superintendent" form and have it signed by the new SI.

Medicines Act Section 78 Restrictions on use of titles, descriptions and emblems.

(1) The provisions of this section shall have effect subject to section 79 of this Act.

(2) F1... No person shall—

(a) take or use any of the following titles, that is to say, chemist and druggist, druggist, dispensing chemist, and dispensing druggist, or

(b) take or use the title of chemist in connection with the sale of any goods by retail or the supply of any goods in circumstances corresponding to retail sale, unless the conditions specified in the next following subsection are fulfilled.

(3) Those conditions are—

(a) in the case of an individual, that he is a person lawfully conducting a retail pharmacy business (either alone or as a member of a partnership) and that he does not take or use the title in question in connection with any premises at which any goods are sold by retail, or are supplied in circumstances corresponding to retail sale, unless those premises are a registered pharmacy, and

(b) in the case of a body corporate, that the body is a person lawfully conducting a retail pharmacy business and that the title in question is not taken or used by that body in connection with any premises at which any goods are sold by retail, or are supplied in circumstances corresponding to retail sale, unless those premises are a registered pharmacy, and that the pharmacist who, in relation to that business, is such a superintendent as is referred to in section 71(1) of this Act is a member of the board of the body corporate.

Therefore, in order for any body corporate to use the word 'Chemist' or other restricted title in their business name or trading name for their registered premises, their Superintendent must be a member of the board of the body corporate.

Section One – To be completed by one of the following:

Please “X” whichever applies

Secretary

Managing Director

Director

I (name) _____

Of (name of Body Corporate) _____

Certificate of Incorporation Number _____

Date Company Incorporated _____

Registered Office Address _____
(for all correspondence) _____
including postcode _____

Wish to nominate (name) _____

Registration number _____

As superintendent pharmacist with effect from (date) _____

Signature _____

Date _____

Section Two - To be completed by the new Superintendent

I will be the Superintendent for the Body Corporate above from (date) _____

Name _____

Registration number _____

Signature _____

Please “X” whichever applies:

I am a member of the board of the Body Corporate stated above.

I am not a member of the board of the Body Corporate stated above.

In order for any body corporate to use the word ‘Chemist’ or other restricted title in their business name or trading name for their registered premises, their Superintendent must be a member of the board of the body corporate.

Completed notifications should be sent to the Pharmaceutical Society NI, 73 University Street, Belfast, BT7 1HL. Alternatively, you can email this notification to registration@psni.org.uk