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STATUTORY INSTRUMENTS

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**2010 No. 231**

**The Pharmacy Order 2010**

**PART 4**

**Registration**

**Pre-entry requirements in respect of qualifications and additional education, training or experience: pharmacy technicians**

**22.**—(1) For the purposes of article 20(1)(a)(i), a person (“T”) is “appropriately qualified” as a pharmacy technician if—

- (a) T has a qualification awarded in Great Britain which has been approved by the Council as attesting to a standard of proficiency for the safe and effective practice of pharmacy that, in the Council’s opinion, it is necessary for a person to achieve in order to be entered in Part 2 of the Register;
- (b) T is an exempt person and is permitted to pursue the profession of pharmacy technician in Great Britain by virtue of Part 3 of the General Systems Regulations; or
- (c) T has, elsewhere than in Great Britain, undergone training as a pharmacy technician, and—
  - (i) holds a qualification which has been approved by the Council as attesting to a standard of proficiency for the safe and effective practice of pharmacy that, in the Council’s opinion, it is necessary for a person to achieve in order to be entered in Part 2 of the Register, or
  - (ii) holds a qualification which—
    - (aa) in the case where T is an exempt person to whom sub-paragraph (b) does not apply, taken together with T’s additional education, training or experience acquired elsewhere than in Great Britain (but at least in part within the European mutual recognition area) indicates that T has met the standard of proficiency for the safe and effective practice of pharmacy that, in the Council’s opinion, it is necessary for a person to achieve in order to be entered in Part 2 of the Register,
    - (bb) whether or not T is an exempt person, taken together with the additional education, training or experience that the Registrar requires T to undertake pursuant to article 20(1)(a)(iii), indicates that T has met the standard of proficiency for the safe and effective practice of pharmacy that, in the Council’s opinion, it is necessary for a person to achieve in order to be entered in Part 2 of the Register.

(2) For the purposes of an application for entry in the Register as a pharmacy technician, the Registrar must not require any exempt person to whom paragraph (1)(b) or (c)(ii)(aa) applies to meet any requirements as to additional education, training or experience unless—

- (a) the application is for restoration to Part 2 of the Register; and

- (b) in so doing the Registrar is acting in a manner that is consistent with the requirements of the EU Treaties and the Directive.
  - (3) In formulating its opinion under paragraph (1)(c)(ii) in relation to T, where T is an exempt person, the Council must—
    - (a) if T holds a qualification granted outside the European mutual recognition area which has been accepted by another relevant European State as qualifying T to practise as a pharmacy technician in that State, take into account the acceptance of that qualification; and
    - (b) take into account all T's relevant qualifications, knowledge and experience, wherever acquired.
  - (4) For the purposes of article 20(1)(a)(iii), where T—
    - (a) is a person to whom paragraph (1)(a) or (c)(i) or (ii)(bb) applies; and
    - (b) is not an exempt person,
- the Registrar may require T to meet requirements as to additional education which comprise or include reaching an adequate standard of proficiency in the knowledge and use of English.