
STATUTORY INSTRUMENTS

2016 No. 1030

**The European Qualifications (Health and
Social Care Professions) Regulations 2016**

PART 3

PHARMACISTS AND PHARMACY TECHNICIANS

CHAPTER 3

AMENDMENT OF THE PHARMACY ORDER 2010

Amendment of Schedule 2

41.—(1) Schedule 2 (visiting practitioners from relevant European States) is amended as follows.

(2) For paragraph 1(1), substitute—

“(1) This Part of this Schedule applies to a person who—

- (a) is an exempt person who is lawfully established as a pharmacist in a relevant European State other than the United Kingdom; and
- (b) is not a person to whom paragraph 15 of Schedule 2A (European professional card and entitlement to registration: provision of occasional pharmacy services) to this Order or paragraph 15 of Schedule 2C (European professional card and entitlement to registration: provision of occasional pharmacy services) to the Pharmacy (Northern Ireland) Order 1976 applies.”.

(3) In paragraph 3(b)—

- (a) for “3(9)(a) or (e)” substitute “3(8)(a) or (e)”;
- (b) for “14 to 16” substitute “19 to 23”.

(4) In paragraph 4—

- (a) in sub-paragraph (2)(a)—
 - (i) in sub-paragraph (i), omit the “and” at the end;
 - (ii) after sub-paragraph (ii), insert—
 - “(iii) confirms that the practitioner does not have a criminal conviction; and
 - (iv) confirms that the practitioner is not subject to a temporary or final suspension preventing practice as a pharmacist;”;
- (b) after sub-paragraph (2)(a), insert—
 - “(aa) a written declaration as to whether the practitioner has the necessary knowledge of English;”;
- (c) in sub-paragraph (3), after “(2)(a)” insert “or (aa)”.

(5) After paragraph 4, insert—

“First provision of services: visiting practitioners from Northern Ireland

4A.—(1) The Registrar must treat a visiting practitioner who—

- (a) applies to be entered in Part 4 of the Register as a visiting practitioner; and
- (b) is registered in the register kept under Article 6(1)(d) of the Pharmacy (Northern Ireland) Order 1976 relating to pharmacists who are visiting practitioners to Northern Ireland,

as complying with the requirements of paragraph 4.

(2) The Registrar may require the visiting practitioner to provide additional information concerning his or her professional qualifications as a result of differences in the way that the profession is regulated in different parts of the United Kingdom.

(3) Sub-paragraph (1) does not apply if the Registrar has required the visiting practitioner to provide information under sub-paragraph (2) and the visiting practitioner has not done so.”.

(6) In paragraph 5(2)—

- (a) for “3(9)(a) or (e)” substitute “3(8)(a) or (e);
- (b) for “14 to 16” substitute “19 to 23”.

(7) In paragraph 7(6), after “home State” insert “or, if different, a relevant European State in which the practitioner practises or has practised as a pharmacist”.

(8) In paragraph 11, for “8” substitute “12”.

(9) In paragraph 12—

(a) in sub-paragraph (2)(a)—

- (i) in sub-paragraph (i), omit the “and” at the end;
- (ii) after sub-paragraph (ii), insert—
 - “(iii) confirms that the practitioner does not have a criminal conviction; and
 - (iv) confirms that the practitioner is not subject to a temporary or final suspension preventing practice as a pharmacy technician;”;

(b) after sub-paragraph (2)(a), insert—

- “(aa) a written declaration as to whether the practitioner has the necessary knowledge of English;”;

(c) in sub-paragraph (3), after “(2)(a)” insert “or (aa)”.

(10) In paragraph 15(6), after “home State” insert “or, if different, a relevant European State in which the practitioner practises or has practised as a pharmacy technician”.