
STATUTORY INSTRUMENTS

2021 No. 1346

The National Health Service (Charges, Primary
Medical Services and Pharmaceutical and
Local Pharmaceutical Services) (Coronavirus)
(Further Amendments) Regulations 2021

PART 2

Amendments to the National Health Service (Pharmaceutical
and Local Pharmaceutical Services) Regulations 2013

New regulation 21A of the PLPS Regulations

5. After regulation 21 of the PLPS Regulations (future improvements or better access: consequences of additional matters), insert—

“PNA based applications for new premises offering additional or different opening hours

21A.—(1) Paragraph (2) applies where the NHSCB receives a routine application which is in respect of premises not already listed, where—

- (a) the applicant’s stated intention (in accordance with paragraph 7(1)(a) of Schedule 2) is to meet a need, or secure improvements or better access, identified in the relevant pharmaceutical needs assessment (whether current or future gaps in provision); and
- (b) the need is, or the improvements are or the better access is, in respect of the days on which or the times at which essential services are provided in the area of the relevant HWB.

(2) In determining whether or not it is satisfied as mentioned in section 129(2A) of the 2006 Act⁽¹⁾ (regulations as to pharmaceutical services), the NHSCB must have regard to whether granting the application would result in an undesirable increase in the availability of essential services in the area of the relevant HWB.

(3) If the NHSCB is satisfied that granting the application would result in the undesirable increase in availability mentioned in paragraph (2), it must refuse the application.”

(1) Subsection (2A) was inserted by the Health Act 2009 (c. 21), section 26(3), and amended by the Health and Social Care Act 2012 (c. 7), section 207(4), and Schedule 4, paragraph 66(5).