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STATUTORY INSTRUMENTS

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**2023 No. 479**

**The National Health Service (Pharmaceutical and Local  
Pharmaceutical Services) (Amendment) Regulations 2023**

**Amendment of paragraph 5 of Schedule 2**

7. In Schedule 2 (applications in respect of pharmaceutical lists and the procedures to be followed), in Part 1 (information to be included in routine and excepted applications), in paragraph 5 (fitness information that has already been provided under pharmaceutical or local pharmaceutical services), after sub-paragraph (2) insert—

“(3) Unless sub-paragraph (4) applies, information is only to be considered missing for the purposes of sub-paragraph (2)(b) if, having regard to the fact that the fitness of the applicant to be included in a pharmaceutical list has already been established (or if the applicant’s fitness is under investigation, that investigation is being taken forward separately), it is nevertheless material to the consideration of the application.

(4) Information is to be considered missing for the purposes of sub-paragraph (2)(b) if it has previously been provided to NHS England or a Primary Care Trust by the applicant, but more than 7 years prior to the date of the application.

(5) If a declaration that is required to be included in an application has never previously been provided to NHS England or has previously been provided but it is no longer up to date—

- (a) an up to date declaration, together with any information that the applicant needs to provide in support of that declaration; or
- (b) any information that needs to be provided because the applicant is unable to make that declaration,

is to be considered as missing information for the purposes of sub-paragraph (2)(b).”